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|  | <b>INTEGRATED MANAGEMENT SYSTEM</b><br>Applicant privacy notice | <b>QA 165</b>                       |
|   | Control classification: Public                                  | Version: 1<br>Effective: 07/03/2019 |

## 1.0 PRINCIPLE

- 1.1 The General Data Protection Regulation 2016 (GDPR) replaces the EU Data Protection Directive of 1995 and supersedes the laws of individual Member States that were developed in compliance with the Data Protection Directive 95/46/EC. Its purpose is to protect the “rights and freedoms” of natural persons (i.e. living individuals) and to ensure that personal data is not processed without their knowledge, and, wherever possible, that it is processed with their consent. Personal data must also be processed securely using methodologies which retain data security throughout the data processing chain of controllers and processors and/or sub processors to prevent misuse and data breaches and to preserve the protection of the “rights and freedoms” of data subjects.
- 1.2 Wellhopped Ltd (the data controller) collects and processes personal data relating to its customers, suppliers, third party contractors and other interested parties as part of the business operations. The organisation is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations regarding the processing of personal data and rules relating to the protection of the fundamental rights and freedoms of natural persons within the Economic Union.
- 1.3 As part of any recruitment process, Wellhopped Ltd collects and processes personal data relating to job applicants. The organisation is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations regarding the processing of personal data and rules relating to the protection of the fundamental rights and freedoms of natural persons within the Economic Union.

## 2.0 SCOPE

- 2.1 This policy relates to the collection and processing of all personal data by the HR function of the company when it is carrying out the duties and responsibilities as a Data Controller as defined by the General Data Protection Regulations (2016) (the GDPR) in connection with recruitment processes.

## 3.0 RESPONSIBILITY

- 3.1 It is the responsibility of the HR Manager to ensure that all personal data is collected in accordance with the requirements of the GDPR.

## 4.0 AIM

- 4.1 The aim of this procedure notice is to ensure that all applicants understand how their personal data is to be collected, processed, retained and managed and that they understand the rights that they have as data

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subjects. The notice is also intended to be part of the mechanism by which the company demonstrates adherence to the requirements of the GDPR.

## 5.0 DEFINITIONS

- 5.1 'Controller' means the natural or legal person, public authority, agency or other body which alone, or jointly with others, determines the purpose and means of processing of personal data.
- 5.2 'Personal data' means any information relating to an identified or identifiable natural person (data subject). An identifiable natural person is one who (is living and) can be identified, directly or indirectly, in particular by reference to an identifier such as name, identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that person.

## 6.0 PROCEDURE NOTICE

### Personal data collected

- 6.1 Wellhopped Ltd collects and processes a range of information about you. This includes:
- Your name, address and contact details, including email address, telephone number, date of birth and gender;
  - Details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers;
  - Information about your current level of remuneration, including benefit entitlements;
  - Information about your nationality and entitlement to work in the UK;
  - Whether or not you have a disability for which the organisation needs to make reasonable adjustments during the recruitment process;
- 6.2 Wellhopped Ltd may collect this information in a variety of ways. For example, data may be collected through application forms, CVs or resumes; obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start, or collected through interviews or other forms of assessment, including online testing.
- 6.3 In some cases, Wellhopped Ltd may collect personal data about you from third parties, such as:
- references supplied by former employers,
  - information from employment background check providers,
  - information from credit reference agencies
  - information from criminal checks permitted by law.
- 6.4 If Wellhopped Ltd intend to seek further information from such third parties, the company will inform you at the time.
- 6.5 Data will be stored in a range of different places, including on your application record, in HR management systems and on other IT systems, including email.

