

# JOB APPLICANT PRIVACY POLICY

## Candidates & Contractors

Updated: 1<sup>st</sup> May 2019

WIGGLECRC Privacy Policy - Job Applicants

WiggleCRC is committed to protecting the privacy and security of your personal information.

WiggleCRC is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. This privacy notice describes how we collect and use personal information about you during and after your working relationship with us, in accordance with the General Data Protection Regulations (GDPR).

You have been asked to read this privacy notice because you are applying for work with us (whether as an employee, worker, self-employed consultant or contractor). It makes you aware of how and why your personal data will be used, namely for the purposes of the recruitment exercise, and how long it will usually be retained for. It provides you with certain information that must be provided under the General Data Protection Regulation (GDPR).

WiggleCRC is registered with the Information Commissioner's Office and conforms to the General Data Protection Regulation 2018. WiggleCRC is also registered under the Data Protection Act 1998 and all information submitted is treated in accordance with the Act. Information about your entitlements under the Data Protection Act is available on [www.gov.uk/data-protection](http://www.gov.uk/data-protection).

The following policy is issued by WiggleCRC hereinafter referred to as "WiggleCRC". Registered No Z9107320, Company No. 02667809, Registered office: WiggleCRC 1000 Lakeside, Suit 310, 3rd floor, Portsmouth PO6 3EN

This notice applies to all job applicants. In relation to self-employed consultants and contractors, references to 'employer' and employment related activities should be construed as referring to WiggleCRC and its activities as the business with which the self-employed consultant or contractor is potentially contracting to carry out work, in so far as those activities relate to the arrangements entered into between the self-employed consultant or contractor and WiggleCRC. Personal data will only be collected where it is relevant to the arrangements WiggleCRC is proposing to enter into with each individual or company. Nothing in this agreement shall affect the status of a self-employed consultant or contractor or shall render them a potential employee, worker, agent or partner of WiggleCRC.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information. This policy was updated in January 2019; make sure you check back for updates from time to time.

## The key principles for GDPR

We will comply with data protection law. The key principles are:

Principle	Explanation
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<b>Lawfulness, fairness and transparency</b>	Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject.
<b>Purpose limitation</b>	Personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
<b>Data minimisation</b>	Personal data shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
<b>Accuracy</b>	Personal data shall be accurate and, where necessary, kept up to date.
<b>Storage limitation</b>	Personal data shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.
<b>Integrity and confidentiality</b>	Personal data shall be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.
<b>Accountability</b>	The controller shall be responsible for, and be able to demonstrate compliance with the GDPR.

### The kind of information we hold about you

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

- The information you have provided to us in your curriculum vitae and covering letter.
- The information you have provided on our application form, including name, title, address, telephone number, personal email address, date of birth, gender, employment history and qualifications.
- Any information you provide to us during an interview
- Any other information you provide to us during the application process in any format, including any tender documents (where applicable).
- Occupation personality questionnaires and test results

We may also collect, store and use the following "special categories" of more sensitive personal information:

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

### How is your personal information collected?

We may collect personal information about candidates from the following sources:

- You, the candidate.
- Your recruitment agency, if applicable from which we collect the following categories of data: e.g. the information you provide in your curriculum vitae and any covering letter.

- Disclosure and Barring Service/Disclosure Service in respect of criminal convictions.
- Your named referees, from whom we collect the following categories of data: Name, job title, period of employment, reason for leaving and would they re-employ.
- Your data from third parties publicly accessible source such as LINKED IN & SOCIAL MEDIA

### **How we will use information about you**

#### **We will use the personal information we collect about you to:**

- Assess your skills, qualifications, and suitability for the role.
- Carry out background and reference checks, where applicable.
- Communicate with you about the recruitment process.
- Keep records related to our hiring processes.
- Comply with legal or regulatory requirements.
- It is in our legitimate interest to collate your personal information to support us with our hiring process and to ensure we have the correct information to appoint you to any advertised positions at any given time.

It is in our legitimate interest to collate your personal information to support us with our hiring process and to ensure we have the correct information to appoint you to any advertised positions at any given time.

We also need to process your personal information to decide whether to enter into a contract of employment, a contract for services or any other arrangement with you.

Having received the information you have provided to us as part of the application process, we will then process that information to decide 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 for an interview. If we decide to call you for an interview, we will use the information you provide to us at the interview to decide whether to offer you the role. If we decide to offer you the role, we will then take up references, carry out a criminal record check and carry out any other pre-recruitment we need to do before confirming your appointment.

#### **If you fail to provide personal information**

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 make any offers of employment.

#### **How we process references**

We will use the details that you provide regarding your named referees in order to request a reference for you. If you provide personal contact details for your named referees, for example, for the purposes of a personal reference, by providing these details to us you are confirming that you have the named referees' consent to provide such information to us.

If you are named as a referee, we will use the personal contact details provided to us by the job applicant in order to contact you to request a reference. We will subsequently process any information you provide in

response to a reference request (as set out above) in accordance with our legitimate business interests to carry out reference checks for prospective employees.

### **How we use particularly sensitive personal information**

We may use your particularly sensitive personal information in the following ways:

- We may use information about your disability status to consider whether we need to provide appropriate adjustments during the recruitment process, for example whether adjustments need to be made during a test or interview or at any other stage in the process.
- We may use information about your criminal convictions to assess your suitability for the role, where applicable.
- We may use 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.

### **Information about criminal convictions**

We may only use information relating to criminal convictions where the law allows us to do so this will usually be where such processing is necessary to carry out our obligations and provided we do so in line with WiggleCRC's Data Policy.

We envisage that we may hold information about criminal convictions.

We may use information about convictions and offences in order to assess individual's suitability for employment. We are allowed to use your personal information in this way to carry out our safeguarding obligations. We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so.

We are allowed to use your personal information in this way to carry out our legal obligations as a prospective employer. We have in place an appropriate policy and safeguards which we are required by law to maintain when processing such data.

### **Automated decision-making**

Potentially you will be subject to decisions that will have an impact on you based on automated decision-making, such as job board pre-screening question on your application.

### **Data sharing**

#### **Why might you share my personal information with third parties?**

We will only share your personal information with the following third parties for the purposes of processing your application: the disclosure and barring service.

Where your application involves the use of a recruitment agent, we may also pass information regarding the progress of your application, including feedback on your performance in the recruitment process, and the terms on which we are prepared to make a job offer, if applicable, to your recruitment agent.

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. 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.

### **Data security**

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need-to-know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

### **Data retention**

#### **How long will you use my information for?**

We will usually retain your personal information for a period of 6 months after we have made the relevant appointment, subject to any additional legal obligations and in accordance with any legitimate interests of WiggleCRC. 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.

### **Rights of access, correction, erasure, and restriction**

#### **Your rights in connection with personal information**

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

- **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.
- **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.
- **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).
- **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.

- **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.
- **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 Officer in writing.

#### **Data protection officer**

We have appointed a data protection officer to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the Data Protection Officer. Please post letters to, WIGGLECRC, 1000 Lakeside, Suite 310, 3<sup>rd</sup> Floor, Portsmouth, PO6 3EN or email [support@wiggle.com](mailto:support@wiggle.com).

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

