

SANDBERG

GDPR Privacy Notice for Candidates for Employment or Work

Sandberg LLP of 40 Grosvenor Gardens, London, SW1W 0EB ("we, us, our" or "Organisation") where personal data relating to e.g. candidates for employment or work is processed by the Organisation is a "data controller" and we collect, store, hold, process, use, record, consult, disclose, erase, make decisions based upon, destroy and in some instances transmit personal data about you (together these activities are referred to as "Process", "Processed" or "Processing"). This Privacy Notice sets out the information that must be provided by us to you (the "Data Subject") at the time your personal data is obtained. It is drafted in compliance with UK data protection laws. We are making you aware of our Privacy Notice because you are applying for work with us (whether as an employee, worker or contractor).

This Privacy Notice concerns your **personal data** and **special categories of data**, together referred to as "Data" in the Privacy Notice which is obtained during the recruitment or selection process. This Privacy Notice describes how we collect and use Data about you and gives examples of the types of Data we hold, Processing activities and the justifications for that Processing.

This Privacy Notice does not form part of any contract of employment or other contract to provide services.

It is important that you read this Privacy Notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing Data about you, so that you are aware of how and why we are using such information. This Privacy Notice should also be read in conjunction with the Organisation's **Data Protection Policy**.

DATA PROTECTION PRINCIPLES

We will comply with data protection law and principles, which means that your Data will be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

The Types of data we hold about you

In connection with your application for work with us, we will collect, store, Process and use the following categories of **personal data** about you:

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- The information you have provided to us in your curriculum vitae and covering letter
- The information you have provided on our application form, including name, title, address, telephone number, personal email address, date of birth, gender, employment history, qualifications, reference information
- Any information you provide to us during an interview
- Any information you provide to us or the results of any pre-employment testing process
- Any information you provide to us or the results of any pre-employment screening process

We may also collect, store and use the following **special categories** of more sensitive Data:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions
- Information about your health, including any medical condition, health and sickness records
- Information about criminal convictions and offences

HOW IS YOUR PERSONAL DATA PROCESSED AND IN WHAT SITUATIONS?

Data is collected directly through you or from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers or credit reference agencies.

We collect Data about candidates from the following sources:

- You, the candidate
- Recruitment agency (ies), from which we collect the following categories of data: employment history, salary information, experience and suitability for the role.
- Disclosure and Barring Service in respect of criminal convictions
- Your named referees, from whom we collect the following categories of data: employment history, salary information, experience and suitability for the role.

HOW WE WILL USE DATA ABOUT YOU - OUR LAWFUL BASIS

We will use the Data we collect about you to:

- Assess your skills, qualifications, and suitability for the work or advertised role
- Carry out background and reference checks, where applicable
- Assess your right to work in the UK in compliance with immigration rules
- Communicate with you about the recruitment process

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- Keep records related to our hiring or recruitment processes
- Carry out data analytics including the profiles of those applying for roles with us
- Comply with legal or regulatory requirements

Under Data Protection laws, data controllers have to explain how Data about Data Subjects is used because they can only use Data when they are permitted to do so by law. Data controllers will be permitted to use Data by law when they can establish a “**Lawful Basis**”. The Lawful Basis relevant for Processing Data about you in the recruitment context is that:-

- It is necessary for the purposes of legitimate interests pursued by us or by a third party. It is in our legitimate interests to decide whether to appoint you to the role or provide you with work since it would be beneficial to our business to appoint someone to that role or work.
- It is necessary for entering into or performing a contract with a Data Subject. We need to process your Data to decide whether to enter into a contract of employment or work with you.

Having received your CV and covering letter or your application form, we will then process that information to decide whether you meet the basic requirements to be shortlisted for the role. If you do, we will decide whether your application is strong enough to invite you for an interview. If we decide to call you for an interview, we will use the information you provide to us at the interview to decide whether to offer you the role or work. If we decide to offer you the role or work, we will then take up references, carry out a criminal record check and/or carry out any other relevant checks before confirming your appointment.

