

TG Baynes Solicitors Job Applicant Privacy Notice

Data controller: TG Baynes Solicitors
Data protection officer: Martin Dewar

As part of any recruitment process, we collect and process personal data relating to job applicants. TG Baynes are committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

What information will we collect?

We will collect a range of information about you. This includes;

- your name, address and contact details, including email address and telephone numbers;
- details of your qualifications, skills, experience and employment history;
- information about your current level of remuneration, including benefit entitlements;
- whether or not you have a disability for which the firm needs to make reasonable adjustments during the recruitment process;
- information about your entitlement to work in the UK; and
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.

We 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.

We 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 firm 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).

Why do we process personal data?

We need to process data to take steps at your request prior to entering into a contract with you. We also need to process your data to enter into a contract with you.

In some cases, we need to process data to ensure that it is complying with its legal obligations. For example, we are required to check a successful applicant's eligibility to work in the UK before employment starts.

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

We process health information in case we need 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.

Where we process other special categories of data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is for equal opportunities monitoring purposes.

For some roles, we are obliged to seek information about criminal convictions and offences. Where we seek this information, we do so because it is necessary for us to carry out its obligations and exercise specific rights in relation to employment.

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

Who has access to data?

Your information will be shared internally for the purposes of the recruitment exercise. This includes HR, interviewers involved in the recruitment process and managers/partners in the department with a vacancy.

We will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment. We will then share your data with former employers to obtain references for you, employment background check providers to obtain necessary background checks and the Disclosure and Barring Service to obtain necessary criminal records checks].

We will not transfer your data outside the European Economic Area during the recruitment process.

How do we protect data?

We take the security of your data seriously. We have 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.

For how long do we keep data?

If your application for employment is unsuccessful, we will hold your data on file for 6 months after the end of the relevant recruitment process. If you agree to allow us to keep your personal data on file, we will hold your data on file for a further 3 months for consideration for future employment opportunities. At the end of that period or once you withdraw your consent, your data is deleted or destroyed.

For speculative CV's that are sent in to the firm, these will be kept on file for 9 months. At the end of that period or once you withdraw your consent, your data is deleted or destroyed.

For work experience CV's, if no placements are available then your CV and details will be immediately deleted.

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 a new privacy notice.

Your rights

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

- access and obtain a copy of your data on request;
- require us to change incorrect or incomplete data;
- require us 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 organisation is relying on its legitimate interests as the legal ground for processing; and

- ask us to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the organisation's legitimate grounds for processing data.

If you would like to exercise any of these rights, please contact Martin Dewar, Partner martind@tgbaynes.com. If you believe that we have 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 us during the recruitment process. However, if you do not provide the information, we may not be able to process your application properly or at all.