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Introduction

This Privacy Notice describes how we collect and use personal information during and after the recruitment process. It applies to anyone who is applying to work for us, whether as an employee, worker, contractor, apprentice, consultant, intern, volunteer, partner or director (together referred to as 'Job Applicant' or 'you').

Please note that we will not necessarily hold, use or share *all* of the types of personal data described in this Privacy Notice in relation to you. The specific types of data about you that we will hold, use and share will depend on the role for which you are applying, the nature of the recruitment process, how far you progress in the recruitment process and your individual circumstances.

We are required by data protection law to give you the information in this Privacy Notice. It is important that you read the Privacy Notice carefully, together with any other similar or additional information that we might give you from time to time about how we collect and use your personal data. Should your application be successful, when you start work for us, we will provide you with another privacy notice that explains how we deal with your personal data whilst you are working for us.

This Privacy Notice applies from 25 May 2018, when the General Data Protection Regulation comes into force. It does not give you any contractual rights. We may update this Privacy Notice at any time.

Responsibilities

The Data Privacy Manager is responsible for ensuring that this notice is made available to data subjects prior to Marshall collecting/processing their personal data.

All Employees/Staff of Marshall who interact with data subjects are responsible for ensuring that this notice is drawn to the data subject's attention.

Job Applicant Privacy Notice

Who are we?

In the context of this Privacy Notice 'Marshall' refers to a group of different legal entities, details of which can be found [here](#).

This Privacy Notice is issued on behalf of the group of companies known as Marshall, so when we refer to 'Marshall', 'The Company', 'we', 'us' or 'our' in this Privacy Notice, we are referring to the relevant company responsible for processing your personal data.

Our Data Privacy Manager and HR can be contacted directly here:

- HR.support@marshalladg.com (Marshall HR Department)
01223 373118
- DataPrivacyManager@Marshalladg.com (Marshall Data Privacy Manager)
01223 373206

Any queries referring to the Job Applicant Privacy Notice should be referred to HR in the first instance.

Who is the controller

Marshall is the "data controller" for the purposes of data protection law. This means that we are responsible for deciding how we hold and use personal information. We are required by law to notify you of the information contained in this Job Applicants Privacy Notice.

Personal data types

Personal data is any information that identifies a living individual such as name, an identifying number (e.g. National Insurance No, Employee No), location or physical characteristics associated to that individual. It can be an opinion of someone, or any information that when combined together identifies the person.

In the context of this document this data will be referred to as **ordinary personal data**.

Some personal data is classed as **special category data**.

This is data referring to race/ethnicity, religious beliefs, sexual orientation, political opinions, trade union membership, information about your health, genetic and biometric information and criminal records.

Personal data we may collect about you

Ordinary personal data

The personal data we collect will be used for the following purposes:

- Process your application and correspond with you about it;
- assess whether you have the required skills, experience, qualifications and training for a role within the company;
- make informed recruitment decisions;
- verify information provided by you;

- check and demonstrate that you have the legal right to work in the UK;
- keep appropriate records of our recruitment process and decisions;

At the initial stages of recruitment, we collect, hold and use the following types of ordinary personal data about you:

- Information contained in your application form/CV/covering letter, including your name, title, contact details, photograph, employment history, experience, skills, qualifications/training (including educational, vocational, driving licences where appropriate), referees' names and contact details, etc.
- Publicly available information about you, such as your business social media presence
- Selection information, including correspondence, interview notes, internal notes, the results of any written or online selection tests
- Information confirming Proof of identity. For example a passport, driving license or another acceptable form of identification.

If you are shortlisted for a position, or you receive a conditional offer of employment, we may collect, hold and use the following additional types of ordinary personal data about you:

- Pre-employment check information, including references and verification of qualifications
- Right to work checks and related documents

What are our legal grounds for using your ordinary personal data?

Data protection law specifies the legal grounds on which we can hold and use personal data. We rely on one or more of the following legal grounds when we process your ordinary personal data:

- We need it to take steps at your request in order to enter into a contract with you in the event that you are the successful candidate.
- We need it to comply with a legal obligation, e.g. the obligation not to discriminate during our recruitment process, or the obligation not to employ someone who does not have the legal right to work in the UK.
- It is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests. For example, it is in our legitimate interest to review and consider your personal data (as listed above) so that we can select the most appropriate candidate for the job.

Special category data

We will only collect, hold and use limited types of special category data about you during the recruitment process, as described below.

Since special category data is usually more sensitive than ordinary personal data, we need to have an additional legal ground (as well as the legal grounds set out in the section on ordinary personal data, above) to collect, hold and use it. The additional legal grounds that we rely on to collect, hold and use your special category data are explained below for each type of special category data.

