

DATA PROTECTION PRIVACY NOTICE (RECRUITMENT)

This notice explains what personal data (information) we will hold about you, how we collect it, and how we will use and may share information about you during the application process. We are required to notify you of this information, under data protection legislation. Please ensure that you read this notice (sometimes referred to as a 'privacy notice') and any other similar notice we may provide to you from time to time when we collect or process personal information about you.

1. WHO COLLECTS THE INFORMATION

Lanyon Bowdler LLP is a 'data controller' and gathers and uses certain information about you.

2. DATA PROTECTION PRINCIPLES

We will comply with the data protection principles when gathering and using personal information, as set out in our data protection policy, a copy of which is available on request.

3. ABOUT THE INFORMATION WE COLLECT AND HOLD

The table set out in Part 1 of schedule 1 below summarises the information we collect and hold up to and including the shortlisting stage of the recruitment process, how and why we do so, how we use it and with whom it may be shared.

The table in Part 2 of schedule 1 below summarises the additional information we collect before making a final decision to recruit, i.e. before making an offer of employment unconditional, how and why we do so, how we use it and with whom it may be shared.

We may also share information with external service providers that we use to make our business more efficient, or to help us provide our services e.g. cloud storage providers, archive storage providers, and self-employed consultants and agencies engaged by us to provide recruitment advice or services.

Some of these third parties may be based outside the UK. For more information, including on how we safeguard your personal data when this occurs, see below: **'Transferring your personal data out of the UK'**.

We seek to ensure that our information collection and processing is always proportionate. We will notify you of any changes to information we collect or to the purposes for which we collect and process it.

4. WHERE INFORMATION MAY BE HELD

Information may be held at our offices and third party agencies, service providers, representatives and agents as described above and in schedule 1.

5. HOW LONG WE KEEP YOUR INFORMATION

We keep the personal information that we obtain about you during the recruitment process for no longer than is necessary for the purposes for which it is processed. How long we keep your information will depend on whether your application is successful and you become employed by us, the nature of the information concerned and the purposes for which it is processed.

We will keep recruitment information (including interview notes) for no longer than is reasonable, taking into account the limitation periods for potential claims such as race or sex discrimination (as extended to take account of early conciliation), after which they will be destroyed. If there is a clear business reason for keeping recruitment records for longer than the recruitment period, we may do so but will first consider whether the records can be pseudonymised, and the longer period for which they will be kept.

If your application is successful, we will keep only the recruitment information that is necessary in relation to your employment. For further information, see our Privacy Notice (Employers, Workers and Contractors).

Further details on our approach to information retention and destruction are available in our Data Retention Schedule.

6. YOUR RIGHTS TO CORRECT AND ACCESS YOUR INFORMATION AND TO ASK FOR IT TO BE ERASED

Please contact our HR Manager at Kendal Court, Ironmasters Way, Telford, TF3 4DT (telephone 01952 211066) if (in accordance with applicable law) you would like to correct or request access to information that we hold relating to you or if you have any questions about this notice. You also have the right to ask our HR Manager for some but not all of the information we hold and process to be erased (the 'right to be forgotten') in certain circumstances. Our HR Manager will provide you with further information about the right to be forgotten, if you ask for it.

7. KEEPING YOUR PERSONAL INFORMATION SECURE

We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it.

Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

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

8. TRANSFERRING YOUR PERSONAL DATA OUT OF THE UK

It may sometimes be necessary for us to share your personal data outside the UK, e.g. our service providers located outside the UK;

Under data protection law, we can only transfer your personal data to a country or international organisation outside the UK where:

1. the UK government has decided the particular country or international organisation ensures an adequate level of protection of personal data (known as an 'adequacy decision');
2. there are appropriate safeguards in place, together with enforceable rights and effective legal remedies for data subjects; or
3. a specific exception applies under data protection law

These are explained below.

