

Job Applicant Privacy Notice

This Job Applicant Privacy Notice sets out what personal data we, Robinson Manufacturing Ltd (hereafter 'the Company' or 'Company'), hold about you and how we collect and use it during and after the recruitment process. It applies to anyone who is applying to work for us, whether as an employee, worker, contractor, consultant, volunteer, partner or director (together referred to as 'Job Applicant' or 'you').

Please note that the Company will not necessarily hold, use or share *all* of the types of personal data described in this Privacy Notice in relation to you. The specific types of data about you that the Company will hold, use and share will depend on the role for which you are applying, the nature of the recruitment process, how far you progress in the recruitment process and your individual circumstances.

The Company is required by data protection law to give you the information in this Privacy Notice. It is important that you read the Privacy Notice carefully, together with any other similar or additional information that you might be given from time to time about how the Company collects and uses your personal data. Should your application be successful, when you start work, the Company would provide you with another privacy notice that explains how your personal data is held.

This Privacy Notice applies from 25 May 2018, when the General Data Protection Regulation comes into force. It does not give you any contractual rights. This Privacy Notice may be updated at any time.

Who is the controller?

Robinson Manufacturing Ltd is the "controller" for the purposes of data protection law. This means that it is responsible for deciding how it holds and uses personal data about you.

The Company's Data Protection Officer is Greg Farrar at risk@rmuk.co.uk. As Data Protection Officer, they are responsible for informing and advising the Company about its data protection law obligations and monitoring its compliance with these obligations. They also act as your first point of contact if you have any questions or concerns about data protection.

What is personal data?

Personal data means any information relating to a living individual who can be identified (directly or indirectly) in particular by reference to an identifier e.g. name, NI number, employee number, email address, physical features. It can be factual e.g. contact details or date of birth, an opinion about an individual's actions or behaviour, or information that may otherwise impact that individual in a personal or business capacity.

Data protection law divides personal data into two categories: ordinary personal data and special category data. Any personal data that reveals racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health conditions or sexual orientation that is used to identify an individual is known as **special category data**. (The rest is **ordinary personal data**).

Types of ordinary personal data the Company holds about you and why

At the initial stages of recruitment, the Company collects, holds and uses the following types of ordinary personal data about you:

- Information contained in your application form/CV/covering letter, including your name, title, contact details, photograph, employment history, experience, skills, qualifications/training (including educational, vocational, driving licences where appropriate), referees' names and contact details.
- Publicly available information about you, such as your business social media presence
- Selection information, including correspondence, interview notes, internal notes, the results of any written or online selection tests

If you are shortlisted for a position, or you receive a conditional offer of employment, the Company may collect, hold and use the following additional types of ordinary personal data about you:

- Pre-employment check information, including references and verification of qualifications
- Right to work checks and related documents

The Company holds and uses this personal data so that it can:

- process your application and correspond with you about it;
- assess whether you have the required skills, experience, qualifications and training for a role within the company;
- make informed recruitment decisions;
- verify information provided by you;
- check and demonstrate that you have the legal right to work in the UK;
- keep appropriate records of our recruitment process and decisions;

Legal grounds for using your ordinary personal data

Data protection law specifies the legal grounds on which the Company can hold and use personal data.

The Company relies on one or more of the following legal grounds when it processes your ordinary personal data:

- To take steps at your request in order to **enter into a contract** with you, because by applying for a job you are effectively asking the Company to enter into a contract with you.
- To comply with a **legal obligation** e.g. the obligation not to discriminate during the recruitment process, or the obligation not to employ someone who does not have the legal right to work in the UK.
- It is necessary for **legitimate interests** (or those of a third party) and your interests and fundamental rights do not override those interests. For example, it is a legitimate interest to review and consider your personal data (as listed above) so that the most appropriate candidate for the job can be selected.

Types of special category personal data the Company holds about you, why, and on what legal grounds

The Company will only collect, hold and use limited types of special category data about you during the recruitment process, as described below.

