

GDPR PRIVACY NOTICE FOR JOB APPLICANTS

Introduction

As part of any recruitment process, The Encore Group collects and processes personal information, or personal data, relating to job applicants. This personal information may be held on paper or in electronic format.

The Encore Group is committed to being transparent about how it handles your personal information, to protecting the privacy and security of your personal information and to meeting its data protection obligations under the General Data Protection Regulations (GDPR) and the Data Protection Act 2018. The purpose of this privacy notice is to make you aware of how and why we will collect and use your personal information during the recruitment process. We are required under the GDPR to notify you of the information contained in this privacy notice.

This privacy notice applies to all job applicants, whether they apply for a role directly or indirectly through an employment agency. It is non-contractual.

Data Protection Principles

Under the GDPR, there are six data protection principles that The Encore Group must comply with. These provide that the personal information we hold about you must be:

1. Processed lawfully, fairly and in a transparent manner.
2. Collected only for legitimate purposes that have been clearly explained to you and not further processed in a way that is incompatible with those purposes.
3. Adequate, relevant and limited to what is necessary in relation to those purposes.
4. Accurate and, where necessary, kept up to date.
5. Data is not kept for longer than is necessary for its given purpose.
6. Processed in a way that ensures appropriate security of the data.

The Encore Group is responsible for, and must be able to demonstrate compliance with these principles.

Types of personal information collected

Personal information is any information about an individual from which that person can be directly or indirectly identified. It doesn't include anonymised data, i.e. where all identifying details have been removed. There are also "special categories" of personal information, and personal information on criminal convictions and offences, which require a higher level of protection because it is of a more sensitive nature. The special categories of personal information compromise information about an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, sex life or sexual orientation and genetic and biometric data.

The Encore Group collects, uses and processes a range of personal information about you during the recruitment process. This includes (as applicable):

- Your contact details; name, address, telephone number and email address
- Personal information included in a CV, application form, covering letter or interview notes
- References
- Information about your right to work in the UK and copies of proof of right to work documentation
- Copies of qualification certificates and other documents such as a driving licence
- Other background check documentation
- Details of your skills, qualifications, experience and work history with previous employers
- Information about your current salary level, including benefits and pension entitlements
- Your professional memberships

The Encore Group may also collect, use and process the following special categories of your personal information during the recruitment process (as applicable):

- Whether or not you have a disability for which we may need to make reasonable adjustments for during the recruitment process
- Information about criminal convictions and offences

Collecting your personal information

The Encore Group collects personal information about you during the recruitment process either directly from you or sometimes from a third party such as an employment agency or when gathering references from current and former employers. We will only seek personal information from third parties during the recruitment process once an offer of employment has been made to you and we will inform you that we are doing so.

Your personal information may be stored in different places, including on your application record on our IT system or the email system.

Processing your personal information

We will only use your personal information when the law allows us to. We will use your personal information in one or more of the following circumstances:

1. Where we need to do so to take steps at your request prior to entering into a contract with you, or to enter into a contract with you
2. Where we need to oblige with a legal obligation
3. Where it is necessary for our legitimate interests (or those of a third party), and your interests or your basic rights and freedoms do not override our interests

The purposes for which we are processing, or will process, your personal information are to:

- Manage the recruitment process and assess your suitability for employment
- Comply with statutory and/or regulatory requirements and obligations, e.g. checking your right to work in the UK

- Comply with the duty to make reasonable adjustments for disabled job applicants and with other disability discrimination obligations
- Ensure compliance with your statutory rights
- Ensure effective HR, personnel management and business administration
- Monitor equal opportunities
- Enable us to establish, exercise or defend possible legal claims

Please be aware that we may process your personal information without your consent, in compliance with these rules, where this is required by law.

If you fail to provide certain personal information when requested, we may not be able to process your job application properly or at all, we may not be able to enter into a contract with you, or we may be prevented from complying with our legal obligations. You may also be unable to exercise your statutory rights.

Processing your sensitive personal information

We will only collect and use your sensitive personal information, which includes special categories of personal information and information about criminal convictions and offences, when the law additionally allows us to.

