

Prettys Solicitors LLP:
Privacy Information Notice for
Job Applicants

Introduction

Prettys Solicitors LLP is a data controller. This means that we are responsible for deciding how we hold and use personal information about you. You are being sent a copy of this privacy notice because you are applying for work with us (whether as an employee, worker or contractor). We are committing to protecting the privacy and security of your personal information, and this Privacy Information Notice (PIN), describes how we collect and use personal information about you, both during and after the recruitment process.

This information is provided in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. It is important that you read this PIN, together with any other privacy notice we may provide you on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

The Data Protection Principles

The UK GDPR provides that the personal information that we collect and hold about you must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

Personal data, or personal information, is any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

Certain types of personal data are more sensitive, and require greater protection. This includes information about a person's health or sexual orientation (this is known as "special category data") and information about criminal convictions.

The information we hold about you

We may collect, store, and use the following categories of personal information about you:

- The information you have provided to us in your curriculum vitae and covering letter, including name, title, address, telephone number, personal email address, date of birth, gender, employment history and qualifications.
- Any information you provide to us during an interview.
- Any information that you provide to us as part of the application process.

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your health, including any medical condition, health and sickness records.
- Information about criminal convictions and offences.
- Information about your racial or ethnic origin, where it can be inferred from your nationality.

How do we collect your personal information?

We collect personal information about you through the application and recruitment process, either directly from you or sometimes from an employment agency or background check provider including the Disclosure and Barring Service in respect of criminal convictions. We may sometimes collect additional information from third parties including former employers, credit reference agencies or other background check agencies.

We will collect additional personal information in the course of job-related activities throughout the period of you working for us.

How do we use your personal information?

The UK GDPR allows us to use personal information for specific reasons. Most commonly, we will use your personal information to:

- Assess your skills, qualifications, and suitability for the role.
- Carry out background and reference checks, where applicable.
- Communicate with you about the recruitment process.
- Keep records related to our hiring processes.
- Comply with legal or regulatory requirements.

It is in our legitimate interests to decide whether to appoint you to the role since it would be beneficial to our business to appoint someone to that role.

We also need to process your personal information to decide whether to enter into a contract with you.

Having received your CV and covering letter, we will then process that information to decide whether you meet the basic requirements to be shortlisted for the role. If you do, we will decide whether your application is strong enough to invite you for an interview. If we decide to call you for an interview, we will use the information you provide to us at the interview to decide whether to offer you the role. If we decide to offer you the role, we may then take up references and/or carry out a criminal record and/or carry out any other checks before confirming your appointment.

If you do not provide us with certain information when requested, which is necessary for us to consider your application (such as evidence of qualifications or work history), we will not be able to process your application successfully. For example, if we require references for this role and you fail to provide us with relevant details, we will not be able to take your application further.

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

How we use particularly sensitive personal information (special category data)

We will use your particularly sensitive personal information in the following ways:

- We will use information about your disability status to consider whether we need to provide appropriate adjustments during the recruitment process, for example whether adjustments need to be made during an interview.
- We will use information about your nationality in order to ascertain whether you are legally able to work in the UK, and this may lead to us being able to infer information about your racial or ethnic origin.

Information about criminal convictions/records

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our policies.

We envisage that in some circumstances, we will process information about criminal convictions.

We will collect information about your criminal convictions history if we would like to offer you the role (conditional on checks and any other conditions, such as references, being satisfactory) and that role requires us to collect this information. It does not apply to every role. We will discuss this further with you if it is relevant to the role that you have applied for.

We are required in certain circumstances to carry out a criminal records check in order to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable for a particular role. In particular:

- Where we are required by the Solicitors Regulation Authority (SRA) to carry out criminal record checks for those carrying out certain roles.
- Where we are required by the Conveyancing Quality Scheme (CQS) to carry out criminal records checks for certain roles.
- Where the particular role requires a high degree of trust and integrity since it involves dealing with, for example, high value client money, and so we would like to ask you to seek a basic disclosure of your criminal records history.

We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data.

Automated decision-making

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision-making in certain circumstances. However, you will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

Data Sharing

We will only share your personal information with third parties for the purposes of processing your application. All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

Transferring information outside the UK

In some cases we may wish to transfer personal data across international borders because we use, or may use, external service providers in other jurisdictions and personal data therefore needs to be transferred for the performance of the services. We can only transfer this data in certain circumstances.

We do not envisage transferring your data outside of the UK.

Data security

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need-to-know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Data retention

We will retain your personal information for a period of six months after we have communicated to you our decision about whether to appoint you to the role. We retain your personal information for that period so that we can show, in the event of a legal claim, that we have not discriminated against candidates on prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way. After this period, we will securely destroy your personal information in accordance with our data retention policy.

If we wish to retain your personal information on file, on the basis that a further opportunity may arise in future and we may wish to consider you for that, we will write to you separately, seeking your explicit consent to retain your personal information for a fixed period on that basis.

Rights of access, correction, erasure, and restriction

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during the application process.

Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it. You will not have to pay a fee to access your personal information. However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to exercise any of your rights in relation to your personal data, please contact compliance@prettys.co.uk.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights).

Right to withdraw consent

If you have provided your consent to us processing your personal information in a specific situation, you have the right to withdraw your consent for that specific processing for that purpose at any time. To withdraw your consent, please contact compliance@prettys.co.uk. Once you have told us that you have withdrawn your consent, we will no longer process your application and, subject to our retention policy, we will dispose of your personal data securely.

Data Protection Compliance

We have appointed a data protection manager. If you have any questions about this PIN or how we handle your personal information, please contact compliance@prettys.co.uk. You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.