

## Potential Employee Privacy Notice

(Information Commissioners Office reference number Z7425604)

### Data controller: Fairhurst

As part of our recruitment process, Fairhurst collects and processes personal data relating to job applicants. Fairhurst is committed to being transparent about how it collects and uses that personal data and to meeting its data protection obligations.

### What information does Fairhurst collect?

Fairhurst may collect a range of information about you. This includes:

- your name, address and contact details, including email address and telephone number,
- details of your qualifications, skills, experience and employment history,
- information about your current level of remuneration, including benefit entitlements,
- whether or not you have a disability for which Fairhurst needs to make reasonable adjustments during the recruitment process, and
- information about your entitlement to work in the UK.

Fairhurst may collect this information in a variety of ways. For example, personal data might be contained in application forms, CVs or resumes, obtained from your passport or other identity documents provided, or collected through interviews or other forms of assessment, including online tests.

Fairhurst may also collect personal data about you from third parties including but not limited to references supplied by former employers, information from employment background check providers and information from criminal records checks. Fairhurst will seek information from third parties only once a job offer to you has been made and will inform you that it is doing so.

Personal data will be stored in a range of different places and formats including on your application record, in HR management systems and on other IT systems (including email).

### Why does Fairhurst process personal data?

Fairhurst needs to process personal data to take steps at your request in order to consider your application for employment and prior to entering into a contract with you. It may also need to process your personal data to enter into a contract with you.

In some cases, Fairhurst needs to process personal data to ensure that it is complying with its legal obligations. For example, it is required to check a successful applicant's eligibility to work in the UK before employment starts.

Fairhurst has a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. Processing personal data from job applicants allows Fairhurst to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. Fairhurst may also need to process and retain personal data from job applicants to respond to and defend against legal claims.

Fairhurst may process special categories of personal data such as information about ethnic origin, sexual orientation or religion or belief in order to monitor recruitment statistics. It may also collect information about whether or not applicants are disabled to make reasonable adjustments for

candidates who have a disability. Fairhurst processes such information to carry out its obligations and exercise specific rights in relation to employment.

For some roles, Fairhurst is obliged to seek information about criminal convictions and offences. Where Fairhurst seeks this information, it does so because it is necessary for it to carry out its obligations and exercise specific rights in relation to employment.

### **Who has access to data?**

Your information may be shared internally for the purposes of the recruitment exercise. This includes members of the recruitment team, interviewers involved in the recruitment process, managers in the business area with a vacancy and IT staff if access to the personal data is necessary for the performance of their roles.

Fairhurst will not share your personal data with third parties unless your application for employment is successful and we make you an offer of employment. Fairhurst may then share your personal data with former employers and others to obtain references for you, employment background check providers to obtain necessary background checks and the Disclosure and Barring Service to obtain necessary criminal records checks.

It is our intention, wherever possible, to use and store your personal data in the UK and to avoid transferring it outside of the European Economic Area (EEA). Personal data shall not be transferred to a country or territory outside the EEA unless an Agreement or other mechanism approved by the European Commission or the Information Commissioners' Office has been put in place

### **How does Fairhurst protect data?**

Fairhurst takes the security of your personal data seriously. It has internal policies and controls in place to ensure that your personal data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties.

### **For how long does Fairhurst keep data?**

If your application for employment is unsuccessful, Fairhurst may hold your personal data on file for up to one year after the end of the relevant recruitment process. If you further agree to allow Fairhurst to keep your personal data on file, we may hold your personal data on file for up to a further five years for consideration for future employment opportunities. At the end of that period your personal data is deleted or destroyed.

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your personnel file and retained during your employment. The periods for which your personal data will be held will be provided to you in an Employee privacy notice.

### **Automated decision-making**

Recruitment processes are not based solely or primarily on automated decision-making.

### **Your rights in connection with personal information**

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.

- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.

Ordinarily, you will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

If you believe that Fairhurst has not complied with your data protection rights, you can complain to the Information Commissioner.

#### **What if you do not provide personal data?**

You are under no statutory or contractual obligation to provide personal data to the organisation during the recruitment process. However, if you do not provide the information, the organisation may not be able to process your application properly or at all.

**If you have any questions about this privacy notice, please contact the advertising Fairhurst office or if known the Recruitment Manager relevant to the position to which you have applied**