Since special category data is usually more sensitive than ordinary personal data, the Company needs to have an additional legal ground (as well as the legal grounds set out in the section on ordinary personal data, above) to collect, hold and use it. The additional legal grounds that the Company relies on to collect, hold and use your special category data are explained below for each type of special category data.

At the initial stages of recruitment, the Company may collect, hold and use the following special category data about you:

Equal opportunities monitoring

Equal opportunities monitoring data which could include information about your race or ethnicity, religious beliefs, sexual orientation or health. The Company uses this information to monitor equality of opportunity and diversity in the recruitment process. Additional legal grounds for using this information is that it is necessary in the public interest for the purposes of equal opportunities monitoring and is in line with the Company's Data Protection Policy.

Adjustments for disability/medical conditions

Information relevant to any request by you for adjustments to the recruitment process as a result of an underlying medical condition or disability. The Company uses this information to enable it to carry out a fair, non-discriminatory recruitment process by considering/making reasonable adjustments to the process as appropriate. Additional legal grounds for using this information is that it is needed to comply with a legal obligation/exercise a legal right in relation to employment – namely, the obligations not to discriminate, and to make reasonable adjustments to accommodate a disability – and such use is in line with the Company's Data Protection Policy.

How your personal data is collected

You provide the Company with most of the personal data about you that is held and used, for example in your written application, by completing any assessments and during any interviews.

Some of the personal data the Company holds and uses about you is generated from internal sources during the recruitment process. For example, the person interviewing you may score your suitability for the role and the Company records the reasons for decisions made about whether or not your application is successful.

Some of the personal data about you that the Company holds and uses may come from external sources. For example, a recruitment agency provides a shortlist of candidates. If you are offered a role, the Company will carry out pre-employment checks, such as taking up references from past employers or education providers. In some circumstances, the Company may ask the Home Office for information about your immigration status to verify your right to work in the UK. For some roles, the Company may

also obtain information about you from publicly available sources, such as your LinkedIn profile or other media sources.

Sharing your personal data

The Company engages recruitment agencies to provide it with the details of suitable candidates for its available vacancies, to communicate with those candidates, and to handle administration in connection with the recruitment process. If the Company receives your initial application details from a recruitment agency, it will share with them any of your personal data that is necessary to enable them to fulfil their functions for the Company. The legal grounds for doing so are that: it is necessary for entry into a contract; and it is a legitimate interest to engage service providers to assist with the recruitment process.

Medical/occupational health professionals

The Company may share information relevant to any request by you for adjustments to the recruitment process as a result of an underlying medical condition or disability with medical/occupational health professionals to enable us to identify what, if any, adjustments are needed in the recruitment process and, if you are successful, once you start work. This information may also be used by the medical/occupational health professionals to carry out assessments required by health and safety legislation. The legal grounds for sharing this personal data are that: it is necessary for entry into a contract; it is a legitimate interest to consider adjustments to enable Job Applicants to participate fully in the recruitment process; and it is necessary to comply with legal obligations/exercise legal rights in the field of employment (obligations not to discriminate, to make reasonable adjustments, to comply with health and safety requirements).

Legal/professional advisers

The Company shares any of your personal data that is relevant, where appropriate, with its legal and other professional advisers, in order to obtain legal or other professional advice about matters related to you or in the course of dealing with legal disputes with you or other Job Applicants. The Company's legal grounds for sharing this personal data are that: it is a legitimate interest to seek advice to clarify rights/obligations and appropriately defend potential claims; it is necessary to comply with legal obligations/exercise legal rights in the field of employment; and it is necessary to establish, exercise or defend legal claims.

Home Office

The Company may share your right to work documentation with the Home Office, where necessary, to enable it to verify your right to work in the UK. The legal ground for sharing this personal data is to comply with its legal obligation not to employ someone who does not have the right to work in the UK.

Consequences of not providing personal data

The Company only asks you to provide personal data that it needs to enable it to make a decision about whether or not to offer you a role. If you do not provide particular information to us, then the Company will have to make a decision on whether or not to offer you a role without that information, which in some cases could result in deciding not to recruit you. For example, if the Company asks you to provide a *certificate verifying a qualification* and you do not, it will have to decide whether to recruit you without that

information. If you do not provide names of referees or a reference when asked, the Company will not usually be able to offer you the role. In addition, some of the personal data you provide is required by law. For example, if you do not provide the documentation needed to check your right to work in the UK, then you cannot by law be employed.

