



LOCKYERS

FAIR PROCESSING NOTICE FOR APPLICANTS

1. Introduction

Data controller: Lockyer Commercial Ltd, Unit 7 The Office Village, Silkwood Park, Wakefield, WF5 9TJ

Data protection officer: Martin Weaver, 01924 278222, martin@lockyers.co.uk

As part of any recruitment process, the Company collects and processes personal data relating to recruitment applicants. The Company is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations in accordance with the Data Protection Act 2018 (DPA).

This fair processing notice explains what personal data we (the Company) will collect about you (the applicant) as a recruitment applicant, how the data will be treated after the application process has been completed (successful or unsuccessful) and under what lawful basis or bases the Company will process the personal data.

For avoidance of doubt this policy does not form part of any employee's contract of employment and may be amended at any time.

2. Data protection principles

Any collection and processing of your personal data will follow the eight data protection principles in the DPA. These are that personal data must be:

- Fairly, transparently and lawfully processed.
- Obtained and processed for limited purposes and not in any manner incompatible with those purposes.
- Adequate, relevant and limited to only data that is necessary to perform the purpose for which it was obtained.
- Accurate and up to date.
- Not kept for longer than is necessary.
- Processed in accordance with the data subject's rights.
- Secure.
- Not transferred outside of the EEA or between countries without adequate protection.

3. What information does the Company collect?

The Company collects a range of information about you. This includes:

- Name, address and contact details including email address and telephone number.
- Details of employment history, qualifications, experience and skills.
- Information regarding right to work in the UK.
- Information about remuneration including salary and any benefits package.
- Information about disability and whether or not reasonable adjustments were required as part of the recruitment process.

The Company collects the above information in a variety of ways – for example data might be contained within CVs, application forms, obtained from your passport/other identify documents or collected throughout interviews or other selection and assessment processes (including online tests).

The Company will also collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers and information from criminal records checks. The Company 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.

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).

4. Why does the Company process personal data?

The Company needs to process data to take steps at your request prior to entering into a contract with you. It also needs to process your data to enter into a contract with you. In some cases, the Company 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 right to work in the UK before employment starts.

The Company has a 'legitimate interest' in processing personal data during the recruitment process and for keeping records of the process. Processing data from recruitment applicants allows the Company to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. The Company may also need to process data from recruitment applicants to respond to and defend against legal claims.

Where the Company 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.

The Company 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.

For all roles the Company will seek information about criminal convictions and offences. Where the Company seeks this information, it does so because it is necessary for it to carry out its obligations and exercise specific rights in relation to employment.

5. How we will use your personal data

The Company will use your personal data in order to assess your suitability for the role you have applied for.

The Company will not use your data for any purpose other than the recruitment exercise for which you have applied.

If your application is unsuccessful, the Company will keep your personal data on file in case there are future employment opportunities for which you may be suited. The Company will ask for your consent before it keeps your data for this purpose and you are free to withdraw your consent at any time.

6. Who has access to data?

Your information will be shared internally for the purposes of the recruitment exercise. This includes Interviewers involved in the recruitment process, Directors of the business and IT staff if access to the data is necessary for the performance of their roles.

The Company will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment. If third parties are to be provided with your data, you will be notified in advance.

The Company will then share your data with former employers to obtain references for you, employment background check providers to obtain necessary background checks to obtain necessary criminal records checks.

The Company will not transfer your data outside the European Economic Area.

7. How does the Company protect data?

The Company 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. Paper copies of your details will be kept in a locked cabinet, electronic copies of your details will be kept on a restricted drive, only Directors of the company have access to your information. The Company will only transfer personal data to a third party if they agree to our internal policies and controls and/or they have their own measures in place satisfactory to us.

8. Retention of data

If your application for employment is unsuccessful, the Company will hold your data on file for 3 years after the end of the relevant recruitment process. If you agree to allow the Company to keep your personal data on file for consideration of potential future employment opportunities, the Company will hold your data on file for a further 3 years. At the end of that period or once you withdraw your consent, 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 and retained during your employment. The periods for which your data will be held will be provided to you in our Record Retention and Erasure Policy.

9. What are your rights?

As a data subject, you have the right to:

- Access and obtain a copy of your data on request
- Require the Company to change incorrect or incomplete data
- Require the Company to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing
- Object to the processing of your data where the Company is relying on its legitimate interests as the legal ground for processing
- Ask the Company to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the Company's legitimate grounds for processing data
- Prevent processing where it is likely to cause unwarranted substantial damage or distress to you or anyone else and
- Object to a decision that significantly affects you being taken by an automated process.

If you would like to exercise any of these rights, please contact Martin Weaver, martin@lockyers.co.uk. You can make a subject access request by completing the Company's form for making a subject access request.

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

10. What if you do not provide personal data?

You are under no statutory or contractual obligation to provide data to the Company during the recruitment process. However, if you do not provide the information, the Company 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.

11. Automated decision-making

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

12. Speculative CVs

If an individual sends the Company a CV when there is no current recruitment campaign, it will ask the individual for their consent to hold their details on file for twelve months for the purposes of contacting them for any future suitable vacancies.