

# Job applicant Privacy Policy

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### 1. General

Arco Limited of Blackfriargate, Hull, HU1 1BH, together with any group companies (“we” “us” “our”) is committed to protecting and respecting your privacy. For the purposes of Data Protection Legislation, we are the ‘data controller’ in respect of the personal data you provide us and we will process your personal data in accordance with the Data Protection Act 2018 and UK GDPR, as may be amended from time to time (“Data Protection Legislation”).

This Job Applicant Privacy Notice describes what personal data we will hold about you, how we will collect it, how we will use it and may share information about you during the application process and how long we may retain information about you after the application process. Please ensure that you read this notice together with Arco’s Website Privacy

Policy <https://www.arco.co.uk/legal/privacy-policy>

### 2. What information we hold about you

We may collect the following information at any stage during the recruitment process, before making a final decision on recruitment:

- Your name and contact details (i.e. address, home and mobile phone numbers, email address);
- Details of your qualifications, experience, employment history (including job titles, locations, salary and working hours) and interests;
- Your racial or ethnic origin, sex and sexual orientation, religious or similar beliefs;
- Details of your referees;
- Information about your previous academic and/or employment history, including details of any conduct, grievance or performance issues, appraisals, time and attendance, from references obtained about you from previous employers and/or education providers;
- Information regarding your criminal records;
- Your ‘right to work’ information such as nationality and immigration status from related documents such as your passport or other identification information;
- Information relating to your health;
- Your driving licence details and a copy of your driving licence.
- Any other information provide us, including information contained within your CV.

### 3. How we will collect this information

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We may collect this information from you, your referees (details of whom you will have provided), publicly accessible sources such as social media platforms (e.g. Facebook, Twitter, LinkedIn), your education provider, the Disclosure and Barring Service (DBS) and the Home Office.

## 4. Why we collect this information and how we use it

We will typically collect and use this information for the following purposes

- To take steps to enter into a contract with you;
- For compliance with a legal obligation;
- For the performance of a task carried out in the public interest;
- For the purposes of our legitimate interests (e.g. to contact you about your application and potential future roles if unsuccessful, and to carry out a fair recruitment process free from discrimination) or those of a relevant third party, but only if these are not overridden by your interests, rights or freedoms;
- Because it is necessary for carrying out obligations or exercising rights in employment law;
- For reasons of substantial public interest (i.e. equality of opportunity or treatment, promoting or retaining racial and ethnic diversity at senior level, preventing or detecting unlawful acts); and
- To establish, exercise and/or defend any legal claims that may be brought by or against us in connection with your recruitment (e.g. defending a claim of discrimination).

We seek to ensure that our information collection and processing is always proportionate. We will notify you of any changes to information we collect or to the purposes for which we collect and process it.

## 5. Special category personal data and criminal records information

Certain categories of personal data receives special protection under Data Protection Legislation including personal data relating to race or ethnic origin, political opinions, religious, philosophical, or moral beliefs, trade union membership, social welfare, sexual life, or sexual orientation, physical or mental health or condition, unlawful or objectionable conduct, criminal charges or convictions, biometric information and genetic data (known as 'special category personal data').

We may collect special category personal data where it is necessary for the purposes of performing or exercising our obligations or rights under employment law, for health purposes, in relation to equality of opportunity of treatment and for preventing or detecting unlawful acts, in particular;

- Information about physical or mental health or condition or disability status to ensure safety in the workplace and provide appropriate workplace adjustments for potential future employees;
- Information about racial and ethnic origin, sexual life and sexual orientation, religion, belief and disability information to ensure meaningful equal opportunity monitoring and reporting; and
- Information about criminal convictions and right to work to comply with our legal obligations.

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Where we have a necessary need to process your special category personal data for purposes not identified above, we will only do so only after providing you with notice and, if required by law, obtaining your prior, express consent.

## 6. How we may share the information

We may need to share some of the above categories of personal data with other parties such as HR consultants, professional advisers and third-party service providers (e.g. software/SaaS providers) who provide services to us or on our behalf. We require all third-party service providers to implement appropriate security measures to protect your personal data consistent with our policies. We do not permit our third-party service providers to use your personal data for their own purposes. The recipient of the information will be bound by confidentiality obligations.

We may also be required to share some personal information as required to comply with the law such as: to other members of our group of companies for the purposes set out in this notice, as part of our regular reporting activities to other members of our group of companies, to the police or legal advisers where we are under a legal duty to disclose or share your personal data in order to comply with a legal obligation and to government departments or public bodies such as HMRC or DWP to comply with applicable law.

## 7. How long we keep your information

We will keep the personal data that we obtain about you during the recruitment process for no longer than is necessary for the purposes for which it is processed. How long we keep your 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.

We will keep recruitment information for no longer than is reasonable, taking into account the limitation periods for potential claims such as race, sex or disability discrimination (as extended to take account of early conciliation). This is done in accordance with our legitimate interests in defending a claim against us. If there is a clear business reason for keeping recruitment records for longer than the recruitment period, we may do so but will first consider whether the records can be pseudonymised, and the longer period for which they will be kept. This will usually be up to one year.

If you are unsuccessful in your application, we may retain your personal data for consideration of future roles for a period of up to two years.

We reserve the right to use anonymous and de-identified personal data for legitimate business purposes without further notice to you or your consent.

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If your application is successful, we will keep only the recruitment information that is necessary in relation to your employment.

## 8. Your right to object to us processing your information

Where our processing of your information is based solely on our legitimate interests (or those of a third party), you have the right to object to that processing if you give us specific reasons why you are objecting, which are based on your particular situation. If you object, we can no longer process your information unless we can demonstrate legitimate grounds for the processing, which override your interests, rights and freedoms, or the processing is for the establishment, exercise or defence of legal claims.

Please contact [privacy@arco.co.uk](mailto:privacy@arco.co.uk) if you wish to object in this way.

## 9. Your rights to correct and access your information and to ask for it to be erased

Please contact [privacy@arco.co.uk](mailto:privacy@arco.co.uk) who can be contacted if (in accordance with applicable law) you would like to correct or request access to information that we hold relating to you or if you have any questions about this notice. You also have the right to ask us for some but not all of the information we hold and process to be erased (the 'right to be forgotten') in certain circumstances. Our Data Protection Team will provide you with further information about the right to be forgotten, if you ask for it.

## 10. Keeping your personal data secure

We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

Please see our full privacy notice at <https://www.arco.co.uk/legal/privacy-policy>

## 11. How to complain

We hope our Data Protection Team ([privacy@arco.co.uk](mailto:privacy@arco.co.uk)) can resolve any query or concern you raise about our use of your information. If not, you can contact the Information Commissioner's Office at <https://ico.org.uk/make-a-complaint/> or by calling 0303 123 1113 for further information about your rights and how to make a formal complaint.

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