If you choose not to provide personal data requested, the Company will tell you about the implications of any such decision at the relevant time.

How long your personal data is kept

The Company will keep your personal data throughout the recruitment process.

If your application is successful, when you start work for the Company you will be issued with an Employee Privacy Notice which will include information about what personal data the Company keeps from the recruitment process and how long your personal data is kept whilst you are working for the Company and after you have left.

If your application is unsuccessful, the Company will keep your personal data for up to 6 months from the date you are notified of the decision. (Note, we may keep your personal data for longer than 6 months if you have asked us to consider you for future vacancies – see 'Will your application be kept on file?' below). There may, however, be circumstances in which it is appropriate to keep particular items of your personal data for longer. These decisions will be based on relevant circumstances, taking into account the following criteria:

- the amount, nature, and sensitivity of the personal data
- the risk of harm from unauthorised use or disclosure
- the purposes for which we process your personal data and how long the particular data is needed to achieve these purposes
- how long the personal data is likely to remain accurate and up to date
- for how long the personal data might be relevant to possible future legal claims
- any applicable legal, accounting, reporting or regulatory requirements that specify how long certain records must be kept

In all cases, your personal data will not be kept for longer than it is needed for legitimate purposes.

Will your application be kept on file?

If you are unsuccessful for the role for which you have applied, or you sent a speculative application, then, if you have consented to doing so, the Company will keep your personal data on file to identify if you might be suitable for any other vacancies that may arise in the next 12 months and will contact you if it is believed this is the case. The Company will not keep your personal data for this purpose for longer than 12 months.

When applying for a particular role, there is no obligation for you to give consent to keep your personal data on file for consideration for other roles if you do not want to. Your application for the particular role you are putting yourself forward for will not be affected.

If you change your mind about having your personal data on file, you have the right to withdraw your consent at any time – see ‘Your Rights’, below.

References

If you provide details of referees, you are required to inform them what personal data of theirs you are sharing. You must also give them the Company’s contact details and let them know that they should make contact if they have any queries about how the Company will use their personal data.

Your rights

You have a number of legal rights relating to your personal data, which are outlined here:

- **The right to make a subject access request.** This enables you to receive certain information about how the Company uses your data, as well as to receive a copy of the personal data it holds about you and to check that it is being lawfully processed.
- **The right to request that the Company corrects incomplete or inaccurate** personal data that we hold about you.
- **The right to request that the Company deletes or removes** personal data that is held about you where there is no good reason for continuing to process it. You also have the right to ask for your personal data to be deleted where you have exercised your right to object to processing (see below).
- **The right to object to the Company processing** your personal data where it is relying on legitimate interest (or those of a third party), where it cannot show a compelling reason to continue the processing
- **The right to request that the Company restricts its processing** of your personal data. This enables you to ask the Company to suspend the processing of personal data about you, for example if you want to establish its accuracy or the reason for processing it.
- **The right to withdraw your consent to using your personal data.** As described above, the Company does not normally rely on your consent as the legal ground for using your personal data. However, if it is relying on your consent as the legal ground for using any of your personal data and you withdraw your consent, you also have the right to request that it is deleted or removed, if there is not another good reason to continue using it.
- **The right to request that the Company transfers** your personal data to another party, in respect of data that you have provided where legal grounds for using the data is that it is necessary for the performance of a contract or that you have given consent to use it (this is known as the right to “data portability”).

If you would like to exercise any of the above rights, please contact Greg Farrar, Risk Business Partner in writing at risk@rmuk.co.uk. Note that these rights are not absolute and in some circumstances we may be entitled to refuse some or all of your request.

If you have any questions or concerns about how your personal data is being used by us, you can contact Greg Farrar at risk@rmuk.co.uk

For further information you can also visit the Information Commissioner's Office (ICO) website: <https://ico.org.uk>