We may also process information about your health and information about any criminal convictions and offences where we have your explicit consent. In this case, we will first provide you with full details of the personal information we would like and the reason we need it so that you can properly consider whether you wish to consent or not. It is entirely your choice whether to consent. Your consent can be withdrawn at any time.

The purposes for which we are processing, or will process, health information and information about any criminal convictions and offences are to:

- Asses your suitability for employment
- Comply with statutory and/or regulatory requirements and obligations
- Comply with the duty to make reasonable adjustments for disabled job applicants and with other disability discrimination obligations
- Ensure compliance with your statutory rights
- Ascertain your fitness to work
- Ensure effective HR, personnel management and business administration
- Monitor equal opportunities

We may also occasionally use your special categories of personal information, and information about any criminal convictions and offences, where it is needed for the establishment, exercise or defence of legal claims.

Change of purpose

We will only use your personal information for the purposes for which we collected it, i.e. for the recruitment exercise for which you have applied.

However, if your job application is unsuccessful, the Encore Group may wish to keep your personal information on file in case there are future suitable employment opportunities with us. We will ask for your consent before we keep your personal information on file for this purpose. Your consent can be withdrawn at any time.

Who has access to your personal information

Employees within our company who have responsibility for recruitment will have access to your personal information which is relevant to their job. All employees with such responsibility have been trained in ensuring data is processing in line with GDPR.

We will not share your personal information with third parties during the recruitment process unless your job application is successful and we make you a conditional offer of employment. At this stage, we may also share your personal information with third parties including:

- External organisations for the purposes of conducting pre-employment checks i.e. references, medical questionnaires etc
- Former employers to obtain references

We may also need to share your personal information with a regulator or to otherwise comply with the law.

We do not share your personal information with bodies outside of the European Economic Area.

Protecting your personal information

The Encore Group are aware of the requirement to ensure your personal information is protected against accidental loss or disclosure, destruction and abuse. We have implemented processes to guard against this.

Retention of your personal information

We only keep your personal information for as long as we need it for. If your job application is not successful and we have not sought consent or you have not provided consent upon our request to keep your personal information for the purpose of future suitable job vacancies, we will keep your personal information for six months once the recruitment exercise ends.

If we have sought your consent to keep your personal information on file for future job vacancies, and you have provided consent, we will keep your personal information for twelve months once the recruitment exercise ends. At the end of this period, we will delete or destroy your personal information, unless you have already withdrawn your consent to our processing of your personal information in which case it will be deleted or destroyed upon your withdrawal of consent.

If your application is successful, your personal information will be kept and transferred to the systems we administer for employees in accordance with the privacy notice for employees, workers and contractors.

Your rights in connection with your personal information

Subject to certain conditions and in certain circumstances, you have the right to:

- Request access to your personal information – this is known as a Subject Access Request and it enables you to receive a copy of the personal information we hold about you
- Request rectification of your personal information – enables you to have any incorrect information we hold about you corrected
- Request your personal information to be deleted when there is no compelling reason for it to be continued to be processed
- Restrict the processing of your personal information – this enables you to ask us to suspend the processing of your information
- Object to the processing of your personal information – this enables you to ask us to stop processing your personal information where we are relying on the legitimate interests of the business as our legal basis for processing and there is something relating to your particular situation which makes you decide to object to processing
- Data portability – this gives you the right to request the transfer of your personal information to another party so that you can reuse it across different services for your own purposes

In addition to the above, you also have the right to withdraw consent that you have previously provided, to our processing of your personal information at any time.

If you believe that the Encore Group has not complied with your data protection right, you have the right to make a complaint to the Information Commissioner’s Office (ICO) at any time.

Changes to this privacy notice

The Encore Group reserves the right to update or amend this privacy notice at any time. We will issue you with a new privacy notice when we make significant updates or amendments.

Contact

If you have any questions about this privacy notice or how we handle your personal information, please contact our data protection administrator on recruitment@encoreenvelopes.com

I acknowledge receipt of this privacy notice and I confirm that I have read and understood it;

Signed _____ Name: _____ Date: _____