Change of Purpose

We will only use your Data for the purpose for which it was collected, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purposes. If we need to use your Data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so. We may also process your Data without your knowledge or consent, in compliance with the above rules, where this is permitted or required by law.

If you fail to provide us with Data when requested

If you fail to provide Data when requested, which is necessary for us to consider your application (such as evidence of qualifications or work history), we will not be able to process your application successfully. For example, if we require a credit check or references for this role and you fail to provide us with relevant details, we will not be able to take your application further.

HOW WE USE SPECIAL CATEGORIES OF DATA

We will use your particularly sensitive Data (**special categories of data**) in the following ways:

- We will use information about your disability status to consider whether we need to provide appropriate adjustments during the recruitment process, for example whether adjustments need to be made during the interview process or during a test.

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- We will use information about your gender, race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life, age or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting

INFORMATION ABOUT CRIMINAL CONVICTIONS

We do not envisage that we will process information about criminal convictions.

AUTOMATED DECISION-MAKING

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

TRANSFERRING DATA TO A THIRD PARTY

Why might you share my Data with third parties?

We may as part of the recruitment or selection processes share your Data with the following third parties:

- Parent, Associated Employers or Group Companies
- Legal representatives
- Regulators and professional bodies
- Recruiters or reference checking agencies
- Government or statutory bodies
- Non-government bodies
- HMRC
- Insurers, insurance brokers
- Occupational health providers
- Medical practitioners, clinicians, doctors, other health providers and consultants
- I-cloud service providers
- DVLA

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- Disclosure and Barring Service
- Consultants or Contractors working on our behalf

All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your Data in line with our policies. We do not allow our third-party service providers to use your Data for their own purposes. We only permit them to process your Data for specified purposes and in accordance with our instructions.

DATA SECURITY

We have put in place appropriate security measures to prevent your Data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your Data to those employees, agents, contractors and other third parties who have a business need-to-know. They will only process your Data on our instructions and they are subject to a duty of confidentiality. Details of these measures may be obtained from the Partnership Secretary.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

DATA RETENTION

How long will you use my information for?

The periods for which Data will be stored and the criteria used to determine retention periods or whether Data can be removed will depend on the information in question, its relevance or sensitivity; however, generally, Data will be removed if it has been superseded by other relevant or up to date information, if it is out of date, irrelevant or no longer necessary. Generally this will be for a period of 12 months after we have communicated to you our decision about whether to appoint you to role or offer you work. We retain your Data for that period so that we can show, in the event of a legal claim, that we have not discriminated against candidates on prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way. After this period, we will securely destroy your Data in accordance with [our data retention policy or applicable laws and regulations]. In some circumstances we may anonymise your Data so that it can no longer be associated with you, in which case we may use such information without further notice to you.

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RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

Your rights in connection with Data

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

- **Request access** to your Data (commonly known as a “data subject access request”). This enables you to receive a copy of the Data we hold about you and to check that we are lawfully processing it.
- **Request correction** of the Data that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your Data. This enables you to ask us to delete or remove Data 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 Data where you have exercised your right to object to processing (see below).
- **Object to processing** of your Data 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 Data for direct marketing purposes.
- **Request the restriction of processing** of your Data. This enables you to ask us to suspend the processing of Data about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your Data to another party.

If you want to review, verify, correct or request erasure of your Data, object to the processing of your personal data, or request that we transfer a copy of your Data to another party, please contact the Partnership Secretary in writing.

DATA PROTECTION OFFICER

We have appointed the Partnership Secretary to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your Data, please contact the Partnership Secretary. You have the right to make a complaint at any time to the Information Commissioner’s Office (ICO), the UK supervisory authority for data protection issues.

I, _____ (candidate name), acknowledge that on _____ (date), I received a copy of Sandberg LLP Privacy Notice for Candidates for Employment or Work and that I have read and understood it.

Signature

Name