



Job Applicant Privacy Notice

Data controller: Judge & Priestley LLP

Data Protection Officer: Carmen Abela, Compliance Officer who can be contacted by emailing cabela@judge-priestley.co.uk

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24/05/2018	1	LE	Initial Release
13/12/2022	1.2	C Abela	Amended Data Protection Officer Details

As part of any recruitment process, J&P 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.

What information does the organisation collect?

During the recruitment process J&P collects a range of information about you, in a variety of ways. For example, data might be contained in CVs, your passport or other identity documents, or collected through interviews or other forms of assessment.

The personal data we process includes:

- your name, address and contact details, including email address and telephone number
- details of your qualifications, skills, experience and employment history
- information about your current level of remuneration, including benefit entitlements
- information about your entitlement to work in the UK

This is lawfully processed as outlined in article 6(1)(b) of the GDPR (performance of a contract).

We will also lawfully process Special Category Personal Data:

- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health, and religion or belief.
- whether you have a disability for which the organisation needs to make reasonable adjustments during the recruitment process

This is lawfully processed as outlined in article 9(2)(b) of the GDPR (employment)

If you are offered a role with us then we will also collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers, information from criminal records checks and adverse financial checks. The organisation will seek information from third parties only once a job offer to you has been made and will inform you that it is doing so.

J&P uses the following companies to administer pre-employment checks on its behalf: Experian, Atlantic Data and Carecheck.

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).

Why does the organisation process personal data?

The organisation needs to process data to take steps at your request prior to entering into a contract with you and to help with the decision-making process. It also needs to process your data to enter into a contract with you.

In some cases, the organisation needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check a successful applicant's eligibility to work in the UK before employment starts.

The organisation 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 organisation to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. The organisation may also need to process data from job applicants to respond to and defend against legal claims.

Where J&P relies on legitimate interests as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of employees or workers and has concluded that they are not.

J&P processes health information if it needs to make reasonable adjustments to the recruitment process for candidates who have a disability. This is to carry out its obligations and exercise specific rights in relation to employment.

Where the organisation processes other special categories of data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is for equal opportunities monitoring purposes and will only be collected once an offer of employment has been accepted and with the explicit consent of job applicants, which can be withheld without consequence or withdrawn at any time.

If your application is unsuccessful J&P may keep your personal data on file for up to 12 months.

Who has access to data?

Your information will be shared internally for the purposes of the recruitment exercise. This includes members of the HR and recruitment team, interviewers involved in the recruitment process, managers in the business area with a vacancy and IT staff if access to the data is necessary for the performance of their roles.

The organisation will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment. The organisation will then share your data with former employers to obtain references for you and employment background check providers to obtain necessary background checks.

How does the organisation protect data?

The organisation takes the security of your data seriously. It has internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties. All applications and interview materials which contain your personal data are securely held within password protected IT systems and locked storage.

For how long does the organisation keep data?

If your application for employment is unsuccessful, the organisation will hold your data on file for up to 12 months after the end of the relevant recruitment process. At the end of that period your data is deleted or destroyed.

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your personnel file. The periods for which your data will be held will be provided to you in a privacy notice.

Your rights

As a data subject and the lawful basis under which your data will be processed, you have a number of rights. These are as follows:

- Right to Access: Access and obtain a copy of your data on request
- Right to Rectify: Require the organisation to change incorrect or incomplete data
- Right to Portability: Request to obtain and reuse your information for your own purpose across a different service

If you would like to exercise any of these rights, please contact our Data Protection Officer at cabela@judge-priestley.co.uk

If you believe that the organisation has not complied with your data protection rights, you can complain to the Information Commissioner.

What if you do not provide personal data?

You are under no statutory or contractual obligation to provide data to J&P during the recruitment process. However, if you do not provide the information, J&P may not be able to process your application properly or at all.

You are under no obligation to provide information for equal opportunities monitoring purposes and there are no consequences for your application if you choose not to provide such information.

Automated decision-making

Recruitment processes are not based solely on automated decision-making.