

# Job applicant privacy notice (GDPR compliant)

Revision 1.1

Date 22 October 2018

**Ensoft Ltd** ("the Company") is aware of its obligations under the General Data Protection Regulation (GDPR) and is committed to processing your data securely and transparently. This privacy notice sets out, in line with GDPR, the types of data that we collect and hold on you as a job applicant. It also sets out how we use that information, how long we keep it for and other relevant information about your data.

## Data controller details

The Company is a data controller, meaning that it determines the processes to be used when using your personal data. Our contact details are as follows:

*Ensoft Ltd, Ensoft House, 4-6 Arden Grove, Harpenden, Hertfordshire, AL5 4SJ.*

## Data protection principles

In relation to your personal data, we will:

- process it fairly, lawfully and in a clear, transparent way
- collect your data only for reasons that we find proper for your application in ways that have been explained to you
- only use it in the way that we have told you about
- ensure it is correct and up to date
- keep your data for only as long as we need it
- process it in a way that ensures it will not be used for anything that you are not aware of or have consented to (as appropriate), lost or destroyed

## How we collect your data

We collect data about you in a variety of ways including the information you include in your CV or a job application cover letter, information you provide during a recruitment interview, and by using an aptitude test.

In some cases, we will collect data about you from third parties, such as such as former employers or former university tutors when gathering references.

Personal data is kept in recruitment **files or within the Company's HR and IT systems.**

## Type of data we process and why we process it

The law on data protection allows us to process your data for certain reasons only:

- in order for us to carry out our legitimate interests
- in order to carry out legally required duties
- in order to perform any contract with you that we are party to
- to protect your vital interests
- where something is done in the public interest
- where we have your explicit consent.

All of the processing carried out by us falls into one of the permitted reasons. Generally, we collect data so that we can carry out activities which are in the legitimate interests of the Company; these activities are:

- making decisions about who to offer employment to
- maintaining up-to-date records about you to ensure effective correspondence can be achieved
- avoiding directing recruitment marketing at previously unsuccessful applicants
- for the purposes of equal opportunities monitoring
- dealing with legal claims made against us.

The data we process for these activities include:

- personal details including your name, address, date of birth, email address, phone numbers
- a photograph
- gender
- information from your CV, including education history and employment history
- information from any recruitment interview, including aptitude test results
- references

We may also collect feedback from you about our recruitment and interview processes. We do so on the basis of your explicit consent. You do not have to provide this feedback. Consent, once given, may be withdrawn at any time. There will be no consequences where consent is withheld or withdrawn.

We may seek your consent to retain either your contact details or your whole application in case your initial application is unsuccessful but other suitable job vacancies subsequently arise within the Company for which we think you may wish to apply. You will have full control over your decision to give or withhold consent. Consent, once given, may be withdrawn at any time. There will be no consequences where consent is withheld or withdrawn.

## Special categories of data

The GDPR defines special categories of data that must be processed in accordance with more stringent guidelines. The categories relate to your: health, sex life, sexual orientation, race, ethnic origin, political opinion, religion, trade union membership, and genetic and biometric data. We do not process any data in these categories.

## Criminal conviction data

We do not collect or process criminal conviction data ourselves. However, if you are successful in your job application and accept a conditional offer of employment, we will arrange for a criminal records check to be performed. This is covered by our separate privacy notice for employees, which will be provided to you if applicable.

## If you do not provide your data to us

One of the reasons for processing your data is to allow us to carry out an effective recruitment process. Whilst you are under no obligation to provide us with your data, we may not be able to process, or continue with (as appropriate), your application.

## Sharing your data

Your data will be shared with colleagues within the Company where it is necessary for them to undertake their duties with regard to recruitment. This includes, for example, the HR department and those responsible for screening your application and interviewing you.

Your data will not be shared with third parties (either inside the European Economic Area or outside) unless you are successful in your job application and accept a conditional offer of employment. In these circumstances, we will share your data in order for a criminal records check to be performed. This is covered by our separate privacy notice for employees, which will be provided to you if applicable.

## Protecting your data

We are aware of the requirement to ensure your data is protected against accidental loss or disclosure, destruction and abuse and we have implemented processes to guard against such.

## How long we keep your data for

In line with data protection principles, we only keep your data for as long as we need it for and in most cases this will depend on whether or not you are successful in obtaining employment with us.

If your application is not successful and we have not sought consent or you have not provided consent upon our request to keep your data for the purpose of future suitable job vacancies, we will keep your data for one year after the recruitment exercise ends.

If we have sought your consent to keep either your contact details or your whole application on file for future job vacancies, and you have provided consent, we will keep that data until the date agreed (usually your expected university graduation date.) Consent may be withdrawn at any time, in which case your data will be held only until one year after the recruitment exercise ended. If that date has already passed your data will be deleted or destroyed within one month. There will be no consequences where consent is withheld or withdrawn beyond the fact the Company will be unable to contact you regarding future job vacancies.

If your application is successful, your data will be kept and transferred to the systems we administer for employees. We have a separate privacy notice for employees, which will be provided to you if applicable.

Notes made during recruitment interviews are destroyed sooner than the periods described above if they are no longer required, for example if you become a permanent employee of the Company.

## Automated decision making

No decision will be made about you solely on the basis of automated decision making (where a decision is taken about you using an electronic system without human involvement) which has a significant impact on you.

## Your rights in relation to your data

The law on data protection gives you certain rights in relation to the data we hold on you. These are:

- the right to be informed. This means that we must tell you how we use your data, and this is the purpose of this privacy notice
- the right of access. You have the right to access the data that we hold on you
- the right for any inaccuracies to be corrected. If any data that we hold about you is incomplete or inaccurate, you are able to require us to correct it
- the right to have information deleted. If you would like us to stop processing your data, you have the right to ask us to delete it from our systems where you believe there is no reason for us to continue processing it. This right does not apply to data that we have a legal obligation to process
- the right to restrict the processing of the data. For example, if you believe the data we hold is incorrect, we will stop processing the data (whilst still holding it) until we have ensured that the data is correct
- the right to portability. You may transfer the data that we hold on you for your own purposes if we are holding it on the basis of your consent or in order to fulfil a contract with you
- the right to object to the inclusion of any information. You have the right to object to the way we use your data where we are using it for our legitimate interests
- the right to regulate any automated decision-making and profiling of personal data. You have a right not to be subject to automated decision making in a way that adversely affects your legal rights.

Where you have provided consent to our use of your data, you also have the unrestricted right to withdraw that consent at any time. Withdrawing your consent means that we will stop processing the data that you had previously given us consent to use. There will be no consequences for withdrawing your consent beyond the inability of the Company to perform the processing in question.

## Making a complaint

The supervisory authority in the UK for data protection matters is the Information Commissioner (ICO). If you think your data protection rights have been breached in any way by us, you are able to make a complaint to the ICO.