What are our legal grounds for using your special category personal data?

At the initial stages of recruitment, we collect, hold and use the following special category data about you:

- **Equal opportunities monitoring**
Equal opportunities monitoring data which could include information about your race or ethnicity, religious beliefs, sexual orientation or health. We use this information to monitor equality of opportunity and diversity in our recruitment process. Our additional legal ground for using this information is that it is necessary in the public interest for the purposes of equal opportunities monitoring.
- **Adjustments for disability/medical conditions**
Information relevant to any request by you for adjustments to the recruitment process as a result of an underlying medical condition or disability. We use this information to enable us to carry out a fair, non-discriminatory recruitment process by considering/making reasonable adjustments to our process as appropriate. Our additional legal ground for using this information is that we need it to comply with a legal obligation/exercise a legal right in relation to employment – namely, the obligations not to discriminate, and to make reasonable adjustments to accommodate a disability.

If you are shortlisted for a position, or you receive a conditional offer of employment, we may collect, hold and use the following additional types of special category personal data about you:

- **Pre-employment health questionnaires/medicals**
We collect information about your health in a pre-employment medical questionnaire and/or examination, as well as any information about underlying medical conditions and adjustments that you have brought to our attention. We use this information to assess whether you are fit to do the job with adjustments, to consider/arrange suitable adjustments and to comply with health and safety requirements. Our additional legal grounds for using this information are that: we need it to comply with a legal obligation/exercise a legal right in relation to employment – namely, the obligation to make reasonable adjustments to accommodate a disability and it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.
- **Criminal records information/HMG Baseline Personnel Security Standard (BPSS).**

For all positions, we request a basic criminal records checks from the National Security – Defence Business Services. In some cases depending on the role applied for, we will carry out additional Security clearance checks. It is necessary to do this to ensure that you are suitable to undertake the role and verify information provided by you. Our additional legal ground for using this information concerns the regulatory controls governing some of the work that Marshall carries out.

References

If you give us details of referees, we require you to inform them what personal data of theirs you are giving to us. You must also give them our contact details and let them know that they should contact us if they have any queries about how we will use their personal data.

Disclosure

Marshall Group Holdings

We share any of your personal data that is relevant, where appropriate, with our Group Company (Marshall Group Holdings), to enable them to input into the recruitment process and approve final recruitment decisions. Our legal grounds for doing so are that: it is necessary for entry into a contract, and it is in our legitimate interest to obtain our Groups company's approval of our recruitment decisions and comply with the procedures applicable within our corporate group.

Recruitment agencies

We engage recruitment agencies to provide us with the details of suitable candidates for our available vacancies, to communicate with those candidates, to handle administration in connection with the recruitment process. If we have received your initial application details from a recruitment agency, we will share with them any of your personal data that is necessary to enable them to fulfil their functions for us. Our legal grounds for doing so are that: it is necessary for entry into a contract; and it is in our legitimate interest to engage service providers to assist us with the recruitment process.

Medical/occupational health professionals

We may share information relevant to any request by you for adjustments to the recruitment process as a result of an underlying medical condition or disability with medical/occupational health professionals to enable us to identify what, if any, adjustments are needed in the recruitment process and, if you are successful, once you start work. We may also share details of disclosed medical conditions and/or answers to pre-employment health questionnaires with medical/occupational health professionals to seek a medical report about you to enable us to assess your fitness for the job and whether any adjustments are needed once you start work. This information may also be used by the medical/occupational health professionals to carry out assessments required by health and safety legislation. Our legal grounds for sharing this personal data are that: it is necessary for entry into a contract; it is in our legitimate interests to consider adjustments to enable Job Applicants to participate fully in the recruitment process and to assess the fitness for work of Job Applicants to whom we have offered jobs; and it is necessary to comply with

our legal obligations/exercise legal rights in the field of employment (obligations not to discriminate, to make reasonable adjustments, to comply with health and safety requirements).

Legal/professional advisers

We share any of your personal data that is relevant, where appropriate, with our legal and other professional advisers, in order to obtain legal or other professional advice about matters related to you or in the course of dealing with legal disputes with you or other Job Applicants. Our legal grounds for sharing this personal data are that: it is in our legitimate interests to seek advice to clarify our rights/obligations and appropriately defend ourselves from potential claims; it is necessary to comply with our legal obligations/exercise legal rights in the field of employment; and it is necessary to establish, exercise or defend legal claims.

