

# Job Applicant Privacy Policy



We are committed to transparency about how we handle your personal information, to protect the privacy and security of your personal information and to meet our data protection obligations under the General Data Protection Regulation (“GDPR”) and the Data Protection Act 2018.

This privacy notice sets out, in line with GDPR, the types of data that we collect and hold on you as a job applicant. It also sets out how we use that information, how long we keep it for and other relevant information about your data.

As part of any recruitment process, we will collect and process personal information, or personal data, relating to job applicants. This personal information may be held by us on paper or in electronic format.

This privacy notice applies to all job applicants, whether they apply for a role directly or indirectly through an employment agency or third-party recruitment website such as Indeed, Total Jobs etc.

## Data Controller Details

The Belfield Group is a Data Controller, meaning that it determines the processes to be used when processing your personal data. Our contact details are:

The Data Controller  
The Belfield Group Ltd  
Head Office  
Hallam Fields Road  
Ilkeston  
Derbyshire  
DE7 4AZ

## Data Protection Principles

Under the GDPR, there are six data protection principles that we must comply with in relation to your personal data, we will:

- Process it fairly, lawfully and in a clear, transparent way
- Collect your data only for reasons that we find proper for the course of your employment in ways that have been explained to you
- Only use it in the way that we have told you about
- Ensure it is correct and up to date
- Keep your data for only as long as we need it
- Process it in a way that ensures it will not be used for anything that you are not aware of or have consented to (as appropriate), lost or destroyed.

## Types of personal information we process about you

Personal information is any information about an individual from which that person can be directly or indirectly identified. It doesn't include anonymised data, i.e., where all identifying particulars have been removed.

There are also “special categories” of personal information, and personal information on criminal convictions and offences, which requires a higher level of protection because it is of a more sensitive nature.

The special categories of personal information comprise information about an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life or sexual orientation and genetic and biometric data. We collect, use, and process a range of personal information about you during the recruitment process. This includes:

- Your personal details including your name, address, email address, phone numbers, National Insurance Number.

- Personal information included in your CV, any application form, cover letter or interview notes.
- Information about your right to work in the UK and copies of documentation relating to your right to work in the UK.
- Information relating to qualifications and or copies of certificates.
- Copy of driving licence.
- References from former employers.
- Details of your skills, qualifications, experience, and work history with previous employers.
- Information about your current salary, including benefits.
- We may also collect, use, and process the following special categories of your personal information during the recruitment process:
  - Whether or not you have a disability for which we may need to make reasonable adjustments during the recruitment process.
  - Information about criminal convictions and offences.

## How we collect your personal information?

We collect personal information about you during the recruitment process either directly from you or sometimes from a third party such as an employment agency or recruitment website. We may also collect personal information from other external third parties, such as references from current and former employers.

Other than employment agencies, we will only seek personal information from third parties during the recruitment process once an offer of employment or engagement has been made to you and we will inform you that we are doing so. You are under no statutory or contractual obligation to provide personal information to us during the recruitment process. Your personal information may be stored in different places, including on your application record, in our HR management system and in other IT systems, such as the e-mail system.

## Why and how do we process your personal information?

We will only use your personal information when the law allows us to. These are known as the legal bases for processing. We will use your personal information in one or more of the following circumstances:

- Where we need to do so to take steps at your request prior to entering into a contract with you, or to enter into a contract with you.
- Where we need to comply with a legal obligation.
- Where it is necessary for our legitimate interests (or those of a third party), and your interests or your fundamental rights and freedoms do not override our interests.
- All of the processing carried out by us falls into one of the permitted reasons.

We will process your information to take steps at your request to assess whether to enter into a contract of employment with you in order to:

- Manage the recruitment process and assess your suitability for employment.
- Decide who we offer a job to.

## We will also process your information to:

- Comply with statutory and/or regulatory requirements and obligations, e.g., checking your right to work in the UK.
- Comply with the duty to make reasonable adjustments for disabled job applicants and with other disability discrimination obligations.
- Ensure compliance with your statutory rights; and
- Monitor equal opportunities.

