

# PRIVACY NOTICE (Recruitment)

## 1. ABOUT THIS DOCUMENT

- 1.1. Miles & Barr Holdings Limited and the members of its group ('Miles & Barr', 'we' or 'us') respect your privacy and we are committed to protecting your personal data. When we refer to 'Miles & Barr' 'we', 'us' or 'our' in this privacy notice, we are referring to the applicable Miles & Barr group company that you have applied to be employed or engaged by. This privacy notice describes how we collect and use personal information about you during the recruitment process.
- 1.2. This privacy notice applies to all personal data whether it is stored electronically, on paper or on other materials.
- 1.3. It is important that you read this privacy notice, (together with any other privacy notice we may provide), so that you are aware of how and why we are using such information. This privacy notice does not form part of any contract of employment or other contract to provide services. We may update this privacy notice at any time.

## 2. IMPORTANT INFORMATION

- 2.1 You are applying for work with us (whether as an employee, worker, apprentice, volunteer, agency worker or contractor). If you fall into one of these categories, you are a 'data subject'. If you require a copy of our privacy notice you can find it on our website [www.milesandbarr.co.uk](http://www.milesandbarr.co.uk).
- 2.2 The Miles & Barr company that you have applied to be employed or engaged by is the controller and responsible for your personal data.
- 2.3 We have appointed a Data Protection Manager who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, including any requests to exercise your legal rights, please contact the Data Protection Manager using the details set out below.

### Contact details

Our full contact details are as follows:

- Address: Miles & Barr, 1 The Links, Herne Bay, Kent. CT6 7GQ
- Telephone Number: 01304 626444
- Data Protection Manager: Simon Thompson
- Email address: [simonthompson@milesandbarr.co.uk](mailto:simonthompson@milesandbarr.co.uk)

### 3. **DATA PROTECTION PRINCIPLES**

3.1 We will comply with the law on data protection. This says that the personal information we hold about you must be:

- (a) used lawfully, fairly and in a transparent way.
- (b) collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- (c) relevant to the purposes we have told you about and limited only to those purposes.
- (d) accurate and kept up to date.
- (e) kept only as long as necessary for the purposes we have told you about.
- (f) kept securely.

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

### 4. **HOW WE COLLECT DATA ABOUT YOU**

Personal data might be provided to us by you, or someone else, such as from a recruitment agency, named referees, background check providers, credit reference agencies. We may also collect data from publicly accessible sources such as LinkedIn.

### 5. **THE DATA WE COLLECT AND HOW WE COLLECT IT**

5.1 In connection with your application for work with us, we will collect, store, and use the following categories of personal data about you, including but not limited to:

- (a) **Personal information:** such as title, name, gender, date of birth and qualifications.
- (b) **Contact information:** such as address, telephone numbers and personal email addresses.
- (c) **Recruitment information:** the information included in an application form, curriculum vitae, covering letter and other correspondence as part of the application and recruitment process. Including but not limited to employment history, references, current pay and benefits, references and any information you provide to us during an interview.

- (d) **Identification documents:** (where an offer of employment is made) your passport, driving licence and information in relation to immigration status and right to work.

5.2 We may also collect, store and use the following special categories of personal data:

- (a) Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
- (b) Information about your health, including any medical condition, health and sickness records.

## 6. **HOW WE USE YOUR PERSONAL DATA**

6.1 We will use the personal information we collect about you to, including but not limited to:

- (a) assess your skills, qualifications, and suitability for the role;
- (b) decide on a shortlist for interview;
- (c) determine your application and whether to offer you the work;
- (d) determine the terms and conditions on which you work for us (if applicable);
- (e) carry out background and reference checks, where applicable;
- (f) communicate with you about the recruitment process;
- (g) keep records related to our hiring processes;
- (h) keep records of the information provided to us during the recruitment process;
- (i) comply with legal or regulatory requirements; and
- (j) form part of the personnel file (if successful in the application).

