

NOTTINGHAM CITY TRANSPORT LIMITED – JOB APPLICANT PRIVACY POLICY

1. POLICY STATEMENT

This notice is designed to provide information on how we deal with the privacy of job applicants who apply to Nottingham City Transport Limited for a job and the personal data we hold about them during the recruitment process.

2. OBJECTIVES

- To provide you with details of what information we may collect about you and to give you confidence in how we will use this information both internally and externally; and
- To comply with legal requirements including privacy laws.

3. THE LEGISLATION

- 3.1 The Data Protection Act 1998 (the "Act") regulates the way in which "personal data" (i.e. information about you) is processed up until 24 May 2018. From 25 May 2018 new data protection legislation will be in place including the General Data Protection Regulation 2016 ("GDPR").
- 3.2 For ease of reference in this notice, the Act and the GDPR, along with other relevant data privacy legislation, will be referred to collectively as "Data Protection Legislation".

4. ABOUT THIS DOCUMENT

- 4.1 Nottingham City Transport Limited takes your privacy seriously and we are fully committed to protecting your personal data and we recognise our responsibility to keep any information about you safe and secure at all times. We will only process your personal data in accordance with Data Protection Legislation and we will adhere to the principles (as applicable) contained in the Data Protection Legislation.
- 4.2 Nottingham City Transport (referred to as "we", "us", "our") will process and collect personal data and special categories of personal data about you and we recognise the need to treat that data in an appropriate and lawful manner, in accordance with applicable Data Protection Legislation.
- 4.3 The purpose of this policy is to provide you with information regarding the types of personal data and special categories of personal data that we hold and process about you and why.

4.4 Processing includes collecting, using, holding, storing, recording and destroying your personal data and special categories of personal data.

4.5 This policy is subject to change and any change to this policy will be notified on this page.

5. WHAT DO 'PERSONAL DATA' AND 'SPECIAL CATEGORIES OF PERSONAL DATA' MEAN?

5.1 "Personal data" under the GDPR includes information relating to a living person, who can be identified directly or indirectly by such information (e.g. name, ID number, location data, an online identifier, one or more factors specific to the physical, physiological, genetic, mental, economic or social identity of that person).

5.2 "Special categories of personal data" under the GDPR relates to personal information about you of a more private nature and means genetic data, biometric data, data concerning a person's sex life or orientation, racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership and health.

5.3 The personal data and special categories of personal data about you held and processed by us may be held in manual or automated/electronic filing systems.

6. WHAT DO WE DO WITH YOUR PERSONAL DATA AND ON WHAT LEGAL BASIS?

6.1 We use the personal data you provide to us for different reasons. These can be summarised as follows:

(a) To comply with our legal obligations. This includes the following information:

- eligibility to work in the UK as required by immigration laws, such as residency and work permit status, nationality, passport and visa documentation;
- formal identification documentation relating to you, such as a passport or driving licence, to verify your identity;
- legal claims made by you or against you, in order to comply with the court process and court orders;
- DVLA checks to validate driving licence information if the job role you apply for involves you driving company vehicles (including processing information/documentation relating to driving convictions); and
- relating to the occurrence, investigation or prevention of fraud.

(b) To pursue our (or a third party's) legitimate interests as a business.
This includes the following information:

- your contact details such as your name, address, telephone number and personal email address which will be used to communicate with you in relation to the recruitment process;
- your CV, education history, employment history and employment records, professional qualifications/certifications, your activities/life experiences in order for us to consider your suitability for a job vacancy you are applying for;
- details of the job role you are applying for and any interview notes made by us during or after an interview with you, in order to assess your suitability for that role;
- pay and benefit details to help determine whether a job offer may be made to you or accepted by you;
- voicemails, emails, correspondence, your CV, and other communications created, stored or transmitted by you on or to our computer/communications/electronic equipment in order to progress your application through the recruitment process;
- information received from referees including existing or previous employers for the purposes of providing a reference; and
- network and information security in order for us to take steps to protect your information against loss, theft or unauthorised access.

7. WHAT DO WE DO WITH YOUR SPECIAL CATEGORIES OF PERSONAL DATA AND ON WHAT LEGAL BASIS?

7.1 We process your special categories of personal data for different reasons. These can be summarised as follows:

- (a) To enable you and us to perform our respective obligations or exercise our respective rights in respect of employment and social security and social protection law. This includes the following:
- equal opportunities monitoring information (for example race, ethnic origin, sex or religious information). Any such information is used in an anonymised form for statistical purposes only and is not used in relation to your application for employment with us; and
 - health information to assess and/or to comply with our obligations under employment, equal opportunities and health and safety legislation (for

example a requirement to make reasonable adjustments to the interview process with you).

- (b) To establish, defend or exercise legal claims in an employment tribunal or any other court of law.
- (c) For occupational medicine reasons or where we are assessing your working capacity. This includes the following:
 - medical and health information/records/reports (for example, to assess whether any reasonable adjustments are required for you during the recruitment process and, carrying out any medical assessment required for your role).

8. DISCLOSURE AND BARRING SERVICE (DBS CHECKS)

- 8.1 We may process, in carrying out our obligations in employment and social security and social protection law, personal data relating to carrying out DBS checks (including criminal conviction personal data) where necessary for a particular role within the business.