We will process your information in our legitimate interests of pursuing our business by employing suitable employees, managing the recruitment process, conducting due diligence on prospective employees, and performing effective internal administration, and protecting our business in order to:

- Ensure effective HR, personnel management, and business administration; and
- Enable us to establish, exercise or defend possible legal claims.

We may process your personal information without your consent, in compliance with these rules, where this is required or permitted by law.

## Change of Purpose

We will not use your personal information for any purpose which is inconsistent with the purposes for which we collected it, for example the recruitment vacancy for which you applied for.

If you are unsuccessful in obtaining employment, we will seek your consent to retaining your data in case other suitable job vacancies arise for which we think you may wish to apply. You are free to withhold your consent to this and there will be no consequences for withholding consent.

## What if you fail to provide personal information?

If you fail to provide certain personal information when requested, we may not be able to process your job application properly or at all, we may not be able to enter into a contract with you, or we may be prevented from complying with our legal obligations. You may also be unable to exercise your statutory rights.

## Why and how we use special categories of personal information about you?

We will only collect and use your sensitive personal information, which includes special categories of personal information and information about criminal convictions and offences, when the law allows us to.

Some special categories of personal information, i.e., information about your health, and information about criminal convictions and offences, is processed so that we can perform or exercise our obligations or rights under employment law and in line with our data protection policy.

We may also process information about your health and information about any criminal convictions and offences where we have your explicit written consent. In this case, we will first provide you with full details of the personal information we would like and the reason we need it, so that you can properly consider whether you wish to consent or not. It is entirely your choice whether to consent. Your consent can be withdrawn at any time.

The purposes for which we are processing, or will process, health information and information about any criminal convictions and offences, are to:

- Assess your suitability for employment.
- Comply with the duty to make reasonable adjustments for disabled job applicants and with other disability discrimination obligations.
- Ensure compliance with your statutory rights.
- Ascertain your fitness to work.
- Ensure effective HR, personnel management, and business administration.
- Monitor equal opportunities.

Where we process other special categories of personal information, i.e., information about your racial or ethnic origin, religious or philosophical beliefs this is done only for the purpose of equal opportunities monitoring in recruitment and in line with our data protection policy.

Personal information that we use for these purposes is either anonymised or is collected with your explicit written consent, which can be withdrawn at any time. It is entirely your choice whether to provide such personal information. We may also occasionally use your special categories of personal information, and information about any criminal convictions and offences, where it is needed for the establishment, exercise, or defence of legal claims.

## Sharing of your personal information

Your personal information may be shared internally within the Company for the purposes of the recruitment exercise, including the HR department, those in the department where the vacancy is who are responsible for screening your application and interviewing you and the IT department if access to your personal information is necessary for the performance of their role.

We will not share your personal information with third parties during the recruitment process unless your job application is successful, and we make you an offer of employment. At that stage, we may also share your personal information with third parties (and their designated agents), including former employers to obtain references.

We may share your personal information with third parties where it is necessary at your request to enter into a contract with you, where we need to comply with a legal obligation, or where it is necessary for our legitimate interests (or those of a third party).

Your personal data will not be transferred out of the UK. If in future, we need to transfer your information outside the European Economic Area we will only do so if adequate protection measures are in place in compliance with data protection legislation.

## How do we protect your personal information?

We are aware of the requirement to ensure your data is protected against accidental loss or disclosure, destruction, and abuse. We have implemented internal procedures and processes to guard against such. In addition, we limit access to your personal information to employees and third parties who have a business need to know in order to perform their job duties and responsibilities.

Where we share your data with third parties, we provide written instructions to them to ensure that your information is held securely and in line with GDPR requirements. Third parties must implement appropriate technical and organisational measures to ensure the security of your data.

