

## Job Applicant Privacy Notice

### We Take Your Privacy Seriously

Rest assured - at GAP we're 100% committed to protecting your privacy and security.

We've been in the business for well over two decades - and we have interviewed plenty of candidates in our time! We completely understand how important it is to respect the information you've given us about yourself.

You'll have heard by now about some new rules governing what can and can't be done with information about you.

They're contained within the General Data Protection Regulation (GDPR) - and we've been studying them for months to make sure we're crystal clear about our obligations.

In anticipation of the changes, we've adjusted elements of our Privacy Notice to give your data even more control and protection - and have re-written the Notice to cut through the legal jargon and spell out exactly what we do with what you've told us about yourself.

In a nutshell, it all boils down to four GAP Privacy Pledges. We promise that we will:

1. Only use the information you give us for the purpose of your job application
2. Protect your data like it's our own
3. Only ever talk your language. No nonsense, no spam, and no cleverly worded sentences that leave you baffled!
4. Delete your information as soon as we no longer need it

This Job Applicant Privacy Notice sets out what personal data we, GAP Ltd, hold about you and how we collect and use it during and after the recruitment process. It applies to anyone who is applying to work for us whether that's through our online application process dropping into one of our 100 locations to hand your CV into our friendly depot teams!

This policy will address the recruitment process generally so all data types might not be relevant to you or your personal circumstances but we want to put all of our cards on the table so you are crystal clear what might happen with your data.

We are required, under the new regulations, 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.

If you are successful in joining us, we will provide you with another privacy notice that explains how we deal with your personal data whilst you are a part of team GAP!

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.

Now, down to the nitty gritty!

## Who is the controller?

GAP Ltd (Partnership Way, Shadsworth Business Park, Blackburn, BB1 2QP) is the “controller” for the purposes of data protection law. This means that we are responsible for deciding how we hold and use personal data about you.

We also have a dedicated Data Protection Team that is committed to making sure GAP are looking after all your information. If you have any queries, you can reach our Data Protection super-team on [privacy@gap.uk.com](mailto:privacy@gap.uk.com).

## So what is personal data?

Personal data means any information relating to a living individual who can be identified (directly or indirectly) using the information you give us (e.g. name, NI number, employee number, email address). It can be factual (e.g. contact details or date of birth), or an opinion about an individual’s actions or behaviour.

Data protection law divides personal data into two categories: ordinary personal data and special category data. Any personal data that reveals racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health conditions, sexual life or sexual orientation, or biometric or genetic data that is used to identify an individual is known as special category data. (The rest is ordinary personal data). Don’t worry, we will only ask you for this information if it is only absolutely necessary!

## What type of ordinary personal data do we hold about you and why?

When you first apply for a job with us, we will ask for, keep hold of and use the following information to help us determine if you are right for the position:

- Information contained in your application form, CV or covering letter, including your name, title, contact details, 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 (LinkedIn).
- Selection information, including correspondence, interview notes, internal notes, the results of any written or online selection tests.

If you are asked to come and meet a member of our management team or offered a job we may ask for, hold and use the following data:

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

The reasons we ask for this information from you are:

- So we can process your application and keep you up to date on what is going on.
- To see if you are the right fit for the job in terms of skills, training and experience.
- So we can decide on the next steps of your recruitment journey.
- So we can check that you are who you say you are and can do what you say you can do!
- So that you and we can prove you have the right to live and work in the UK;
- So we can keep records of our recruitment process.

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

The new regulations set out specific reasons under which we can process this information about you.

When we ask you for your details, we will use one or more of the following reasons as to why we are asking for it:

- We need it to take steps (at your request, when you apply) in order to enter into a contract with you, because by applying for a job with us you are effectively asking us to enter into a contract with you.
- 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 your rights (we will cover these later!) do not override those interests (legitimate interest). For example, it is in our legitimate interests to review and consider your personal data (as listed above) so that we can select the most appropriate candidate for the job.

## What type of special category personal data do we hold about you, why, and on what legal grounds?

We will only collect, hold and use limited types of special category data about you during the recruitment process, and we will only ask for it if it's absolutely necessary!

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.

When you apply for a role, we may collect, hold and use the following special category data about you:

### Equal opportunities monitoring

Equal opportunities monitoring data could include information about your race or ethnicity, religious beliefs, sexual orientation or health. We use this data to keep an eye on equality and diversity at GAP. Our additional legal ground for using this information is that it is necessary in the public interest for the purposes of equal opportunities monitoring and is in line with our Data Protection Policy.

### Adjustments for disability/medical conditions

This means any information relating to a 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 and when it is needed.

Our additional legal ground for using this information is that we need it to comply with a legal obligation or to exercise a legal right in relation to employment – mainly, the obligations not to discriminate, and to make reasonable adjustments to accommodate a disability, any use of this data is in-line with our Data Protection Policy which you can find on our website.

## **Criminal records information/DBS checks**

We may request to conduct a licence check if you are applying for a role that means you will be driving one of our vehicles. We must do this to ensure that you do not have any criminal convictions on your driving licence. Our additional legal ground for processing this data would be that it is necessary obligation connected to the potential contract of employment.

## **How do we collect your personal data?**

You, the applicant, will give us most of the information we need when you send us your CV.

