

Job Applicant Privacy Notice

Purpose

Level Developments Ltd is a “data controller”. This means that there is a responsibility for deciding how personal information about you is held. You are reading this privacy notice because you are applying for work with Level Developments (whether as an employee, worker or contractor). The purpose of this notice is to make you aware of how and why your personal data will be used by Level Developments. The principle reason your personal data is needed is to undertake the recruitment exercise.

Data Protection Principles

There are some data protection principles which need to be complied 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 to the purposes you have been told about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes you have been told about.
- Kept securely.

What information will we hold?

As you have applied for work with Level Developments, there is certain information about you that needs to be collected, stored and used in order to process your application. This includes personal information such as your name, address, email address, telephone number, qualifications, employment history, education, previous salary etc., which you may provide in a CV or in an application form. It could also include information you provide as part of an interview process.

There may also be collection, storage and use of the following “special categories” of more sensitive personal information:

- Information about your race or ethnicity or religious belief
- Information about your health, including any medical condition, health and sickness records

How is personal information about you collected?

Personal information about candidates is collected from a number of different sources. This could include you as someone applying for a role with Level Developments, a recruitment agency, your named referees, information on LinkedIn and other publicly accessible sources i.e. Credit checks. We may carry out a credit check for someone with certain responsibilities in the business i.e. in an accounts capacity or a senior position with certain permissions within the business.

How will your information be used?

The law on data protection allows us to process your data for certain reasons only:

- in order to perform the employment contract that we are party to
- in order to carry out legally required duties
- in order for us to carry out our legitimate interests
- to protect your interests and
- where something is done in the public interest.

All of the processing carried out by us falls into one of the permitted reasons. Generally, we will rely on the first three reasons set out above to process your data.

We need to collect your data to ensure we are complying with legal requirements such as:

- carrying out checks in relation to your right to work in the UK and
- making reasonable adjustments where required

We also collect data so that we can carry out activities which are in the legitimate interests of the Company. We have set these out below:

- making decisions about who to offer employment to
- making decisions about salary and other benefits
- assessing training needs
- dealing with legal claims made against us

If you are unsuccessful in obtaining employment, we will seek your consent to retaining your data in case other suitable job vacancies arise in the Company for which we think you may wish to apply. You are free to withhold your consent to this and there will be no consequences for withholding consent.

If you fail to provide personal information

If you don't provide information which is necessary for the consideration of your application (such as evidence of qualifications or work history) when asked for it, Level Developments will not be able to process your application successfully.

How particularly sensitive personal information is used

Special categories of data are data relating to your:

- health
- sex life
- sexual orientation
- race
- ethnic origin
- political opinion
- religion
- trade union membership and
- genetic and biometric data.

We must process special categories of data in accordance with more stringent guidelines. Most commonly, we will process special categories of data when the following applies:

- you have given explicit consent to the processing
- we must process the data in order to carry out our legal obligations
- we must process data for reasons of substantial public interest
- you have already made the data public.

We will use your special category data:

- Information about any relevant disability, to consider whether there is a need to make appropriate adjustments during the recruitment process.
- Information about your race or nationality or ethnic origin, religious, philosophical or moral beliefs, or will be used to ensure meaningful equal opportunity monitoring, reporting and to ensure we meet our legal obligations.

We do not need your consent if we use special categories of personal data in order to carry out our legal obligations or exercise rights under employment law. However, we may ask for your consent to allow us to process certain particularly sensitive data. If this occurs, you will be made fully aware of the reasons for the processing. As with all cases of seeking consent from you, you will have full control over your decision to give or withhold consent and there will be no consequences where consent is withheld. Consent, once given, may be withdrawn at any time.

Criminal conviction data

We will only collect criminal conviction data where it is appropriate given the nature of your role and where the law permits us. The data will usually be collected at the recruitment stage, however, may also be collected during your employment should you be successful in obtaining employment. We may use criminal data in order to satisfy ourselves that there is nothing in your criminal convictions history that could compromise your position with us. This is highly likely to be applicable in Finance and/or Senior level roles where the role requires a high degree of trust and integrity.

Automated Decision-Making

We will make some decisions about you based on automated decision making (where a decision is taken about you using an electronic system without human involvement). This will be where we have set up pre-requisite questions on our recruitment platforms where you have to meet certain criteria to be put forward and considered further.

Data Sharing

Your personal information will only be shared with colleagues within the Company where it is necessary for them to undertake their duties with regard to recruitment. This includes, for example, the HR department, those in the department where the vacancy is who have responsibility for screening your application and interviewing you and potentially the IT department if you require access to systems for testing.

In some cases, we will share your data with third parties for the purposes of processing your application i.e. Webrecruit (if applicable) and our HR Consultant.

All Level Developments third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with its policies. Third-party service providers will not be allowed to use your personal data for their own purposes. They are only permitted to process your personal data for specified purposes and in accordance with our instructions.

In some cases, we will collect data about you from third parties, such as employment agencies or previous employers.

Your data will be shared with third parties if you are successful in your job application. We will provide further details at that time.

We do not share your data outside the European Economic Area.

Data Security

Appropriate security measures have been put in place to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, access to your personal information is limited to people who have a business need-to-know.

Procedures have been put in place to deal with any suspected data security breach.

Where we share your data with third parties, we provide written instructions to them to ensure that your data is held securely in line with GDPR requirements. Third parties must implement appropriate technical and organisational measures to ensure the security of your data.

Data Retention

How long will Level Developments use my information for?

Your personal Information will be retained for a period of one year after communication on the decision about whether to appoint you to the role. Your personal information is retained for that period so that it can be shown, in the event of a legal claim, that Level Developments have not discriminated against candidates on prohibited grounds and that recruitment exercise has been conducted in a fair and transparent way.

After this period, your personal information will be securely destroyed in accordance with any applicable laws and regulations or if your application has been successful your details will be transferred to your new personnel file. We have a separate privacy notice for employees which will be issued to you if applicable.

Your rights in connection with your personal information

The law on data protection gives you certain rights in relation to the data we hold on you. These are:

- the right to be informed. This means that we must tell you how we use your data, and this is the purpose of this privacy notice
- the right of access. You have the right to access the data that we hold on you. To do so, you should make a subject access request
- the right for any inaccuracies to be corrected. If any data that we hold about you is incomplete or inaccurate, you are able to require us to correct it
- the right to have information deleted. If you would like us to stop processing your data, you have the right to ask us to delete it from our systems where you believe there is no reason for us to continue processing it
- the right to restrict the processing of the data. For example, if you believe the data we hold is incorrect, we will stop processing the data (whilst still holding it) until we have ensured that the data is correct
- the right to portability. You may transfer the data that we hold on you for your own purposes
- the right to object to the inclusion of any information. You have the right to object to the way we use your data where we are using it for our legitimate interests

- the right to regulate any automated decision-making and profiling of personal data. You have a right not to be subject to automated decision making in way that adversely affects your legal rights.

If you want to exercise any of the above rights, please contact Sarah Metcalf, Director in writing.

Data Protection Officer

A data protection compliance officer (“DPCO”) has been appointed to oversee compliance with this privacy notice. If you have any questions about this notice or how your personal information is handled, please contact the DPCO, Sarah Metcalf, Level Developments Ltd, Spencer Place, 97-99 Gloucester Road, Croydon, CR0 2DN or by e-mail sarah@leveldevelopments.com.

You 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.

Changes to the privacy notice

We reserve the right to update this privacy notice at any time and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this privacy notice, please contact Sarah Metcalf on sarah@leveldevelopments.com