

Job Applicant Privacy Notice

As part of the recruitment process, Software Box Limited (“we”, “our”, “us”, “the Company”) collects and processes personal information, or personal data, relating to job applicants. This personal data may be held by the Company on paper or in electronic format.

The Company is committed to protecting the privacy and security of your personal data, and its data protection obligations under the General Data Protection Regulation (GDPR). 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 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 legitimate reasons
- only use it in the way that we have told you about
- ensure it is secure, 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

Types of data we process

We hold many types of data about you, including:

- your personal details including your name, address, date of birth, email address, phone numbers
- gender
- marital status
- whether or not you have a disability
- information included on your CV including references, education history, employment history and qualifications
- documentation relating to your right to work in the UK
- copy of driving licence / passport / Utility bill
- Other background check documentation

How we collect your data

We collect data about you directly from you or from a third party, such as a recruitment agency, former employers when gathering references or credit references. The data collected will include information you would normally include in a CV or a job application cover letter, or notes made by our recruiting managers during a recruitment interview. Further information will be collected directly from you when you complete forms at the start of your employment, for example, your bank and next of kin details. Other details may be collected directly from you in the form of official documentation such as your driving licence, passport or other right to work evidence.

Personal data is kept in personnel files or within the Company’s HR and IT systems.

Why we process your data

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

- in order to perform the employment contract that we are party to
- in order to comply with a legal obligation
- in order for us to carry out our legitimate interests
- to protect your interests and
- where something is done in the public interest.

All of the processing carried out by the Company falls into one of the permitted reasons. Generally, we will rely on the first three reasons set out above to process your data.

We need to collect your data to ensure we are complying with legal requirements such as:

- carrying out checks in relation to your right to work in the UK and
- making reasonable adjustments for disabled employees.

We also collect data so that we can carry out activities which are in the legitimate interests of the Company. We have set these out below:

- making decisions about who to offer employment to
- making decisions about salary and other benefits
- assessing training needs
- dealing with legal claims made against us
- Checking your right to work in the UK

If you are unsuccessful in obtaining employment, we will seek your consent to retaining your data in case other suitable job vacancies arise in the Company for which we think you may wish to apply. You are free to withhold your consent to this and there will be no consequences of withholding consent.

Special categories of data

We will only collect and use your sensitive personal information, which includes special categories of personal information and information about criminal convictions and offences when the law allows us to.

The purpose for which we process personal sensitive personal information is for:

- the purposes of equal opportunities monitoring
- assessing your suitability for employment
- complying with the duty to make reasonable adjustments for disabled job applicants and with other disability discrimination obligations
- ensuring compliance with your statutory rights
- ensuring effective HR, personal management and business administration

We do not need your consent if we use special categories of personal data in order to carry out our legal obligations or exercise specific rights under employment law. However, we may ask for your consent to allow us to process certain particularly sensitive data. If this occurs, you will be made fully aware of the reasons for the processing. As with all cases of seeking consent from you, you will have full control over your decision to give or withhold consent and there will be no consequences where consent is withheld. Consent, once given, may be withdrawn at any time. There will be no consequences where consent is withdrawn.

If you are successful, background checking including criminal conviction data is collected. We use this data in the following ways:

- to verify the identity of an individual, their right to work in the UK, pre-employment screening checks and a basic criminal records check which all forms part of the Baseline Personnel Security Standard or,
- a National Security Vetting level may be required depending on your job role requirement

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, those in the department where the vacancy is and who is responsible for screening your application and interviewing you, the IT department where you require access to our systems to undertake any assessments requiring IT equipment.

In some cases, we will collect data about you from third parties, such as employment agencies.

Your data will be shared with third parties if you are successful in your job application. In these circumstances, we will share your data with our background screening company, pension and insurance plans and benefit scheme providers.

Protecting your data

The Company has put in place measures and controls to protect the security of your personal information from being accidentally lost or destroyed, altered, or used in an unauthorised way in the form of internal policies and procedures. In addition, we limit access to your personal information to those employees, agents and third parties who have a business need to know in order to perform their job duties and responsibilities.

Where we share your data with third parties, we require all third parties to take appropriate technical and organisational security measures to protect your personal information in accordance with data protection law.

How long we keep your data for

In line with data protection principles, we only keep your data for as long as necessary to fulfil the purposes for which it was collected and processed.

If your application is not successful and we have sought your consent to keep your data on file for future job vacancies, and you have provided consent, we will keep your data for 12 months once the recruitment exercise ends. At the end of this period, we will delete or destroy your data, unless you have already withdrawn your consent to our processing of your data in which case it will be deleted or destroyed upon your withdrawal of consent.

If your application is successful, your data will be kept and transferred to our HR/IT systems. We have a separate privacy notice for employees, which will be provided to you.

Automated decision-making

Automated decision-making occurs when an electronic system uses your personal information to make a decision without human intervention.

We do not envisage any recruitment decisions will be taken about you based solely on automated decision-making, including profiling.

Your rights in relation to your data

As a data subject, 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. To do so, you should make a subject access request
- 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
- 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
- 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 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 of withdrawing your consent. However, in some cases, we may continue to use the data where so permitted by having a legitimate reason for doing so.

If you wish to exercise any of the rights explained above, please contact Steve Firth, Security Controller on 01347 812100 or steve_firth@softbox.co.uk.