

# GDPR PRIVACY NOTICE FOR JOB APPLICANTS

## WHAT IS THE PURPOSE OF THIS DOCUMENT?

### Key points:

Danbro Trading Group ('Danbro') is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you during and after the recruitment process, in accordance with the General Data Protection Regulation (GDPR).

It applies to all employees and applicants.

## 1. Introduction

- 1.1. Danbro is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you.
- 1.2. You are being sent a copy of this privacy notice because you are applying for work with us (whether as an employee, worker or contractor). It makes you aware of how and why your personal data will be used, namely for the purposes of the recruitment exercise, and how long it will usually be retained for. It provides you with certain information that must be provided under the General Data Protection Regulation ((EU) 2016/679) and all applicable regulations, domestic legislation, successor legislation relating to the protection of individuals with regards to the processing of personal data to which the Company and any Group Company is subject to (GDPR).

## 2. Data protection principles

- 2.1. We will comply with data protection law and principles, which means that your data will be:
  - 2.1.1. Used lawfully, fairly and in a transparent way.
  - 2.1.2. Collected only for valid purpose that we have clearly explained to you and not used in any way that is incompatible with these purposes. Relevant to the purposes we have told you about limited only to those purposes.
  - 2.1.3. Accurate and kept up to date.
  - 2.1.4. Kept only as long as necessary for the purposes we have told you about.
  - 2.1.5. Kept securely.
  - 2.1.6. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.

### 3. The kind of information we hold about you

3.1. In connection with your application for work with us, we will collect, store, and use the following categories of personal information about you:

- 3.1.1. The information you have provided to us in your curriculum vitae and covering letter;
- 3.1.2. The information you have provided on our application form, including name, personal email address, contact number, employment history, qualifications, skills and experience;
- 3.1.3. Any information you have provided about your current level of remuneration or employment benefits;
- 3.1.4. Any information you have provided relevant to requesting that we make reasonable adjustments during the recruitment process, including whether or not you have a disability;
- 3.1.5. Any information about your entitlement to work in the UK;
- 3.1.6. Any information you provide to us during an interview;
- 3.1.7. Any information you have provided in relation to a credit report; and
- 3.1.8. Any information you have provided in relation to an Occupational Summary.

3.2. We may also collect, store and use the following “special categories” of more sensitive personal information:

- 3.2.1. Information about your race or ethnicity, nationality and gender;
- 3.2.2. Information about your health, including and medical condition, health and sickness records; and
- 3.2.3. Information about criminal convictions and offences.

### 4. How is your personal information collected?

4.1. We collect personal information about job applicants from a variety of sources. This information may be supplied by you in application forms or CV’s, contained in your passport or identity documents, or collected through interviews and other forms of assessment [including online assessment].

4.2. We will also collect personal data about you from third parties:

- 4.2.1. Disclosure and Barring Service in respect of criminal convictions;
- 4.2.2. Credit reference agency [TBC], from which we collect the following categories of data: court and insolvency data such as County Court Judgements, Voluntary Arrangements and Bankruptcy Orders;
- 4.2.3. Your named referees, from whom we collect the following categories of data: dates of employment, job title, reasons for leaving, attendance records, general conduct and performance.

## 5. Why will we process your personal data?

- 5.1. We need to process data to take steps at your request prior to entering into a contract with you. We also need to process your data to enter into a contract with you.
- 5.2. In some cases, we need to process data to ensure that we are complying with legal obligations. For example, it is required to check a successful applicant's eligibility to work in the UK before employment starts.
- 5.3. We have a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. Processing data from job applicants allows Danbro to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. We may also need to process data from job applicants to respond to and defend against legal claims.
- 5.4. Where we rely on legitimate interests as a reason for processing data, we have considered whether or not those interests are overridden by the rights and freedoms of employees or workers and have concluded that they are not.
- 5.5. We process health information if we need to make reasonable adjustments to the recruitment process for candidates who have a disability. This is to carry out our obligations and exercise specific rights in relation to employment.
- 5.6. Where we process other special categories of data, such as information about ethnic origin, this is for equal opportunities monitoring purposes.
- 5.7. For some roles we are obliged to seek information about criminal convictions and offences. Where we seek this information, we do so because it is necessary to carry out our obligations and exercise specific rights in relation to employment.
- 5.8. For some roles we are also obliged to seek information about credit history. Where we seek this information, we do so because it is necessary to carry out our obligations and exercise specific rights in relation to employment.
- 5.9. We will not use your data for any purpose other than the recruitment exercise for which you have applied. If your application is unsuccessful, the organisation will keep your personal data on file for a period of 6 months in case there are future employment opportunities for which you may be suited. The organisation will ask for your consent before it keeps your data for this purpose and you are free to withdraw your consent at any time.