Home Office

We may share your right to work documentation with the Home Office, where necessary, to enable us to verify your right to work in the UK. Our legal ground for sharing this personal data is to comply with our legal obligation not to employ someone who does not have the right to work in the UK.

[How we collect your personal data](#)

You provide us with most of the personal data about you that we hold and use, for example in your written application, by completing any assessments and during any interviews.

Some of the personal data we hold and use about you is generated from internal sources during the recruitment process. For example, the person interviewing you may score your suitability for the role and we record the reasons for decisions made about whether or not your application is successful.

Some of the personal data about you that we hold and use may come from external sources. For example, a recruitment agency provides us with a shortlist of candidates. If we offer you a role, we will carry out pre-employment checks, such as taking up references from past employers or education providers.

We may ask an occupational health professional to report to us on your fitness to do the job. We may seek a criminal record check from the DBS. In some circumstances, we may ask the Home Office for information about your immigration status to verify your right to work in the UK. For some roles, we may also obtain information about you from publicly available sources, such as your LinkedIn profile or other media sources.

[Consequences of not providing personal data](#)

We only ask you to provide personal data that we need to enable us to make a decision about whether or not to offer you a role. If you do not provide particular information to us, then we will have to make a decision on whether or not to offer you a role without that information, which in some cases could result in us deciding not to recruit you. For example, if we ask you to provide a certificate verifying a qualification and you do not, we will have to

decide whether to recruit you without that information. If you do not provide us with names of referees or a reference when asked, we will not usually be able to offer you the role. In addition, some of the personal data you provide to us is required by law. For example, if you do not provide us with the documentation we need to check your right to work in the UK, then we cannot by law employ you.

If you choose not to provide us with personal data requested, we will tell you about the implications of any such decision at the relevant time.

How long will we keep your personal data?

We will keep your personal data throughout the recruitment process.

If your application is successful, when you start work for us you will be issued with an Employee Privacy Notice which will include information about what personal data we keep from the recruitment process and how long we keep your personal data whilst you are working for us and after you have left.

If your application is unsuccessful, we will keep your personal data for up to two years from the date we notify you of our decision.

Your rights

At any point while we are in possession of or processing your personal data, you, the data subject, have the following rights:

- Right of access – you have the right to request a copy of the information that we hold about you.
- Right of rectification – you have a right to ask for data that we hold about you that is inaccurate or incomplete to be corrected.
- Right to be forgotten – in certain circumstances you can ask for the data we hold about you to be erased from our records. If there is no overriding legal reason to keep it.
- Right to restriction of processing – where certain conditions apply to have a right to restrict the processing.
- Right of portability – you have the right to have the data we hold about you transferred to another organisation.
- Right to object – you have the right to object to certain types of processing
- Right to object to automated processing, including profiling – You have the right to ask for certain important computer-made decisions (including profiling) to be challenged and to ask for a human to intervene. Please note that at this time no automated processing of Personal Identifiable Information (PII) is in operation.

In the event that Marshall refuses your request under rights of access, we will provide you with a reason as to why.

All of your rights identified above apply to any third party should they be involved in the processing of your personal data.

If you would like to exercise any of these rights, please contact the company Data Privacy Manager, Isobel Aylott, by emailing DataPrivacyManager@MarshallADG.com or by sending written correspondence to The Data Privacy Manager, Marshall, Airport House, Newmarket Rd, Cambridge, CB5 8RX.

You can make a subject access request by completing the organisation's [Subject Access Request Form](#).

Complaints

In the event that you wish to make a complaint about how your personal data is being processed by Marshall (or third parties as described in 3.6 above), or how your complaint has been handled, you have the right to lodge a complaint directly with Marshall's Data Privacy Manager, by emailing DataPrivacyManager@MarshallADG.com or by sending written correspondence to The Data Privacy Manager, using the contact details below.

If the complaint is not resolved to your satisfaction you have the right to lodge the complaint with the Supervisory Authority.

Job Applicant Privacy Notice



The details for each of these contacts are:

	Data Privacy Manager	Supervisory Authority
Contact Name:	Isobel Aylott	Information Commissioners Office (ICO)
Address line:	Marshall Group, Airport House, Newmarket Rd, Cambridge, CB5 8RX	Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF
Email:	DataPrivacyManager@MarshallADG.com	https://ico.org.uk/global/contact-us/email/
Telephone:	01223 373206	03031231113
Website		https://ico.org.uk/concerns/

The recommended method of communication to the ICO is via their website

Document Owner

The Data Privacy Manager is the owner of this document and is responsible for ensuring that this record is reviewed in line with the review requirements of the GDPR.

A current version of this document is available on the [Company Internet](#).