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## Recruitment Data Protection Privacy Notice

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### 1 What is the purpose of this document?

- 1.1 Newcleo Limited ("the Company") is committed to protecting the privacy and security of your personal information.
- 1.2 This privacy notice describes how we collect, use and share personal information about you during and after your relationship with us for recruitment purposes, in accordance with the UK General Data Protection Regulation (UK GDPR).
- 1.3 The Company is a "data controller". This means that we are responsible for deciding how we gather, hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.
- 1.4 This notice applies to all applicants, whether or not they are eventually employed or engaged by the Company. We may update this notice at any time and will provide you with a new privacy notice when we make substantial updates.
- 1.5 We may notify you in other ways from time to time about the processing of your personal information.

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

- 2.1 We may collect, store, and use the following categories of personal information about you up to and including the shortlisting stage of the recruitment process:
  - 2.1.1 Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses;
  - 2.1.2 Details of your qualifications, experience, employment history (including job titles, salary and working hours) and interests;
  - 2.1.3 Date of birth;
  - 2.1.4 Your racial or ethnic origin, sex and sexual orientation, religious or similar beliefs collected from you, although these would be stored anonymously wherever possible;
  - 2.1.5 Details of your referees.
- 2.2 We may collect the following information after the shortlisting stage, and before making a final decision to recruit:
  - 2.2.1 Information about your previous academic and/or employment history, including details of any conduct, grievance or performance issues, time and attendance, from references obtained about you from previous employers and/or education providers.
  - 2.2.2 Information regarding your academic and professional qualifications.
  - 2.2.3 Information regarding your criminal record, in criminal records certificates (CRCs) and enhanced criminal records certificates (ECRCs).

2.2.4 Your nationality and immigration status and information from related documents, such as your passport or other identification and immigration information.

2.2.5 A copy of your driving licence.

We collect this information where necessary to comply with our legal obligations, enable us to carry out required statutory checks, such as verifying your right to work, and consider your suitability for the position.

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

3.1 We may collect personal information about candidates through the application and recruitment process from:

3.1.1 You, and referees from details provided by you

3.1.2 Employment agencies or background check providers

3.1.3 Your educational provider/relevant professional body

3.1.4 The Disclosure and Barring Service (DBS) and the Home Office

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

4.1 We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

4.1.1 To take steps to enter into a contract.

4.1.2 Where we need to comply with a legal obligation.

4.1.3 Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

#### **Situations in which we will use your personal information**

4.2 In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information during the recruitment process are listed below:

4.2.1 Making a decision about your recruitment or appointment.

4.2.2 Determining the terms on which you work for us.

4.2.3 Checking you are legally entitled to work in the UK.

4.2.4 Assessing qualifications for a particular job or task.

4.2.5 Making decisions about your employment or engagement.

4.2.6 Education, training or development requirements.

4.2.7 Equal opportunities monitoring.

4.3 Some of these grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

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

4.4 If you fail to provide certain information when requested, we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers), engaging you in the recruitment process, and/or offering you a job.

#### **Change of purpose**

4.5 We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

4.6 Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

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

5.1 "Special categories" of sensitive personal information, such as those marked above with an asterisk, require higher levels of protection. We need to have further justification for processing this type of personal information, which may include the following circumstances:

5.1.1 In limited circumstances, with your explicit written consent.

5.1.2 Where we need to carry out our legal obligations and in line with our data protection policy.

5.1.3 Where it is needed to assess your capacity on health grounds, subject to appropriate confidentiality safeguards.

#### **Do we need your consent?**

5.2 We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. You should be aware that you are not required to agree to any request for consent from us.

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## **6 Information about criminal convictions**

6.1 We may only use information relating to criminal convictions where the law allows us to do so.

6.2 We will collect information about your criminal convictions history if we would like to offer you a role (conditional on checks and any other conditions, such as references, being satisfactory) which requires a criminal record check to be undertaken to assess your suitability for that role. We are entitled to carry out criminal records check in order to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable for the role, in

particular where there is a legal and/or regulatory obligation on us to undertake specified criminal checks or the role requires a high degree of trust and integrity.

- 6.3 We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data.

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## 7 Data sharing

- 7.1 We may have to share your personal information with other parties, including third-party service providers and other entities in the group where this is required by law, where it is necessary to administer the relationship with you or where we have another legitimate interest in doing so.
- 7.2 "Third parties" includes third-party service providers (including contractors and designated agents) and other entities within our group. The following activities may be carried out by third-party service providers: recruitment agencies, background check and credit reference agencies, security services, CCTV operators, IT services, your referees and DBS in respect of criminal convictions.
- 7.3 All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with the UK GDPR. 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. We may also need to share your personal information with a regulator or to otherwise comply with the law.
- 7.4 We may transfer your personal information outside the UK, in particular to other group companies based in Italy and France. If we do, you can expect a similar degree of protection in respect of your personal information. There is an adequacy decision by the European Commission in respect of data transfer between the UK and EU countries. This means that the countries to which we transfer your data are deemed to provide an adequate level of protection for your personal information.

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## 8 Data security

- 8.1 We have put in place measures to protect the security of your information. Details of these measures are available upon request.
- 8.2 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.

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## 9 Data retention - how long will you use my information for?

- 9.1 We will only retain the personal information that we obtain about you during the recruitment process for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. How long we keep this information will depend on whether your application is successful and you become employed by us, the nature of the information concerned and the purposes for which it is processed.

- 9.2 We will keep recruitment information (including interview notes) for no longer than is reasonable, taking into account the limitation periods for potential claims (as extended to take account of early conciliation), after which it will be securely destroyed in accordance with the applicable laws and regulations.
- 9.3 In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.
- 9.4 If your application is not successful, your recruitment data will not be kept for longer than 6 (six) months from the end of the recruitment process.
- 9.5 If your application is successful, we will keep only the recruitment information that is necessary in relation to your employment and it will be processed in accordance with our employment data protection policies – copies of which will be provided at the start of your employment.

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

### **Your duty to inform us of changes**

- 10.1 Please keep us informed if your personal information changes during the recruitment process.

### **Your rights in connection with personal information**

- 10.2 Under certain circumstances, by law you have the right to:
- 10.2.1 **Request access** to your personal information (commonly known as a "data subject access request").
  - 10.2.2 **Request correction** of the personal information that we hold about you.
  - 10.2.3 **Request erasure** of your personal information.
  - 10.2.4 **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.
  - 10.2.5 Request the restriction of processing of your personal information.
  - 10.2.6 **Request the transfer** of your personal information to another party.
- 10.3 If you want to exercise any of your data subject rights, please contact the Data Protection Officer in writing.

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## **11 Right to withdraw consent**

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the Data Protection Officer.

## **12 Data protection queries**

We have appointed a Data Protection Manager 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 Data Protection Manager on [dpo@newcleo.com](mailto:dpo@newcleo.com). 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.