

# Our Commitment – Job Applicant Data Privacy

## 1. Introduction

What is a Privacy Notice?

The Entertainer is committed to protecting the privacy and security of your personal information. A privacy notice is designed to help an individual understand how their data is collected, used and processed. This notice describes how we collect and use personal information about you during and after your employment with us. It also applies to anyone who works or provides services for us.

The Entertainer is a “data controller”. This means that the Company is responsible for deciding how it holds and uses personal information about you.

This notice applies to job applicants including potential work placements, work experience, agency workers and contractors. The notice may be updated at any time.

## 2. Data Protection Principles

There are some basic data protection principles which we need to comply with. These principles are that your data needs to be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that have been explained to you and not used in any way that is incompatible with those purposes.
- Relevant and limited to the purposes we have told you about.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

Personal data or information, means any information about an individual from which that person can be identified. It does not include data where the identity of the person has been removed. There are also types of more sensitive personal data which require a higher level of protection.

## 3. Your Data

What type of information will we hold about you?

As you have applied for work with us there is certain information that we will need to collect, store and hold about you in order to process your application.

- Information you provide to us in your curriculum vitae and any covering letter.
- Information you provide on an application form, including name, title, address, telephone number, personal email address, date of birth, employment history, qualifications, personal statement, reference information
- Your responses to any screening questions on our recruitment portal.
- Any information you provide to us during interviews.
- Information and reports from any psychometric profiling that you are asked to complete.

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 views.
- Information about your health, including sickness records.
- Information about criminal convictions and offences.

How is your personal information collected?

We will collect personal information about candidates from a number of different sources. These include:

- From you directly as the job applicant
- From a recruitment agency
- Your named employment referees
- Social media or platforms such as LinkedIn & Facebook where that information is publicly accessible

How we will use this information?

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

- Assess your skills, qualifications, experience and suitability
- Carry out background and reference checks, where applicable
- Communicate with you about the recruitment process
- Keep records related to our recruitment processes, including interview records, outcomes of tests and assessments
- Comply with legal or regulatory requirements where necessary or appropriate

What is the basis for processing your information?

We consider that there is a legitimate interest in us processing your data in order for us to decide whether to appoint you into the role that you applying for, and also in order to enter into a contract with you under which you would work (or provide services) for us.

What happens if you fail to provide personal information?

If you fail to provide information which is necessary for us to consider your application (such as evidence of qualifications or work history) when we ask for it, we will not be able to process your application successfully.

#### **4. Handling Your Sensitive Data**

There are categories of data where higher levels of protection are required. We will use your sensitive personal information in the following ways:

- We will use information about any relevant disability to consider whether we need to make appropriate adjustments during the recruitment process, for example whether reasonable adjustments need to be made during a test or as part of the interview process.
- We will use information about your race or national or ethnic origin, religious, political beliefs, or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.
- We will use any criminal conviction information that is volunteered to ensure that there is no conflict of interest that may damage or harm the business, or place employees or customers at unnecessary risk.

Why do we ask for information about criminal convictions?

In most cases we do not envisage that we will process information about criminal convictions. Our application form will ask you to volunteer information about any unspent convictions to help us determine that you are suitable for the role that you have applied for, especially where you have responsibility or access to financial information, cash, or where the interests of children or other employees and customers needs to be considered.

## **5. Automated Decision-Making**

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making. All of our recruitment processes allow the recruiting manager to make independent decisions based on the information that you provide.

## **6. Sharing Your Data**

Why might you share my personal information with third parties?

We will only share your personal information with specific third parties for the purposes of processing your application and this may include: recruitment and employment agencies, 3<sup>rd</sup> party psychometric assessment providers or other internal functions e.g. HR to complete Right to Work checks.

All our third-party service providers and other functions within the organisation are required to take appropriate security measures to protect your personal information in line with our policies. The Entertainer does not permit third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data in accordance with our instructions.

## **7. Keeping Your Data Secure**

How do we keep your data secure?

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. This includes data encryption and limiting access to your personal information to those employees, agents 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.

## **8. Data Retention**

How long will you use my information for?

We will usually retain your personal information for a maximum period of up to **12 months** after we have communicated to you our decision about whether to appoint you to the role. If you have applied through our recruitment portal (on our careers website) then the following data retention periods will apply

- Unsuccessful and Successful Candidates – 6 months
- Talent Pooled Candidates – 12 months

Portal candidates may also update their basic personal information via their portal account whilst registered or choose to unregister at any time in order to stop receiving any communications.

All other application and interview documents are retained for 6 months unless you give us explicit consent for us to keep your information for longer, for example a speculative CV that you wish us to retain.

Northern Ireland – Information that you provide in relation to Community Background will be retained for up to 24 months.

We retain your personal information for that period so that we can demonstrate that we have not discriminated against candidates on any prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way. After the retention periods set out, we will securely destroy your personal information.

## **9. Your Rights Over Your Personal Data**

There are certain rights you may have over the personal information we hold about you. In certain circumstances you have the right to:

- Request access to your personal information (commonly known as making 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. A separate ‘Subject Data Access Request Policy’ is available on our website.
- Ask for personal information we hold about you to be corrected. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- Ask for your personal information to be deleted. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it.
- 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.
- Ask for the processing of your personal information to be restricted in some way. 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 us processing it.
- Ask for your personal information to be transferred to a third party.

If you want to exercise any of the above rights, please email us at [MyEmployeeData@TheEntertainer.com](mailto:MyEmployeeData@TheEntertainer.com)

What extra information may we need from you?

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

## **10. Our Rights**

The Entertainer reserves the right to update this privacy notice at any time. We may also notify you in other ways from time to time about the processing of your personal information.

This notice was last updated on 25<sup>th</sup> May 2018

## **11. Any Questions?**

If you have any questions about this privacy notice or how we handle your personal information, please contact our People Team. To make it easier for you to contact us we have an email address that you can use:

[MyEmployeeData@TheEntertainer.com](mailto:MyEmployeeData@TheEntertainer.com)

Please use this email for any queries that you have about your personal data.

## **12. Contacting the Regulator**

If you feel that your data has not been handled correctly, or you are unhappy with our response to any requests you have made to us regarding the use of your personal data, you have the right to lodge a complaint with the Information Commissioner's Office. You can contact them by calling 0303 123 1113.

Or alternatively go online to [www.ico.org.uk/concerns](http://www.ico.org.uk/concerns) (opens in a new window; please note we can't be responsible for the content of external websites)