

1. Introduction

As part of any recruitment process, Redmayne Bentley LLP (“we”, “us”, “our”) collects and processes personal data relating to job applicants. We are committed to being transparent about how we collect and use your personal data and to meeting our data protection obligations.

2. Data Controller

2.1.1 We are the data controller in respect of your personal data. Our registered office is at 9 Bond Court, Leeds, West Yorkshire, LS1 2JZ. If you have any queries about this privacy notice, you can contact us using the details provided at the end of this notice.

3. Scope

- 3.1.1 This applicant privacy notice is designed to give information about:
- The types of personal data we collect
 - The methods by which we collect personal data
 - The purposes and legal basis for any processing
 - The persons/organisations that we may share any personal data with
 - The methods by which we store and protect your personal data
 - The period for which any personal data will be stored
 - The rights you have in relation to your personal data
- 3.1.2 This notice applies to all applicants and it is important that you read this notice so that you are aware of how and why we use your personal data and what safeguards are in place to protect it.

4. What information do we process?

- 4.1.1 We process the following types of personal data about our applicants:
- Personal information such as name, address, contact details, including email address and telephone number
 - Details of your qualifications and/or professional qualifications, skills, experience and employment history, including periods of unemployment
 - Information about your current level of remuneration, including benefit entitlements, notice period
 - Information about your entitlement to work in the UK
 - Information about your financial background, for example, County Court Judgements (CCJs).
 - Any information you provide us during an interview, including interview notes and the records of any tests or assessments.

5. Special Categories of Personal Data

- 5.1.1 We also handle the following ‘special categories’ of personal data:
- Whether or not you have a disability, to enable us to make reasonable adjustments during the recruitment process.

CRIMINAL OFFENCE DATA

- 5.1.2 We will collect and use information about criminal convictions if we offer you a role (conditional on other

checks and references being satisfactory) in order to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable for the role.

- 5.1.3 We carry out a standard criminal record check for roles that require you to be registered with the Financial Conduct Authority (FCA). This is to ensure we comply with the FCA’s Fit and Proper Test for Approved Persons (FIT) and to verify information you provide in your Long Form A, section 5.01 Criminal Proceedings. For all other roles, following guidance from the FCA on data security and fraud risk, we carry out basic criminal record checks.

6. How do we collect this information?

- 6.1.1 We collect personal information about applicants through the recruitment process either from individuals directly, or sometimes from an employment agency. We may also collect additional information from third parties, including former employers and our background screening provider Verifile.

7. Why do we process your personal information?

- 7.1.1 We only process personal data about applicants where we have a lawful basis to do so. This will usually be where the processing is necessary:
- To allow us to manage the recruitment and selection process
 - For ensuring compliance with our legal obligations, for example, to ensure you have the right to work
 - For our legitimate interests (or those of a third party), provided your interests and fundamental rights do not override those interests, for example, for effective recruitment and selection
 - To respond to and defend against legal claims from job applicants
- In the case of special categories of personal data, such as information about your health, additional conditions apply under data protection legislation. We therefore usually only process such information as part of the recruitment process in the following circumstances:
- To allow us to make reasonable adjustments to the recruitment process for candidates who have a disability, for example, whether adjustments need to be made during a test or interview.

8. How do we use your personal information?

- 8.1.1 The circumstances in which we may process your personal information are set out below:
- To allow us to manage the recruitment process, to decide whether you meet the minimum requirements to be shortlisted and invited to interview
 - To assess and confirm a candidate’s suitability for employment and decide to whom to offer a job
 - To take up references and carry out appropriate checks to assess your financial background and mitigate risks posed to Redmayne Bentley by individuals under financial stress
 - To provide reasonable adjustments for interviews
 - For legal and regulatory reasons, for example, complying with employment and health and safety obligations, ensuring you are legally entitled to work,

establishing or defending legal claims and compliance with our FCA obligations

9. Automated decision-making

9.1.1 The Firm does not envisage that the recruitment process will be solely based on automated decision-making.

10. With whom might we share your information?

10.1.1 Your information will be shared internally for the purposes of the recruitment exercise on a 'need to know' basis, including members of the HR team, interviewers involved in the recruitment process and directors in the relevant business area.

10.1.2 We will share your personal data with a number of external bodies if you are successfully employed with us, such as:

- a. Former employers who you have given as a referee to obtain a standard or regulatory reference(s) covering your previous five-year employment history. We will not contact anyone informally or any person who is not authorised to provide references on behalf of your former employer(s).
- b. The FCA – receive information for regulatory purposes through their secure portals Gabriel and Connect
- c. Verifile - for the purposes of background checking and verifying the information provided
- d. Cascade HR – for the administration of your application and your employment, if successful

10.1.3 The list is not exhaustive and from time to time we may use other organisations.

10.1.4 When we use third parties to process information on our behalf, we require them to commit to compliance with relevant data protection legislation.

11. Will your information be transferred outside the EU/EEA?

11.1.1 Our applicants' personal data will not be transferred outside of the EU/EEA.

12. How do we store and protect your personal data?

12.1.1 We use appropriate security measures to protect the personal data we hold, including appropriate access restrictions, monitoring our systems for unusual access patterns, anti-malware and anti-virus protection, solutions and firewalls as set out in our *Information Security Policy*.