6.2 We need to process your personal information in order to decide whether to enter into a contract with you. It is also in our legitimate interest to fill the vacancy and decide whether to appoint you to the role. It is also beneficial to our business to use your personal data to monitor and ensure legal, regulatory and internal governance (e.g. with our policies and procedures) during the recruitment exercise, and to deal with any complaints and/or disputes.

6.3 If you fail to provide 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.

- 6.4 If you are successful in your application the personal data obtained during the recruitment process will be processed in accordance with the privacy notice for employees, workers and contractors (a copy of which will be provided to you if applicable).
- 6.5 Generally, we will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another compatible reason.

### **Special Categories of Personal Data**

- 6.6 We will only process special categories of your personal data (as defined in paragraph 5.2 above) in certain situations in accordance with the law, including but not limited to the following ways:
- (a) We will use information about your disability status to consider whether we need to provide appropriate adjustments during the recruitment process.
  - (b) We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

### **Information about criminal convictions**

- 6.7 We do not envisage that we will process information about criminal convictions.

## **7. DATA SHARING**

- 7.1 We may share your personal data with the parties set out below. Data recipients include but are not limited to the following:
- (a) **Other group companies:** for the purposes of processing and determining your recruitment application.
  - (b) **Professional advisers:** including medical professionals (e.g. Occupational Health), lawyers, bankers, auditors and insurers based in the UK who provide medical, consultancy, banking, legal, insurance and accounting services for the purpose of seeking legal or other professional advice and assistance regarding your application and/or appointment.

- (c) **Regulators or otherwise to comply with the law:** regulators and other authorities based in the UK who require reporting of our processing activities in certain circumstances.
- (d) **Service providers:** including recruitment agencies for the purposes of processing your application and IT and system administration services.

7.2 We require all third parties to respect the security of your data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

## 8. **INTERNATIONAL TRANSFERS**

We do not envisage that we will transfer your personal information outside the UK.

## 9. **AUTOMATED DECISION-MAKING**

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making unless we have a lawful basis for doing so and we have notified you.

## 10. **DATA SECURITY**

10.1 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.

10.2 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 data breach where we are legally required to do so.

## 11. **Data Retention**

11.1 We will only retain your personal data for as long as we reasonably consider necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

11.2 To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your

personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

- 11.3 We generally retain your personal information for a period of 6 months after we have concluded the recruitment exercise and communicated our decision to you about whether to appoint you to the position. 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.
- 11.4 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 seek your consent to retain your personal information for a fixed period on that basis. In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

## 12. **YOUR LEGAL RIGHTS**

- 12.1 Under certain circumstances, you have rights under data protection laws in relation to your personal data. If you wish to exercise your rights, please contact us and we will explain at that time if your rights are engaged.
- 12.2 Legal rights under data protection laws are as follows:
- (a) **Request access** to your personal data. This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
  - (b) **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected.
  - (c) **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data 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 data where you have successfully exercised your right to object to processing (see paragraph 12.2.d below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law.

- (d) **Object to processing** of your personal data 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 as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which overrides your rights and freedoms.
- (e) **Request the restriction** of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- (f) **Request the transfer** of your personal information to another party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- (g) **Right to withdraw consent** at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

12.3 Please contact us if you have any queries or concerns about the way in which we process your personal data (contact details are set out at paragraph 2.3 above). 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 ([www.ico.org.uk](http://www.ico.org.uk)). However, we would appreciate the chance to deal with your concerns in the first instance before you approach the ICO.

### 13. **CHANGES TO THIS PRIVACY NOTICE**

We shall keep this privacy notice under review and (if appropriate) we reserve the right to update this privacy notice at any time. If we do so, we

will provide you with an updated copy of this notice as soon as reasonably practicable. We may also notify you in other ways from time to time about the processing of your personal information.

**If you have any questions about this privacy notice, please contact us (the contact details are set out above).**