

PRIVACY FOR JOB APPLICANTS

Data Controller

Michelmersh Brick UK Ltd (and subsidiary companies).

Responsibility for the policy

The IT & Communications Director has overall responsibility for ensuring that this policy complies with the Company's legal obligations.

As part of any recruitment process, the organisation collects and processes personal data relating to job applicants. The organisation is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

What information does the organisation collect?

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

- 1 your name, address and contact details, including email address and telephone number;
- 2 details of your qualifications, skills, experience and employment history;
- 3 information about your current level of remuneration, including benefit entitlements;
- 4 whether or not you have a disability for which the organisation needs to make reasonable adjustments during the recruitment process; and
- 5 information about your entitlement to work in the UK.

The organisation may collect this information in a variety of ways. For example, data might be contained in application forms, CVs or resumes, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment.

The organisation may also collect personal data about you from third parties, such as references supplied by former employers. The organisation will seek information from third parties only once a job offer to you has been made.

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).

Why does the organisation process personal data?

The organisation needs to process data to take steps at your request prior to entering into a contract with you. It may also need to process your data to enter into a contract with you.

In some cases, the organisation 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 eligibility to work in the UK before employment starts.

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

The organisation may process special categories of data, such as information about ethnic origin, sexual orientation or religion or belief, to monitor recruitment statistics. It may also collect information about whether or not applicants are disabled to make reasonable adjustments for candidates who have a disability. The organisation processes such information to carry out its obligations and exercise specific rights in relation to employment.

The organisation will not use your data for any purpose other than the recruitment exercise.

Who has access to data?

Your information may be shared internally for the purposes of the recruitment exercise. This includes, members of the HR and recruitment team, interviewers involved in the recruitment process, managers in the business area with a vacancy.

The organisation will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment. The organisation will then share your data with, former employers to obtain references for you.

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

How does the organisation protect data?

The organisation 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. Data is stored securely and confidentially and in line with management audited systems.

For how long does the organisation keep data?

If your application for employment is unsuccessful, the organisation will hold your data on file for three months after the end of the relevant recruitment process.

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 is detailed in the Company's data retention policy.

Your rights

As a data subject, you have a number of rights. You can:

- 1 access and obtain a copy of your data on request;
- 2 require the organisation to change incorrect or incomplete data;
- 3 require the organisation to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing; and
- 4 object to the processing of your data where the organisation is relying on its legitimate interests as the legal ground for processing.

If you would like to exercise any of these rights, please contact the HR Manager.

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

What if you do not provide personal data?

You are under no statutory or contractual obligation to provide data to the organisation during the recruitment process. However, if you do not provide the information, the organisation may not be able to process your application properly or at all.

Automated decision-making

Recruitment processes are not based on automated decision-making.