

# Job Applicant Privacy Notice

## Data controller:

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## Introduction

During the recruitment process, Mewburn Ellis (the Firm) collects and processes personal data relating to job applicants.

The Firm is committed to being clear and transparent about how it collects and uses that data and to meeting its data protection obligations.

## What information does the Firm collect and process?

The Firm collects and processes a range of personal information (personal data) about you. Personal data means any information about an individual from which the person can be identified. This includes:

- Personal contact details, such as your name, title, address and contact details, including email address and telephone number;
- details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers;
- information about your remuneration, including entitlement to benefits such as pensions;
- information about your entitlement to work in the UK; and
- equal opportunities monitoring information, including information about your date of birth, gender, whether you identify as transgender, ethnic origin, sexual orientation, health and religion or belief.

The Firm collects this information in a variety of ways during the application and recruitment process. For example, data may be contained in application forms, including a form you submit through our Application Tracking System (where this is in use for the role you have applied for), obtained from identity documents, such as your passport and collected through interviews and assessment tests.

In some cases, the Firm collects 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 permitted by law.

Data is stored in a range of different places, including on your application record which is stored on our Applicant Tracking System (where you use this system to apply) in the Firm's HR management system and in other IT systems (including the Firm's email system).

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## Why does the Firm process personal data?

The Firm needs to process data prior to entering into a contract with you. We also need to process data to enter into an employment contract with you and to meet our obligations under that employment contract. In addition, the Firm needs to process data to ensure that we are complying with our legal obligations. For example, we are required to check an employee's entitlement to work in the UK before employment begins. The Firm has a legitimate interest in processing personal data during the recruitment process and in keeping records of that process. Processing such data from job applicants enables the Firm to manage the recruitment process, assess the suitability of candidates and make informed decision as to whom we wish to recruit. The Firm may also have to process data from job applicants in order to defend legal claims.

Where you provide equal opportunities monitoring information in an application form submitted through the Application Tracking System, it will be aggregated with the information provided by other applicants to provide us with an overview as to the volume of applications we are receiving from individuals in particular groups and the outcomes of these applications. The Application Tracking System is configured so that we are unable to view this information for an individual applicant, and this information will therefore not be taken into account in assessing your application or deciding whether to offer you a role.

If your application is successful, we will request certain equal opportunities monitoring information which we will keep on your HR file.

Providing equal opportunities monitoring information is entirely optional. By providing this information, you consent to us using and storing the information as described above, to enable us to monitor the diversity of our applicants and employees with a view to enabling diversity to be promoted and maintained.

The Firm processes health information if we need to make reasonable adjustments to the recruitment process for candidates with a disability.

For certain positions, it may be necessary to carry out criminal records checks to ensure that individuals are permitted to undertake a particular role.

## If you fail to provide personal information

You are under no obligation to provide the Firm with data during the recruitment process. However, if you do not provide certain information when requested, the Firm may not be able to process your application for employment properly or at all.

You are under no obligation to provide information for equal opportunities monitoring purposes and there are no consequences for you if this information is not provided.

## Automated decision-making

Our employment decisions are not based on automated decision-making.

## For how long do you keep data?

The Firm will only hold your personal data for as long as is necessary to fulfil the purposes for which we collected it.

For Trainee applicants the Firm will retain your application data for up to 24 months on the Applicant Tracking System only. Emails relating to an applicant's assessment may also be stored on our email system but automatically deleted after 24 months.

For all other roles, should your application be unsuccessful, the Firm will hold your application data for up to 6 months after the end of the recruitment process.

At the end of that period, your data is 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 we shall issue a new privacy notice which sets down the periods for which your data will be held.

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## Who has access to data?

Your information will be shared internally for the purposes of the recruitment process, including with members of the HR Department and interviewers.

Other than storing your data on our Applicant Tracking System, the Firm will not share your data with third parties unless we make you an offer of employment. In those circumstances, the Firm shall share your data with third parties where required by law and where it is necessary in order to administer the working relationship with you or where we have another legitimate interest in doing so. The Firm will then share your data with our pension provider and insurer.

The Firm will not transfer your data to countries outside the United Kingdom.

## How does the Firm protect data?

The Firm takes the security of your data seriously. The Firm has internal policies and controls in place to prevent your data being lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties.

## Your rights

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

- access and obtain a copy of your data on request (known as a “data subject access request”);
- require the Firm to change incorrect or incomplete data;
- request erasure of your personal information. This enables you to ask the Firm 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 Firm is relying on its legitimate interests as the legal ground for processing; and
- ask the Firm to suspend the processing of your personal data for a period of time if data is inaccurate or there is a dispute about its accuracy or the reason for processing it.

If you would like to exercise any of these rights, or you have any questions about the privacy notice, please contact the HR Department by emailing [HRAdmin@mewburn.com](mailto:HRAdmin@mewburn.com).

If you believe that the Firm has not complied with your data protection rights, you have the right to make a complaint to the Information Commissioner’s Office (ICO).