Some of the personal data we hold and use about you is generated from internal sources during the recruitment process. For example, we will hold interview notes after an interview that will help us to understand the decision of the hiring manager.

Some of the personal data about you that we hold and use may come from external sources. For example, a recruitment agency might send us your CV instead of you applying directly.

If we offer you a role, we will carry out pre-employment checks, such as taking up references from past employers if you are applying for a senior role. We may ask you to provide us with a driving licence check code so we can make sure you don't have any driving convictions.

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.

## **Who do we share your personal data with?**

### **Recruitment agencies**

We sometimes use 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 such as offer letters. 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 with recruitment agencies to assist us with the recruitment process.

### **Legal/Professional advisers**

If the occasion calls for it, we may share your personal data with our Legal Advisors if there is ever any dispute over the recruitment process. Our legal grounds for sharing this personal data are that: it is in our legitimate interests to seek this advice to clarify our rights/obligations and 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.

### **Recruitive**

Your data is stored within a system called Recruitive which is a platform that allows us to post our jobs to lots of places in one go. Your information is stored within this system that is administrated and used by our recruitment team. However, if there is ever a problem with our system it may be necessary to share your data with them in order to resolve a technical issue. Our grounds for doing this would be in connection with a legitimate business interest and entry into a contract.

## **What will happen if you don't give GAP any personal data?**

We will only ever ask you for information that is relevant to your application, 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, this might mean that we don't take your application any further. For example, if we ask you to provide your driving licence number to perform a licence check, and you do not, we will have to decide whether to recruit you without that information.

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 what that might mean for your application.

## **How long will we keep your personal data?**

Where you get up to in the application process will determine how long we keep information about you. If you don't get any further than an application form or a member of our recruitment team contacts you and you are unsuccessful, we will keep your data for no longer than 3 months.

If you are given an interview and meet with a GAP employee, we will keep your data and any data relating to the interview (e.g. interview notes) for no longer than 6 months.

If you are offered a role at GAP, you will be given the Employee Privacy Notice that will tell you what data we store about you, how long we keep it and why we need that information. You will receive this alongside your offer letter.

## **What happens if you send us your CV for future vacancies?**

If you are unsuccessful for the role that you have applied for, or you are interested in being considered for future roles, or you sent us a speculative application, then, if you give us your permission, we will keep your information within our system for no longer than 6 months and we will consider you for other suitable opportunities at GAP.

If during the time we have your information on file and you see a job that tickles your fancy, that isn't what you would normally apply for, please let us know as we may not think you would be interested in that opportunity.

When applying for a particular role, there is no obligation for you to consent to us keeping your personal data on file for consideration for other roles if you do not want to. Your application for the particular role you are putting yourself forward for will not be affected.

If you change your mind about us keeping your personal data on file, you can let us know and we will delete your information as soon as you make the request.

## References

If you give us details of referees, we require you to tell 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.

## Solely automated decision-making

Solely automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. For all roles, we ask applicants to complete an application form that ranks responses within our recruitment system, the higher you score, the higher up the ranks you move and the more likely you are to be contacted by our recruitment team. If you are concerned about your score or answers, or wish to query a rejection decision or otherwise obtain human input, you can contact our recruitment team on [recruitment@gap.uk.com](mailto:recruitment@gap.uk.com)

## What are your rights?

The new regulations set out the rights that everyone has if a business is processing data about you, they are:

- *The right to make a subject access request.* This enables you to receive certain information about how we use your data, as well as to receive a copy of the personal data we hold about you and to check that we are doing exactly what we say we are doing!
- *The right to request that we correct incomplete or inaccurate personal data* that we hold about you. This speaks for itself, if we have the wrong email address or phone number, you have the right to tell us to make it right!
- *The right to request that we delete or remove personal data* that we hold about you where we don't have a good reason for keeping hold of it. You also have the right to ask us to delete or remove your personal data where you have exercised your right to object to processing (see below).
- *The right to object to our processing* your personal data where we are relying on our legitimate interest (or those of a third party), where we cannot give a good reason for processing the data about you.
- *The right to request that we restrict our processing of your personal data.* This enables you to ask us to suspend the processing of personal data about you, for example if you want us to tell you how accurate the information is or you want to know why we are asking for this information.
- *The right to withdraw your consent* to us using your personal data. Alongside this, you also have the right to request that we delete or remove that data, if we do not have another good reason to continue using it.
- *The right to request that we transfer your personal data to another party,* in respect of data that you have provided where our legal ground for using the data is that it is necessary for the performance of a contract or that you have consented to us using it (this is known as the right to "data portability").
- *The right to object to a decision.* If you have completed an online application and you haven't heard from us and you think it is based on your application form, you have the right to request that we justify why we made that decision.

If, for whatever reason, you want to exercise any of these rights, please contact our recruitment team on [recruitment@gap.uk.com](mailto:recruitment@gap.uk.com). Please be aware that these rights are not concrete and in some circumstances we may be entitled to refuse some or all of your request.

If you have any questions or concerns about how your personal data is being used by us, you can contact our Data Protection Team on [privacy@gap.uk.com](mailto:privacy@gap.uk.com) or our recruitment team on [recruitment@gap.uk.com](mailto:recruitment@gap.uk.com)

If you aren't happy with how GAP are processing your data, you also 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. Details of how to contact the ICO can be found on their website: <https://ico.org.uk>