

DATED 01 FEBRUARY 2019

COMMCO LIMITED

DATA PROTECTION PRIVACY NOTICE FOR APPLICANTS



1. WHAT IS THE PURPOSE OF THIS DOCUMENT?

Commco Limited is committed to protecting the privacy and security of your personal information. You are being sent this notice because you are applying for work with us (whether as an employee, worker or contractor).

This notice describes what personal data (information) we will hold about you, how we collect it, and how and why it will be used, namely for the purposes of the recruitment exercise and how long it will usually be retained for, in accordance with the General Data Protection Regulations (GDPR) and, when enacted, the Data Protection Act 2018. We are required by law to notify you of the information contained within this notice.

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 in order that you are aware of how and why we are using your personal information.

We may update this notice at any time.

2. WHO COLLECTS THE INFORMATION

Commco Limited is a '*data controller*' and gathers and uses certain information about you. As a data controller, we are also responsible for deciding how we hold and use personal data about you.

3. DATA PROTECTION PRINCIPLES

We will comply with the data protection principles when gathering and using personal information, which confirm that all personal information we hold about you must be:

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

4. THE KIND OF INFORMATION WE HOLD ABOUT YOU

Personal data or personal information means any information about an individual from which that person can be identified. It does not include data where the identity has been removed.

There are "*special categories*" of more sensitive personal data which requires a higher level of protection.

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

- (a) The information you have provided to us in your CV and any covering letter and accompanying documents;
- (b) The information you have provided on our application form, including your name, title, address, telephone number, email address, date of birth, gender, employment history and qualifications;
- (c) Any information you provide to us at interview;
- (d) Next of kin and emergency contact information (i.e. name, relationship and home and mobile phone numbers and personal email address);
- (e) Any information collected in relation to your right to work including your passport;
- (f) Any information collection in relation to references; and
- (g) Your driving licence details, if applicable.

Where appropriate and necessary, we may also collect, store and use the following "*special categories*" of more sensitive personal information:

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

5. HOW WE COLLECT THE INFORMATION

We collect personal information about candidates through the application and recruitment process, either directly from candidates and/or sometimes from an employment agency, background check providers, credit reference agencies, the

Disclosure and Barring Service (where relevant), your named referees, the Home Office and from publicly accessible sources (in particular Facebook, LinkedIn, Twitter and Instagram).

6. HOW WE WILL USE INFORMATION ABOUT YOU

We will only use your personal information where the law allows us to. Most commonly, we will use your personal information we collect about you to:

- (a) Assess your skills, qualifications and suitability for the work/role applied for.
- (b) Carry out background and reference checks, where applicable.
- (c) Communicate with you about the recruitment process.
- (d) Keep records relating to our hiring processes.
- (e) Comply with legal or regulatory obligations.
- (f) Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights to not override those interests.

It is in our legitimate interests to decide whether to appoint you to the role you have applied for since it would be beneficial to our business to appoint someone to fill that vacancy.

We also need to process your personal information to decide whether to enter into a contract with you.

Following having received your CV and and/or application form, we will then process that information to determine 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 to an interview. If we decide to call you to an interview, we will use the information you provide to us at the interview to decide whether to offer you the role applied for. If we decide that we can offer you the role, we will then take up references and/or carry out a criminal record check where necessary confirming your appointment.

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.

7. HOW WE USE PARTICULARLY SENSITIVE INFORMATION ABOUT YOU

"*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:

- (a) In limited circumstances, with your explicit written consent.
- (b) Where we need to carry out our legal obligations and in line with our data protection policy.
- (c) Where it is needed in the public interest, such as for equal opportunities monitoring.
- (d) In relation to information about your disability status, where it is needed to assess whether we need to provide any appropriate adjustments during the recruitment process, for example, during an interview, subject to appropriate confidentiality safeguards.
- (e) In relation to 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.

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. We may also process such information about candidates in the course of legitimate business activities with the appropriate safeguards.

8. DO WE NEED YOUR CONSENT?

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.

9. INFORMATION ABOUT CRIMINAL CONVICTIONS

We envisage that we will not hold information about criminal convictions.

10. AUTOMATED DECISION-MAKING

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

11. HOW WE MAY SHARE THE INFORMATION

We may also need to share some of the above categories of personal information with other parties, for the purposes of processing your application, such as our professional advisers and recruitment consultancies. We may also be required to share some personal information with our regulators or as required to comply with the law.

All third-party service providers and other entities with whom we share data are required to take appropriate security measures to protect your personal information in line with our policies and are bound by confidentiality obligations. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

12. WHERE INFORMATION MAY BE HELD

Information may be held on our grounds (where it will usually be stored in NetSuite on the cloud – further information can be found via this link: (<http://www.netsuite.com/portal/assets/pdf/ds-data-center-factsheet.pdf>), and by third party agencies, service providers, representatives and agents as described above.

13. HOW LONG WE KEEP YOUR INFORMATION

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. We will retain your personal information for a period of nine months after we have communicated to you our decision about whether to appoint you to the role applied for. We retain your personal information 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 personal information in accordance with applicable laws and regulations.

If we wish to retain your personal information on file, on the basis that a further opportunity may arise in future and we may wish to consider you for that, we will write to you separately, seeking your explicit consent to retain your personal information for a fixed period on that basis.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

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

14.1 Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during the recruitment process.

14.2 Your rights in connection with personal information

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

- (a) **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.
- (b) **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.
- (c) **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).
- (d) **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.
- (e) **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.

(f) **Request the transfer** of your personal information to another party.

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

14.3 No fee usually required

You will not usually 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.

14.4 What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

15. 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, altered or disclosed. 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.

16. HOW TO COMPLAIN

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

17. CHANGES TO THIS PRIVACY NOTICE

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information, where applicable.

If you have any questions about this privacy notice, please contact the Data Protection Representative at dpr@commco.com

I, (candidate name), acknowledge that on (date), I received a copy of Commco Limited's Privacy Notice for candidate employees, workers and contractors and that I have read and understood it.

Signature

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Name

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