

## **Job Applicant Privacy Notice**

### **Introduction**

Paris Smith LLP is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you during and after your working relationship with us, in accordance with the General Data Protection Regulations (GDPR).

Paris Smith LLP is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. You should read this privacy notice when you are applying for work with us (whether as an employee, worker or self employed consultant). It makes you aware of how and why your personal data will be used, namely for the purposes of the recruitment exercise, and how long it will usually be retained for. It provides you with certain information that must be provided under the UK General Data Protection Regulation (UK GDPR).

### **Data protection principles**

We will comply with data protection law and principles, which means that your data will be:

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

### **The kind of information we hold about you**

In connection with your application for work with us, we will collect, store, and use the following categories of personal information about you:

- The information you have provided to us in your curriculum vitae and covering letter or email.
- For trainee solicitor recruitment, the information that you provide to us via our application form, which includes your personal contact details, education and work experience details, non-academic achievements and interests and information about why you wish to work with us and your ambitions as a solicitor.
- Any information you provide to us during an interview and our assessment of your performance at interview.
- Information you provide in relation to your qualifications and registration with regulatory bodies, including the Solicitors Regulation Authority and the Law Society.
- Any other information you provide to us during the application process in any format.
- Where applicable, any information you provide during an assessment day, and our assessment of your performance during any assessment day.
- Information captured on our CCTV system if you attend our premises.

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
- Information about your health, including any medical condition, any adjustments required during the recruitment process, relevant health and sickness records.

### **How is your personal information collected?**

We may collect personal information about candidates from the following sources:

- You, the candidate.
- Where applicable, your recruitment agency, from which we collect the following categories of data: your contact details, information provided in your curriculum vitae and covering letter or email.
- Your named referees, from whom we collect the following categories of data: your previous position, dates of employment and comments on your performance, including but not limited to a summary of your previous responsibilities and whether carried out to a good standard, reasons for leaving and reemployment information, comments on honesty and integrity and any special comments.
- The following data from third parties, which is from a publicly accessible source: Information available from Linked In and where applicable, the Law Society website.

### **How we will use information about you**

We will use the personal information we collect about you to:

- assess your skills, qualifications, and suitability for the role;
- carry out background and reference checks, where applicable;
- communicate with you about the recruitment process;
- keep records related to our hiring processes; and
- comply with legal or regulatory requirements.

It is in our legitimate interests to decide whether to appoint you to work for the firm since it would be beneficial to our business to appoint someone to the roles which we have advertised at any given time.

We also need to process your personal information to decide whether to enter into a contract of employment, a contract for services or any other arrangement with you.

Having received the information you have provided to us as part of the application process, we will then process that information to decide whether you meet the basic requirements to be shortlisted for the role. If you do, we will decide whether your application is strong enough to invite you for an interview. If we decide to call you for an interview, we will use the information you provide to us at the interview to decide whether to offer you the role. If we decide to offer you the role, we will then take up references, and carry out any other pre-recruitment we need to do before confirming your appointment.

### **If you fail to provide personal information**

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.

### **How we process references**

We will use the details that you provide regarding your named referees in order to request a reference for you.

If you provide personal contact details for your named referees, for example, for the purposes of a character reference, by providing these details to us you are confirming that you have the named referees' consent to provide such information to us.

If you are named as a referee, we will use the personal contact details provided to us by the job applicant in order to contact you to request a reference. We will subsequently process any information you provide in response to a reference request (as set out above) in accordance with our legitimate business interests to carry out reference checks for prospective employees.

### **How we use particularly sensitive personal information**

We may use your particularly sensitive personal information in the following ways:

- We may use information about your disability status to consider whether we need to provide appropriate adjustments during the recruitment process, for example whether adjustments need to be made during a test or interview or at any other stage in the process.
- We may 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.
- On commencement of your appointment during the induction process we will ask you to provide appropriate pre-employment health information in order to consider whether you are able to fulfil the role and whether we need to make appropriate adjustments following your appointment. Where appropriate, following receipt of this information we may ask you to attend an assessment with an Occupational Health consultant.

### **Information about criminal convictions**

We do not envisage that we will process information about criminal convictions as part of the recruitment process.

### **Automated decision-making**

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

### **Data sharing**

*Why might you share my personal information with third parties?*

We will only share your personal information with third parties for the purposes of processing your application, which may include your recruitment agent and third-party service providers.

Where your application involves the use of a recruitment agent, we may also pass information regarding the progress of your application, including feedback on your performance in the recruitment process, and the terms on which we are prepared to make a job offer, if applicable, to your recruitment agent.

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

### **Data security**

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.

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 breach where we are legally required to do so.

## **Data retention**

*How long will you use my information for?*

We will usually retain your personal information for a period of 1 year after we have made the relevant appointment, subject to any additional legal obligations and in accordance with any legitimate interests of the firm. 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;
- retain records of unsuccessful candidates or speculative candidates, to be considered for future job opportunities, which we may pro-actively contact you for; and
- retain records of unsuccessful candidates, so that we can identify those candidates that have previously applied to work for the firm in future application processes.

After this period, we will securely destroy your personal information in accordance with applicable laws and regulations.

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 will write to you separately, seeking your explicit consent to retain your personal information for a fixed period on that basis.

## **Rights of access, correction, erasure, and restriction**

*Your rights in connection with personal information*

Under certain circumstances, by law you have the right to:

- request access to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it;
- request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected;
- request erasure of your personal information. This enables you to ask us to delete or remove personal information 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 information where you have exercised your right to object to processing (see below);
- object to processing of your personal information 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. You also have the right to object where we are processing your personal information for direct marketing purposes;
- request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it; and
- request the transfer of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the DPO in writing.

## **DATA PROTECTION OFFICER**

The data controller with conduct of your personal information is Paris Smith LLP of 1 London Road, Southampton, SO15 2AE and of 9 Parchment Street, Winchester SO23 8AT.

We have appointed a data protection officer (DPO) to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the DPO, Crispin Dick, LLP Partner who can be contacted:

- by email to [DPO@parissmith.co.uk](mailto:DPO@parissmith.co.uk); or
- by post to Crispin Dick, Paris Smith LLP, 1 London Road, Southampton, SO15 2AE.

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.