We also have procedures to deal with a suspected data security breach and we will notify the Information Commissioner's Office and you of a suspected breach where we are legally required to do so.

## How long do we keep your personal information for?

In line with data protection principles, we will only keep your data for as long as we need it to fulfil the purposes for which it was collected and processed. This will depend on whether or not you are successful in obtaining employment with us.

If your application is not successful and we have not sought consent or you have not provided consent upon our request to keep your data for the purpose of future suitable job vacancies, we will keep your data for a period of 3 months once the recruitment exercise ends.

If we have sought your consent to keep your data on file for future job vacancies, and you have provided consent, we will keep your data for a period of 6 months once the recruitment exercise ends. At the end of this period, we will delete or destroy your data, unless you have already withdrawn your consent to our processing of your data in which case it will be deleted or destroyed upon your withdrawal of consent provided the 3-month period referenced above has passed.

Personal information which is no longer to be retained will be securely and effectively destroyed or permanently erased from our IT systems and we will also require third parties to destroy or erase such personal information where applicable.

If your application is successful, your personal information gathered during the recruitment process will be retained and transferred to the systems we administer for employees. We have a separate privacy notice for employees, which will be provided to you.

## Automated Decision Making

Automated decision making occurs when an electronic system uses your personal information to make a decision without human intervention. No decision will be made about you solely on the basis of automated decision making which has a significant impact on you.

## Your rights in relation to your personal information

As a data subject, you have a number of statutory rights. Subject to certain conditions, and in certain circumstances, you have:

- The right to be informed. This means that we must tell you how we use your data, and this is the purpose of this privacy notice.
- The right of access. You have the right to access the data that we hold on to you. To do so, you should make a subject access request.
- The right for any inaccuracies to be corrected. If any data that we hold about you is incomplete or inaccurate, you are able to require us to correct it.
- The right to have information deleted. If you would like us to stop processing your data, you have the right to ask us to delete it from our systems where you believe there is no reason for us to continue processing it.
- The right to restrict the processing of the data. For example, if you believe the data, we hold is incorrect, we will stop processing the data (whilst still holding it) until we have ensured that the data is correct.
- The right to portability. You may transfer the data that we hold on to you for your own purposes.
- The right to object to the inclusion of any information. You have the right to object to the way we use your data where we are using it for our legitimate interest.
- The right to regulate any automated decision-making and profiling of personal data. You have a right not to be subject to automated decision making in way that adversely affects your legal rights.

If you wish to exercise any of these rights, please contact the HR Department dealing with your application. The HR Department may need to request specific information from you in order to verify your identity and check your right to access the personal information or to exercise any of your other rights. This is a security measure to ensure that your personal information is not disclosed to any person who has no right to receive it.

In the limited circumstances where you have provided your consent to the processing of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. This will not, however, affect the lawfulness of processing based on your consent before its withdrawal.

If you wish to withdraw your consent, please contact the HR Department dealing with your application. Once we have received notification that you have withdrawn your consent, we will no longer process your personal information for the purpose you originally agreed to, unless we have another legal basis for processing.

## Making a Complaint

Should you have any issues, concerns, or problems in relation to your data, or wish to notify us of data, which is inaccurate, please let us know by contacting us (please refer to appendix A). In the event that you are not satisfied with our processing of your personal data, you have the right to lodge a complaint with the Information Commissioner's Office (ICO) at any time. The ICO is the UK supervisory authority for data protection issues.

# Job Applicant Privacy Policy



## Changes to this Privacy Notice

We reserve the right to update or amend this privacy notice at any time. Any changes will be made available on our Company websites. We may also notify you about the processing of your personal information in other ways.

## Contact

If you have any questions about this privacy notice or how we handle your personal information, please contact the HR Department dealing with your application.

Appendix A - Designated Contact:
Anthony Pydiah, ESG Director – <a href="mailto:anthony.pydiah@thebelfieldgroup.com">anthony.pydiah@thebelfieldgroup.com</a>