### The reasons for processing personal data:

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- 6.6 Wellhopped Ltd needs to process data to take steps at your request prior to entering into a contract with you. We may also need to process your data to enter into a contract with you.
- 6.7 In some cases, Wellhopped Ltd needs to process data to ensure that it is complying with its legal obligations. For example, the company is required to check a successful applicant's eligibility to work in the UK, before employment starts.
- 6.8 Wellhopped Ltd has a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. Processing data from job applicants allows the company to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. Wellhopped Ltd may also need to process data from job applicants to respond to and defend against legal claims.
- 6.9 Wellhopped Ltd may collect information about whether applicants have a disability in order to be able to make reasonable adjustments for any candidates who do have a disability. The company processes such information to carry out its obligations and exercise specific rights in relation to employment.
- 6.10 Wellhopped Ltd may be obliged to seek information about criminal convictions and offences. Where the company seeks this information, we do so because it is necessary for us to carry out our obligations and exercise specific rights in relation to employment.
- 6.11 Wellhopped Ltd will not use your data for any purpose other than the recruitment exercise for which you have applied.

**Access to data**

- 6.12 Your information may be shared internally for the purposes of the recruitment exercise. This includes interviewers in the recruitment process, managers of the team in the business area with the vacancy and IT staff if access to the data is necessary for the performance of their roles.
- 6.13 Wellhopped Ltd will not share your data with third parties, unless your application for employment is successful and we make you an offer of employment. Following an offer and an acceptance of the offer by the successful candidate, the company will 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 any necessary criminal records checks if this is a necessary requirement for fulfilment of the role for which you have applied.
- 6.14 Wellhopped Ltd will not transfer your data outside the European Economic Area.

**Protection of data**

- 6.15 Wellhopped Ltd takes the security of your data seriously. We have the following internal policies and controls in place to minimise the risks that your data is lost, accidentally destroyed, misused or disclosed, and is not accessed except by employees permitted to do so in the performance of their duties, thus demonstrating adherence to the principle that personal data is processed in a manner that ensures appropriate security.
  - Documented GDPR policies and procedures to which all staff must adhere.
  - Data protection is a standing agenda item at Board meetings.
  - The appointment of a Data Protection Officer has been implemented by choice rather than legal requirement.

**Retention of data**

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- 6.16 If your application for employment is unsuccessful, the organisation will hold your data on file for 3 months after the end of the relevant recruitment process. At the end of that period, your data is deleted or destroyed.
- 6.17 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.

### **Destruction of data**

- 6.18 At the point that the company's retention policy has determined that any personal data is to be deleted/destroyed, it is a requirement of the GDPR that removal of data is carried out securely. Wellhopped Ltd destroy personal data as follows:
- Physical documentation is shredded internally.
  - Electronic data is deleted from the server location(s)

### **Your rights**

- 6.19 As a data subject, you have a number of rights. You can:
- Access and obtain a copy of your data on request;
  - Require Wellhopped Ltd to amend incorrect or incomplete data;
  - Require Wellhopped Ltd to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
  - Object to the processing of your data where Wellhopped Ltd is relying on its legitimate interests the legal ground for processing.
- 6.20 If you wish to exercise any of these rights, please contact the Data Protection Manager (DPM) or by letter to the company registered address, or by telephone on the published number.
- 6.21 If you believe that Wellhopped Ltd has not complied with your data protection rights, you can complain to the Information Commissioner.

### **What happens if you do not provide personal data as requested?**

- 6.22 You are under no statutory or contractual obligation to provide data to Wellhopped Ltd during the recruitment process, however, if you do not provide the information, we may not be able to process your application properly, or at all.

### **Automated decision-making**

- 6.23 Automated decision-making is not part of the recruitment process.

## **7.0 DOCUMENT OWNER AND APPROVAL**

- 7.1 The Data Protection Manager is the owner of this document and is responsible for ensuring that this policy document is reviewed in line with the requirements of the document control procedure.
- 7.2 A current version of this document is available to all members of staff at: "Z:\QC\Quality Control\GDPR compliance\GDPR notices\N006 applicant privacy notice.docx"
- 7.3 This procedure was approved on 07/03/2019 and is issued on a version-controlled basis under the signature of the Managing Director on delegated authority from the Board.

END of DOCUMENT

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