8.1 Adequacy decision

We may transfer your personal data to certain countries, on the basis of an adequacy decision. These include:

1. all European Union countries, plus Iceland, Liechtenstein and Norway (collectively known as the 'EEA');
2. Gibraltar; and
3. Andorra, Argentina, Canada, Faroe Islands, Guernsey, Israel, Isle of Man, Japan, Jersey, New Zealand, Switzerland and Uruguay.

The list of countries that benefit from adequacy decisions will change from time to time. We will always seek to rely on an adequacy decision, where one exists.

Other countries or international organisations we are likely to transfer personal data to do not have the benefit of an adequacy decision. This does not necessarily mean they provide poor protection for personal data, but we must look at alternative grounds for transferring the personal data, such as ensuring appropriate safeguards are in place or relying on an exception, as explained below.

8.2 Transfers with appropriate safeguards

Where there is no adequacy decision, we may transfer your personal data to another country or international organisation if we are satisfied the transfer

complies with data protection law, appropriate safeguards are in place, and enforceable rights and effective legal remedies are available for data subjects. The safeguards will usually include using legally-approved standard data protection contract clauses. In relation to transfers between offices or other companies within a group, the safeguards may instead include legally binding rules and policies (known as binding corporate rules), which have been approved by the UK data protection regulator.

8.3 Transfers under an exception

In the absence of an adequacy decision or appropriate safeguards, we may transfer personal data to a third country or international organisation where an exception applies under data protection law, e.g.:

1. you have explicitly consented to the proposed transfer after having been informed of the possible risks;
2. the transfer is necessary for the performance of a contract between us or to take pre-contract measures at your request;
3. the transfer is necessary for a contract in your interests, between us and another person; or
4. the transfer is necessary to establish, exercise or defend legal claims

We may also transfer information for the purpose of our compelling legitimate interests, so long as those interests are not overridden by your interests, rights and freedoms. Specific conditions apply to such transfers and we will provide relevant information if and when we seek to transfer your personal data on this ground.

9. HOW TO COMPLAIN

We hope that our HR Manager can resolve any query or concern you raise about our use of your information. If not, contact the Information Commissioner at <https://ico.org.uk/concerns/> or telephone: 0303 123 1113 for further information about your rights and how to make a formal complaint.

Schedule 1

About the information we collect and hold

Part 1

Up to and including the shortlisting stage

| The information we collect | How we collect the information | Why we collect the information | How we use and may share the information |
|---|---------------------------------------|--|---|
| Your name and contact details (ie address, home and mobile phone numbers, email address) | From you | <p>Necessary for the performance of a contract, or preparatory steps prior to contract formation.</p> <p>Legitimate interest: to carry out a fair recruitment process</p> <p>Legitimate interest: to progress your application, arrange interviews and inform you of the outcome at all stages</p> | <p>To enable HR personnel or the manager of the relevant department to contact you to progress your application, arrange interviews and inform you of the outcome</p> <p>To inform the relevant manager or department of your application</p> |
| Details of your qualifications, experience, employment history (including job titles, salary and working hours) and interests | From you | <p>Necessary for the performance of a contract, or preparatory steps prior to contract formation.</p> <p>Legitimate interest: to carry out a fair recruitment process</p> <p>Legitimate interest: to make an informed decision to shortlist for interview and (if relevant) to recruit</p> | To make an informed recruitment decision |

| | | | |
|---|-----------------|---|---|
| <p>Your racial or ethnic origin, sex and sexual orientation, religious or similar beliefs</p> | <p>From you</p> | <p>To comply with our legal obligations and for reasons of substantial public interest (equality of opportunity or treatment)</p> | <p>To comply with our equal opportunities monitoring obligations and to follow our equality and diversity and other policies</p> <p>For further information, see * below</p> |
| <p>Details of any disabilities you have</p> | <p>From you</p> | <p>Necessary for the performance of a contract, or preparatory steps prior to contract formation.</p> <p>To comply with our legal obligations</p> <p>Legitimate interests: to maintain employment records and to comply with legal, regulatory and corporate governance obligations and good practice, to ensure safe working practices</p> | <p>To maintain employment records, to follow our policies</p> <p>To comply with our legal obligations to you as your employer</p> <p>For further information, see * below</p> |
| <p>Details of your referees</p> | <p>From you</p> | <p>Necessary for the performance of a contract, or preparatory steps prior to contract formation.</p> <p>Legitimate interest: to carry out a fair recruitment process</p> | <p>To carry out a fair recruitment process</p> <p>To comply with legal/regulatory obligations</p> <p>Information shared with the referee</p> |