## 6. How we use particularly sensitive personal information

- 6.1. "Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:
  - 6.1.1. In limited circumstances, with your explicit written consent.
  - 6.1.2. Where we need to carry out our legal obligations and in line with our data protection policy.
  - 6.1.3. Where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our occupational pension scheme, and in line with our data protection

policy.

- 6.1.4. Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.
  - 6.1.5. Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.
  - 6.1.6. We may also process such information about employees, workers and contactors or former employees, workers and contactors in the course of legitimate business activities with the appropriate safeguards.
- 6.2. We may be required to use your particularly sensitive personal information in the following ways:
- 6.2.1. We may use information relating to leaves of absence, which may include sickness absence or family related leaves, to comply with employment and other laws.
  - 6.2.2. We may use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits.
  - 6.2.3. We may use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.
  - 6.2.4. We may use trade union membership information to pay trade union premiums, register the status of a protected employee and to comply with employment law obligations.
- 6.3. We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

## 7. Who has access to personal data?

- 7.1. Your information will be shared internally for the purposes of the recruitment exercise. This includes members of the People Team, interviewers involved in the recruitment process, managers in the business area with a vacancy, and Marketing and IT staff if access to the data is necessary for the performance of their roles.
- 7.2. The organisation will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment. The organisation will then share your data with former employers 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.

7.3. The organisation will not transfer your data outside the European Economic Area.

## 8. If you fail to provide personal information

8.1. If you fail to provide information 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.

## 9. Information about criminal convictions and credit history

9.1. We envisage that we will process information about criminal convictions and credit history.

9.2. We will collect information about your criminal convictions history and credit history if we would like to offer you the role (conditional on checks and any other conditions, such as references, being satisfactory).

9.3. We are required to carry out a criminal records check in order to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable for the role.

9.3.1. The following roles are listed on the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (SI 1975/1023) and are also specified in the Police Act 1997 (Criminal Records) Regulations (SI 2002/233) so are eligible for a standard check from the Disclosure and Barring Service: Chartered Accountant; Certified Accountant; Chartered Legal Executive; Financial Services Position; Directors

9.3.2. All other roles within the Company require a high degree of trust and integrity and as such we will seek full consent to seek a basic disclosure of your criminal records history.

9.3.3. Criminal record checks will only be used for the specific purpose for they are requested and for which your full consent will be obtained.

9.4. For certain roles, we are required to carry out a credit report in order to satisfy ourselves that there is nothing in your credit history which makes you unsuitable for the role.

9.4.1. Danbro will seek a credit report for individuals applying or working in positions: with access to, or responsibility for money, including, but not limited to, Purchase Cards.

9.4.2. Credit reports will only be used for the specific purpose for which they are requested and for which your full consent will be obtained.

9.5. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data.

9.6. We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.

9.7. Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

- 9.8. We may also process such information about employees, workers and contactors or former employees, workers and contactors in the course of legitimate business activities with the appropriate safeguards.

## 10. Automated Decision-Making

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

## 11. Data Security

- 11.1. We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need-to-know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.
- 11.2. 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.

## 12. Data Retention

- 12.1. If your application for employment is unsuccessful, we will hold your data on file for 6 months after the end of the relevant recruitment process.
- 12.2. If you provide consent for the organisation to keep your personal data on file, we may hold your data on file for a period 6 months for future employment opportunities. At the end of that period or once you withdraw consent; your data will be deleted.
- 12.3. 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 data will be held will be provided to you in a new privacy notice at the time of your appointment.
- 12.4. Rights of access, correction, erasure, and restriction.
- 12.5. Your rights in connection with personal information.
- 12.6. Under certain circumstances, by law you have the right to:
- 12.6.1. 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.
  - 12.6.2. 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.
  - 12.6.3. 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).

- 12.6.4. 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.
- 12.6.5. 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.
- 12.6.6. Request the transfer of your personal information to another party.
- 12.6.7. If you want to exercise any of these rights please contact [data.officer@danbro.co.uk](mailto:data.officer@danbro.co.uk).

### 13. Am I able to Withdraw My Consent?

- 13.1. In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact [data.officer@danbro.co.uk](mailto:data.officer@danbro.co.uk) . Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law, and as notified to you in this privacy notice.

### 14. Queries or complaints about how we process your personal data

- 14.1. If you have any questions about this privacy notice or how we handle your personal information, please contact [data.officer@danbro.co.uk](mailto:data.officer@danbro.co.uk) in writing.
- 14.2. You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK regulatory authority for data protection issues.