

## **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.

### **Who collects the information**

Hart Reade LLP is a 'data controller' and gathers and uses certain information about you.

### **Data protection principles**

We will comply with the data protection principles when gathering and using personal information, as set out in our Data Protection (employment) Policy.

### **About the information we collect and hold**

The table set out in Part A of the Schedule 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 B of the Schedule below summarises the additional information we collect before making a final decision to recruit, ie 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 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.

### **Where information may be held**

Information may be held at our offices, and third party agencies and service providers.

### **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 *Data Protection Privacy Notice (employment) (successful applicants only)*.

Further details on our approach to information retention and destruction are available on request.

### **Transferring your personal data out of the EEA**

In limited circumstances, it may be necessary for us to share your personal data outside the UK/European Economic Area (EEA), eg:

- with your service providers located outside the UK/EEA;
- if you are based outside the UK/EEA;

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

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

If you would like further information please contact us (see '**How to contact us**' below).

### **Your rights to correct and access your information and to ask for it to be erased**

Please contact our Privacy Department, by emailing [privacy@hartreade.co.uk](mailto:privacy@hartreade.co.uk) or writing to Privacy Department, Hart Reade LLP, 104 South Street, Eastbourne, BN21 4LW 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 Privacy Department for some but not all of the information we hold and process to be erased (the 'right to be forgotten') in certain circumstances. Our Privacy Department will provide you with further information about the right to be forgotten, if you ask for it.

### **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.

### **How to complain**

We hope that our Privacy Department 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/make-a-complaint/> or telephone: 0303 123 1113 for further information about your rights and how to make a formal complaint.

### **How to contact us**

Please contact us by email, telephone or post if you have any questions about this privacy notice or the information we hold about you.

Our Compliance Officer for Legal Practice is Mrs J Penfold, who is also responsible for data protection.

Contact details
Mrs J Penfold, Compliance Officer

<b>Contact details</b>
Privacy Department, 104 South Street, Eastbourne, East Sussex, BN21 4LW <a href="mailto:privacy@hartreade.co.uk">privacy@hartreade.co.uk</a> 01323 727321

THE SCHEDULE  
ABOUT THE INFORMATION WE COLLECT AND HOLD

**Part A**

**Up to and including the shortlisting stage**

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

**Part B**

**Before making a final decision to recruit**

<b>The information we collect</b>	<b>How we collect the information</b>	<b>Why we collect the information</b>	<b>How we use and may share the information</b>
<b>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</b>	From your referees (details of whom you will have provided)	Legitimate interest: to make an informed decision to recruit To comply with our legal obligations Legitimate interests: to maintain employment records and to comply with legal, regulatory and corporate governance obligations and good employment practice	To obtain the relevant reference about you To comply with legal/regulatory obligations Information shared with relevant managers and HR personnel
<b>Information regarding your academic and professional qualifications</b>	From you, from your education provider, from the relevant professional body	Legitimate interest: to verify the qualifications information provided by you	To make an informed recruitment decision
<b>Information regarding your criminal record</b>	From you and from the	To perform the employment contract	To make an informed

	Disclosure and Barring Service (DBS)	To comply with our legal obligations Legitimate interest: to verify the criminal records information provided by you For reasons of substantial public interest (preventing or detecting unlawful acts, suspicion of terrorist financing or money laundering in the regulated sector] and protecting the public against dishonesty)	recruitment decision To carry out statutory checks Information shared with DBS and other regulatory authorities as required For further information, see * below
<b>Bankruptcy records</b>	The Land Registry	To comply with our legal obligations	To comply with Insurance Distribution Directive
<b>Your nationality and immigration status and information from related documents, such as your passport or other identification and immigration information</b>	From you and, where necessary, the Home Office	To enter into/perform the employment contract To comply with our legal obligations Legitimate interest: to maintain employment records	To carry out right to work checks Information may be shared with the Home Office
<b>Your racial or ethnic origin, sex and sexual orientation, religious or similar beliefs</b>	From you	To comply with our legal obligations and for reasons of substantial public interest (equality of opportunity or treatment)	To comply with our equal opportunities monitoring obligations and to follow our equality and other policies For further information, see * below

You are required (by law or in order to enter into your contract of employment) to provide the categories of information 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 are available from the Privacy Department.