13. How long do we keep hold of your personal data?

13.1.1 We only retain personal data for as long as is reasonably necessary in order to fulfil the purposes identified above, as required by law, or in order to establish, exercise or defend potential legal claims, for example, a discrimination claim. We will hold CVs of unsuccessful applicants for six months from the date we notify an unsuccessful applicant. If we wish to retain an applicant's CV after six months, we will gain consent prior to doing so.

13.1.2 If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your personnel file and retained during your employment. The periods for which your data will be held will be provided to you in an *Employee Privacy Notice* and our *HR Records Retention Policy*.

14. What are your rights?

14.1.1 Applicants have the following rights:

- a. To obtain access to your personal data. You may request information on how your personal data is gathered, handled and stored by us, as well as request a copy of such personal data
- b. To request us to correct or update your personal data if it is inaccurate or out of date, e.g. your phone number or email address
- c. To object to the processing of your personal data for the purpose of our legitimate interests, in which case we will stop processing the personal data, unless we:
 - i. demonstrate compelling legitimate grounds which override your right to object
 - or
 - ii. the processing is necessary for the establishment, exercise or defence of legal claim
- d. To erase your personal data held by us, for example:
 - i. which are no longer necessary in relation to the purpose for which they were collected
 - ii. where you object to our processing it
 - or
 - iii. which may have been unlawfully processed by us.
- e. To restrict processing by us, i.e. the processing will be limited to storage only, for example where:
 - i. the processing is unlawful but you oppose the deletion of your personal data and prefer restriction of processing instead
 - or
 - ii. you object to the processing by us on the basis of our legitimate interests pending verification of whether we have legitimate grounds to override this objection
 - and
 - iii. to transmit personal data, you submitted to us back to you or to another organisation in certain circumstances.

14.1.2 Where processing of your personal data is based on your consent, you have the right to withdraw your consent at any time. This will not affect the lawfulness of processing based on your consent prior to withdrawal. Where you withdraw your consent, we will stop processing your personal data for the purpose you originally agreed to, unless we have another valid legal basis to process it.

14.1.3 These rights are not absolute and may be subject to certain conditions and exemptions under the General Data Protection Regulation and/or the Data Protection Act 2018. Should you wish to exercise any of these rights, please contact us using the contact details set out below.

15. What happens if you do not provide personal data?

15.1.1 You are under no statutory or contractual obligation to provide data to us during the recruitment process. However, if you do not provide this information, we may not be able to process your application properly or at all or provide any reasonable adjustments to the application process.

16. Complaints

16.1.1 We strive to process your personal data in accordance with the applicable legal obligations, but if you have any complaint(s) in that regard, please address your complaint(s) using the contact details set out overleaf.

16.1.2 Please note that you can complain to our supervisory authority, the ICO by telephoning 0303 123 113 or writing to Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF. For further information, the ICO's website can be accessed at www.ico.org.uk.

17. Contacts

17.1.1 If you have any questions about this *Applicant Privacy Notice*, or information we hold on you, please contact the HR Manager by sending an email to humanresources@redmayne.co.uk

17.1.2 This notice is non-contractual, which means it does not confer any legal rights on any applicant or member of staff. We may amend it at any time in line with law or good practice.

18. Annex 1: Categories of Personal Data and Grounds for Processing

We will process the following categories of data based on legitimate grounds for processing. Some examples of data and the legal bases for processing are set out below:

19. Personal data necessary to enter into a contract with us:

- a. Contact details
 - Name
 - Work and home contact details (phone numbers, physical address)
- b. Remuneration
 - Previous base salary
 - Bonus
 - Variable pay
 - Benefits
- c. Position
 - Description of current and previous positions
 - Job title
 - Employment status and type
 - Branch/ /department
 - Location
 - Full-time/part-time
 - Employment history, covering a five-year period
 - Hire/re-hire and termination date(s) and reason
 - Length of service
 - Reporting manager(s) information

19.1.2 Personal details necessary to comply with our legal obligations.

Some examples of our legal obligations include:

- Record-keeping and reporting obligations
- Physical access policies
- Conducting audits, compliance with government inspections and other requests from government or other public authorities
- Responding to and complying with FCA regulation
- Responding to legal processes, pursuing legal rights and remedies, defending litigation and managing any internal complaints or claims, conducting investigations
- Complying with internal policies and procedures

The categories of personal data collected include:

- Date of birth (if offered a position to process background screening checks)
- National Insurance Number
- Citizenship
- Passport data
- Details of residency or work permit
- Disability status

19.1.3 Personal details processed where necessary for the purposes of pursuing our legitimate interests during the recruitment process and for keeping records of the process.

Some examples of our legitimate interests:

- CV
- Application form
- Assessments
- Evidence of skills and qualifications
- Interview notes
- References

19.1.4 Special categories of personal data processed in accordance with GDPR Article 9.2(b) or (h) and Schedule 1 Part 1 or 2 of the Data Protection Act 2018

- Health data

19.1.5 Criminal Offence Data in accordance with Article 10 of the GDPR and Schedule 1 Part 1 of the Data Protection Act 2018

- Standard criminal record check
- Basic criminal record check