9. OTHERS WHO MAY RECEIVE OR HAVE ACCESS TO YOUR PERSONAL DATA

- 9.1 We may share your personal data internally for the purposes set out above to HR employees involved in the recruitment process and/or line managers in the business who are involved in the recruitment process for the job role(s) you are applying.
- 9.2 We may share your personal data and special categories of personal data with third parties, agents, subcontractors and other organisations, as listed below, for the purposes of providing services to us or directly to you on our behalf
- (a) occupational health providers;
 - (b) training providers;
 - (c) driving behavioural risk assessors; and
 - (d) providers of legal services.
- 9.3 We may share your personal data with the following in order to comply with our legal obligations:
- (a) Home Office for immigration purposes; and
 - (b) any other organisation in order to comply with any legal or regulatory obligation or request.
- 9.4 When we use third party suppliers or providers, we only disclose to them any personal information that is necessary for them to provide their service and we have a

contract in place that requires them to keep your information secure and not to use it other than in accordance with our specific instructions.

10. RECEIVING YOUR PERSONAL DATA

We may obtain personal data and/or special categories of personal data about you from third party sources, such as recruitment agencies, job boards, recruitment assessment centres, referees and occupational health professionals. Where we receive such information from these third parties, we will only use it in accordance with this notice. In some cases, they will be acting as a controller of your information and therefore we advise you to read their privacy policy.

11. WHERE DO WE STORE YOUR PERSONAL DATA OR SPECIAL CATEGORIES OF PERSONAL DATA?

11.1 Your personal data and special categories of personal data is stored electronically on our secure servers which are located within the European Economic Area ("EEA"). Your personal data and special categories of personal data may also be stored in hard copy form and it will be kept in access-restricted, locked filing cabinets.

11.2 If at any time we transfer your personal data or special categories of personal data to, or store it in, countries located outside of the EEA (for example, if our hosting services provider changes) we will ensure that appropriate safeguards are in place for that transfer and storage as required by Data Protection Legislation. This is because some countries outside of the EEA do not have adequate data protection laws equivalent to those in the EEA. These safeguards will include imposing contractual obligations on the recipient of your personal information or ensuring that the recipients are subscribed to international frameworks that seek to ensure adequate protection.

12. HOW LONG DO WE KEEP YOUR PERSONAL DATA?

12.1 We keep your personal data and special categories data for as long as is necessary to fulfil our legal obligations and in accordance with Data Protection Legislation.

12.2 When you apply for a job vacancy with us, we will compile and keep a manual/electronic file containing information about you which relates to your application for a job with us. Your information will be kept secure and will be used for the purposes of your job application.

12.1 If you are offered and you accept a job with us, your personal information will be transferred to your electronic personnel file. Any hard copy personnel data will be kept in access-restricted, locked filing cabinets.

12.2 If your job application with us is not successful we will retain your personal data for 12 months in accordance with our data retention policy and statutory limitation periods and at the end of this period your personal data will be permanently and securely deleted.

13. YOUR DUTIES

13.1 We encourage you to ensure that the information that we hold about you is accurate and up to date by keeping us informed of any changes to your personal data. You can do this by contacting your HR contact within the business.

14. YOUR RIGHTS

14.1 Under Data Protection Legislation, you have certain rights as a "data subject".

14.2 You may make a formal request for access to personal data and/or special categories of personal data that we hold about you at any time. This is known as a Subject Access Request ("SAR"). A SAR must be made in writing and we must respond within one month. Please note that under the GDPR we are permitted to extend the one month time period for responding by an additional two months where in our view your request is complex or numerous in nature. We may also charge a reasonable fee where in our view your request is manifestly unfounded or excessive.

14.3 You also have other rights under Data Protection Legislation including:

- (a) to have your personal data corrected where it is inaccurate;
- (b) to have your personal data erased where it is no longer required. Provided that we do not have any continuing lawful reason to continue processing or holding your personal data, we will make reasonable efforts to comply with your request;
- (c) to request your personal data be transferred to another person;
- (d) to restrict the processing of your personal data where you believe it is unlawful for us to do so, you have objected to its use and our investigation is pending or you require us to keep it in connection with legal proceedings.
- (e) to object to the processing of your personal data, particularly where we rely on "legitimate business interests" as a lawful reason for the processing of your data. We have a duty to investigate the matter within a reasonable time and take action where this is warranted. Except for the purposes for which we are sure we can continue to process your personal data, we will temporarily stop processing your personal data in line with your objection until we have investigated the matter. If we agree that your objection is justified in accordance with your rights, we will permanently stop using your

data for those purposes. Otherwise, we will provide you with our justification as to why we need to continue using your data;

- (f) to withdraw consent to processing (where we rely on this as a lawful basis for processing). If you withdraw your consent, our use of your personal data before you withdraw is still lawful;
- (g) to receive a copy of certain personal data in a portable format; and
- (h) to complain to a supervisory body – if you are concerned about the way we have processed your personal data, you may complain to your data protection regulatory body, which in the UK is the Information Commissioner’s Office – www.ico.org.uk.

14.4 Where we intend to process your personal data for a purpose other than as set out in this notice, we will provide you with information about the purpose prior to processing your personal data.

14.5 The way we process your personal data and the legal basis on which we rely to process it may affect the extent to which these rights apply. If you would like to exercise any of these rights, please address them in writing to our HR Department.

15. QUESTIONS

15.1 If you have any questions about any matter relating to data protection or the personal data and/or special categories of personal data that that we process about you, please contact the data protection champion. HR Department.

16. CONTACT US

If you have any queries or concerns in relation to this policy please contact a member of the HR Department.

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S Swift	Ben Potgieter, Head of Human Resources