

7.6 GDPR – JOB APPLICANT PRIVACY NOTICE

Notice Wording

The wording in this document reflects the requirements of the General Data Protection Regulation (GDPR), which will come into effect in the UK on 25 May 2018.

Policy Statement

As part of any recruitment process, JD Engineering (Northern) Limited T/A JD Garage Equipment ("JD") collects and processes personal data relating to job applicants. JD is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

What information does JD collect?

JD may collect a range of information about you in connection with the recruitment process. This may include:

- your name, address and contact details, including email address and telephone number;
- 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 JD 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.

JD 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.

JD may 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. JD will only seek information from third parties once a job offer to you has been made and will inform you that it is doing so.

Data may 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 JD process personal data?

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

In some cases, JD 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.

JD 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 JD to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job.

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JD may also need to process data from job applicants to respond to and defend against legal claims.

Where JD relies on legitimate interests as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of employees or workers and has concluded that they are not.

JD processes health information if it needs 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 JD processes 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.

Where JD seeks information about criminal convictions and offences, it does so because it is necessary for it to carry out its obligations and exercise specific rights in relation to employment.

If your application is unsuccessful, JD will keep your personal data on file in case there are future employment opportunities for which you may be suited. JD will ask for your consent before it keeps your data for this purpose and you are free to withdraw your consent at any time.

Who has access to data?

Your information will be shared internally for the purposes of the recruitment exercise. This includes members of the HR team, interviewers involved in the recruitment process, managers in the business area with a vacancy and IT staff if access to the data is necessary for the performance of their roles.

JD will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment. JD may 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.

JD will not transfer your data outside the European Economic Area.

How does JD protect data?

JD 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.

For how long does JD keep data?

If your application for employment is unsuccessful, JD may hold your data on file for 1 year after the end of the relevant recruitment process. If you agree to allow JD to keep your personal data on file, JD may hold your data on file for a further 2 years for consideration for future employment opportunities. At the end of that period (or once you withdraw your consent), your data will be deleted or destroyed. 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 an employee privacy notice.

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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 JD to change incorrect or incomplete data;
- require JD 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 JD is relying on its legitimate interests as the legal ground for processing; and
- ask JD to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override JD's legitimate grounds for processing data.

If you would like to exercise any of these rights, or make a subject access request please email info@jdge.co.uk

If you believe that JD 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 JD during the recruitment process. However, if you do not provide the information, JD may not be able to process your application properly or at all.

Automated decision making

Some of JD's recruitment processes may be based solely on automated decision making in order to screen applicants for essential skills based experience or qualifications.

Law relating to this document

General Data Protection Regulation (2016/679 EU)
Data Protection Bill

The General Data Protection Regulation (GDPR) requires employers to be transparent about the personal data that they hold and how it is used. Further information can be obtained from the Information Commissioner's Office at www.ico.org.uk

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