Part 2
Before making a final decision to recruit

| The information we collect | How we collect the information | Why we collect the information | How we use and may share the information |
|--|--|--|--|
| <p>Information about your previous academic and/or employment history, including details of any conduct, grievance or performance issues, appraisals, time and attendance, from references obtained about you from previous employers and/or education providers</p> | <p>From your referees (details of whom you will have provided)</p> | <p>Necessary for the performance of a contract, or preparatory steps prior to contract formation.</p> <p>To comply with our legal obligations</p> <p>Legitimate interest: to make an informed decision to recruit</p> <p>Legitimate interests: to maintain employment records and to comply with legal, regulatory and corporate governance obligations and good employment practice</p> | <p>To obtain the relevant reference about you</p> <p>To comply with legal/regulatory obligations</p> |
| <p>Information regarding your academic and professional qualifications <input type="checkbox"/></p> | <p>From you, from your education provider, from the relevant professional body</p> | <p>Necessary for the performance of a contract, or preparatory steps prior to contract formation.</p> <p>Legitimate interest: to verify the qualifications information provided by you</p> | <p>To make an informed recruitment decision</p> |

| The information we collect | How we collect the information | Why we collect the information | How we use and may share the information |
|---|---|--|--|
| Information regarding your criminal record <input type="checkbox"/> and adverse financial media information | From you and from the Disclosure and Barring Service (DBS) where used, and from Vistra check. | <p>Necessary for the performance of a contract, or preparatory steps prior to contract formation.</p> <p>To comply with our legal obligations</p> <p>For reasons of substantial public interest (preventing /detecting unlawful acts, suspicion of terrorist financing or money laundering, protecting public against dishonesty)</p> <p>Legitimate interests: to maintain employment records and to comply with legal, regulatory and corporate governance obligations and good employment practice</p> | <p>To make an informed recruitment decision</p> <p>To carry out statutory checks</p> <p>Information shared with DBS and other regulatory authorities as required</p> <p>For further information, see * below</p> |
| Your nationality and immigration status and information from related documents (such as your passport or other immigration information) and other identification documentation <input type="checkbox"/> | From you and, where necessary, the Home Office | <p>Necessary for the performance of a contract, or preparatory steps prior to contract formation.</p> <p>To comply with our legal obligations</p> <p>Legitimate interest to maintain employment or other records and to comply with regulatory and corporate governance obligations and good practice</p> | <p>To carry out right to work checks</p> <p>To carry out due diligence in relation to money laundering checks and tax evasion prevention</p> <p>Information may be shared with the Home Office</p> |

| The information we collect | How we collect the information | Why we collect the information | How we use and may share the information |
|--|--------------------------------|--|--|
| A copy of your driving licence, motor insurance and MOT <input type="checkbox"/> | From you | <p>Necessary for the performance of a contract, or preparatory steps prior to contract formation.</p> <p>To comply with our legal obligations</p> <p>Legitimate interest: to maintain employment or other records and to comply with regulatory and corporate governance obligations and good practice</p> | <p>To ensure that you have a valid driving licence, motor insurance and MOT if you travel for business</p> <p>Information may be shared with our insurer</p> |

You are required (by law or in order to enter into your contract of employment) to provide the categories of information marked '' above to us to enable us to verify your right to work and suitability for the position.

* Further details on how we handle sensitive personal information and information relating to criminal convictions and offences are set out in our Data Protection Policy, available on the intranet.