



## **OMEX UK GROUP OF COMPANIES**

### **Job Applicant Privacy Notice**

**OMEX GROUP of UK Companies (the Company) have appointed the following who will be responsible for ensuring the compliance of data protection for the Company:**

<b>Name</b>	<b>Title</b>	<b>Contact Details</b>
David O'Donnell	Company Secretary	01753 625935 (davidod@omex.com)

In order to operate efficiently the Company needs to collect and process information regarding its employees to manage their employment.

The Company is committed to ensure that all personal data gathered is processed and managed in compliance with the General Data Protection Regulation (2016/679 EU) (GDPR). Every effort will be made to meet the obligations set out in legislation. This privacy notice sets out the types of data that we will collect from you, how this will be used and how long it is kept for, as an applicant.

### **Requirements**

The GDPR stipulates that anyone processing personal data should comply to:

- Ensure data is processed lawfully, fairly and in a transparent manner to the data subject.
- Ensure data is collected for a specific, explicit and legitimate reason and not processed for any other reason than that given at time of collection.
- Ensure data is only held if there is a necessity to hold it (data minimisation).
- Ensure data is accurate and up to date. Steps should be taken to ensure accuracy and rectify or delete inaccurate records (accuracy).
- Ensure data is kept in a form which can identify the data subject for no longer than necessary.
- Ensure data is processed in a secure manner with only authorised access. Steps should be taken to prevent against unauthorised, unlawful processing and against loss or damage.

### **Data Collected by the Company**

The Company will collect and process a range information about you including:

- Your name, contact details, address, email address, telephone number, date of birth and gender along with equal opportunities information including ethnic origin, sexual orientation and religion or belief.
- Your entitlement to work in the UK along with details of your nationality.
- Criminal record information.
- Your photograph.

- Information contained within your CV.
- References.
- Education.
- Driving Licence.
- Your qualifications, experience, history of your employment including employment dates.
- Next of kin details along with marital status and any dependants along with details of contacts in an emergency.

### **How is the Data Collected by the Company?**

The information may be collected in different ways, through application forms, CVs, your passport or right to work documentation, new starter forms, interviews or meetings. Further information may be gathered upon commencement of your employment such as bank details, next of kin details along with right to work details.

Third parties may be contacted, such as employment agencies for information regarding you, for example, references from past employers or information from a criminal record check if permitted by law.

Personal data that does not fall under these categories may require the completion of a specific consent form, which will be provided to you by the Company.

The data collected will be securely stored in a variety of places which include your employee file, employee management system along with other IT systems such as Company emails.

### **Reasons for Processing Personal Data:**

The Company requires personal data to enable it to fulfil a contract of employment with you, such as the ability to pay you as detailed within the contract, or to provide the benefits offered by the Company such as pensions, life insurance etc.

The Company also has legal obligations to comply to and personal data is needed to fulfil these obligations such as checking your eligibility to work in the UK or to deduct the tax required.

There may be legitimate interest reasons for processing the data before, during and following the employment such as:

- To aid recruitment.
- To ensure current and correct employee records, contractual and statutory rights along with contact details and next of kin details.
- To aid general employment and HR administration along with providing references upon request for employees in addition to defending the Company in the event of any legal claims.
- To enable the company to carry out legally required duties.
- To enable the company to carry out legitimate interests.



- Where it is something that relates to a public interest.

Your data is used to help the company with legitimate interest activities such as deciding on the successful job applicant, along with arranging the benefits for that role.

Data collected from applicants that are unsuccessful will not be used for any other purpose than explained in the specific application you submitted.

Equal opportunities information such as ethnic origin, sexual orientation or religion is processed for the purposes of equal opportunities monitoring. These types of personal data, in addition to health, trade union membership, race etc are, classed as Special categories of data and have more stringent guidelines. They are generally only used with your consent, to meet the Company's legal obligations, to meet public interest needs or it is information that you have placed in the public domain.

### **Criminal Convictions**

The company will only collect data regarding criminal convictions where the law allows, and it is appropriate to the nature of your position. Data of this nature would generally be collected prior to your employment should you be successful in obtaining employment. Criminal conviction data is used to enable the company to carry out its legal obligations and legitimate interests required by our clients to enable us to complete work for them.

### **Declining to Provide Data**

Whilst there is no obligation for you to provide your data to the Company, it may mean that we are not able to process your application.

If you do not agree to the processing of your data please do not submit any personal data to us. If you wish to request your data to be deleted please contact the Data Controller.

### **Who Will Have Access to my Data?**

Your data will be shared within the Company and will include recruitment, HR, managers responsible for the recruitment of the vacancy and IT staff.

Your data may be shared with third parties such as employment agencies and previous employers for obtaining references, background checks along with any necessary criminal records checks through the Disclosure and Barring Service. Data may also be shared with third parties should the Company be subject to a sale of all or part of it, however this will be dealt with confidentially and arrangements for this will be in place.

Information will remain within the European Economic Area.

## **Data Security**

The security of the data is important to the Company and we have taken technical steps to protect the data from loss. The Company has also taken measures to ensure that data is not used for purposes other than it was collected for. Data will be encrypted in transit and in storage, where possible.

The Company has a data protection policy in place.

Third parties who process personal data, on behalf of the Company have in place written instructions to do so and are obliged to ensure the security of the data.

## **Data Retention**

Personal data will only be kept as long as required for the purpose it was collected for.

If your application has been unsuccessful and you have provided your consent or we have sought your consent to keep your details on file in case any future suitable vacancies arise your data will remain on file for **6 months**. If you have provided consent or we have sought consent then your information will remain on file for **6 months**. In either case at the end of the retention period your data will be deleted by means of shredding or via confidential waste disposal.

If your application has been unsuccessful and we have not gathered your consent to keep your information it will be destroyed as detailed above.

## **Automated Decisions**

No decisions that have an impact on any individuals are made solely upon automated decision making in regards to the recruitment process.

## **Reviewing or Deleting Data**

You may at any time request us to confirm the data that we hold about you and request that it is amended or deleted. Identification may be requested to verify your identity and to enable the request to be carried out.

To make a Subject Access Request, the individual should put this in writing to the Data Controller.

If the individual makes the request in an electronic format, the information will be provided in electronic format unless otherwise agreed. This will be password protected as a minimum.



Should additional copies be required by the individual a charge may be levied, in line with the administration costs to the business.

The request will be responded to without undue delay and within one month, however due to the amount of personal data in some cases it may take up to three months. The individual will be notified within one month of the request being made, should this be the case.

Right to be forgotten	Employees have the right to request information is forgotten.
Right to be amended	Employees have the right to request information is amended.
Right to withdraw consent	Employees can withdraw consent to the processing of their data.
Right to data portability	Employees can use and obtain their own data for their own purpose.
Right to object	Right to object to automated decision made in decision-making, including profiling.
Right to object to the data being used for direct marketing purposes	Right to object to the personal data being processed, therefore cannot be processed further unless there is a legitimate reason for doing so.

You are able to put a complaint into the Information Commissioner if you have the belief that the Company has not complied with your data protection rights.