

Forbes LLP Privacy Notice (Job Applicants)

Forbes Solicitors LLP (“We”, “Us” and “Our”) are committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you when you apply for a vacancy with us, or when you send a speculative application to us. This privacy notice is not limited to the particular role you applied for; it also extends if you are unsuccessful for a role at that time. This privacy notice outlines how we intend to comply with the UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018.

Forbes Solicitors LLP is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained within this privacy notice.

This privacy notice does not form part of an employment offer or contract between us. If we make an employment offer to you, we will provide further information about our handling of your personal information in an employment context separately.

In accordance with the UK GDPR we will seek to ensure that the personal information we hold about you is:

1. Used lawfully, fairly and in a transparent way;
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with these purposes;
3. Relevant to the purpose we have told you about and limited only to those purposes;
4. Accurate and kept up to date;
5. Kept only as long as necessary for the purposes we have told you about;
6. Kept securely

What information do we collect about you?

In connection with your application for work with us, we will collect, store and use the following categories of personal information about you:

- The information you have provided to us in our application form, including name, title, address, telephone number, personal email address, date of birth, gender;
- Details of your employment history and qualifications;
- Information about your previous employment history including information from referees;
- Any information you provide to us during any interview;
- Identification to verify your eligibility to work lawfully in the UK;
- Results of any skills-based assessments forming part of our interview process.

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 opinions
- Information about your health, including any medical condition, health and sickness records
- Information about criminal convictions and offences.

How will we use the information?

We use this information to:

- Assess your skills, qualifications, and suitability for the work;
- Carry out background and reference checks, where applicable;
- Keep records relating to our hiring process;
- Assist in the running of our business;
- Comply with legal or regulatory requirements, including reporting of information to regulatory bodies;
- Take steps preparatory to entering into a contract with you if we make you an offer of employment

It is in our legitimate interests to decide whether to appoint you to a role since it would be beneficial to our business to appoint someone to that role.

We also need to process your personal information to decide whether to enter into a contract [of employment] with you.

Having received your application form or CV, we will then process that information to decide whether you meet the basic requirements to be shortlisted for a certain role. If you do, we will decide whether your application is strong enough to invite you for an interview. If we decide to call you for an interview, we will use the information we hold plus what you provide to us at the interview to decide whether to offer you the role. If we decide to offer you the role, we will then take up references and carry out, if required, a DBS record check before confirming your appointment.

How do we use particularly sensitive information?

We will use your particularly sensitive personal information in the following ways.

We will use information about your disability status to consider whether we need to provide appropriate adjustments during the recruitment process, for example whether adjustments need to be made during an interview.

We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

How do we use information about criminal convictions?

We envisage that we will in some cases process information about criminal convictions.

We will collect information about your criminal convictions history if we would like to offer you the role (conditional on checks and any other conditions, such as references, being satisfactory). We are required to carry out a criminal records check in order to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable for the role, in particular where:

- The role is one which is listed on the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (SI 1975/1023) and so is eligible for a standard or enhanced check from the Disclosure and Barring Service; or
- The role requires a high degree of trust and integrity since it involves dealing with, for example, vulnerable people and high net worth individuals and so we would require a basic disclosure of your criminal records history.

We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data.

Why do we need this information?

The legal bases we rely on for processing your personal information are one or more of the following:

- Consent has been obtained;
- Processing is necessary for the performance of a contract with you or steps preparatory to such a contract;
- Processing is necessary for compliance with a legal obligation; or
- Processing is necessary for our legitimate interests.

In particular, the collection and processing of your information as a job applicant is necessary for the legitimate interest of our organisation. It is in our legitimate interests to gather the information to decide whether to appoint you to for a role since it would be potentially detrimental to appoint the wrong candidate due to a lack of information. We also need to process your personal information to decide whether to enter into a contract to you.

If you fail to provide information when requested, which is necessary for us to consider your application (such as evidence of qualifications or work history), we will not be able to process your application successfully. For example, if we require references for this role and you fail to provide us with relevant details, we will not be able to take your application further.

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Automated Decision Making

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

Sharing your information

We will not ordinarily share your information with anyone else. However, there are certain circumstances where we will be required to share your information with organisations as part of the legal service provided to you. We will comply with the data protection legislation when making this disclosure.

Where it is required or necessary we may share information with:

- Our regulator;
- Suppliers and service providers;
- Auditors;
- Financial Organisations
- Insurers;
- Professional Bodies;
- Police forces, Courts and Tribunals;
- Employment and recruitment agencies.

Data Security

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. In addition, we limit access to your personal information to those employees, agents, contractors 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 the Information Commissioner's Office of a suspected breach where we are legally required to do so.

Transferring information outside of the UK and EEA

In general, the personal information that we collect is stored within the UK and European Economic Area (EEA). However, there may be some circumstances where it is necessary to transfer and store personal

information at a destination outside the UK or the EEA. In these circumstances, we will take all steps reasonably necessary to ensure that personal information is treated securely and in accordance with the data protection legislation and, in the event that personal information is transferred outside the UK or the EEA, shall ensure that this is carried out subject to the requirements of the UK GDPR.

How long do we keep information about you?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

A copy of our ISO Policy which details the retention periods for personal data is available upon request. After this period, we will securely destroy your personal information in accordance with our applicable policy.

If we wish to retain your personal information on file, on the basis that a further opportunity may arise in future and we may wish to consider you for that, we will write to you separately, seeking your explicit consent to retain your personal information for a fixed period on that basis.

How can you access & control your personal data?

You can find out if we hold any personal information about you by making a 'subject access request' under the UK GDPR. If we do hold information about you, we will:

- Give you a description of it;
- Tell you why we are holding;
- Tell you who it has been disclosed to; and
- Let you have a copy of the information in an intelligible form.

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

You can request access to the information we hold about you at any time by contacting us (please see contact details section below). Please mark your request for the attention of our Data Protection Officer.

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in these circumstances.

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.

Your rights

If you believe that any of the personal information we hold about you is incorrect, you have the right to ask us to rectify that information at any time.

You may also have the right, in certain circumstances, to request that we delete your personal information, to block any further processing of your personal information or to object to the processing of your personal information. There are some specific circumstances where these rights do not apply and we can refuse to deal with your request.

If we are processing your personal information based upon your consent (e.g. as part of our marketing or promotional activities), you have the right to withdraw your consent at any time.

If you require any further information about your right to rectification, erasure, restriction of or object to processing or you wish to withdraw your consent please contact us (please see contact details section below).

Complaints

We take any complaints we receive about the collection and use of personal information very seriously. We would encourage you to bring it to our attention if you think that our collection or use of information is unfair, misleading or inappropriate. You can make a complaint at any time by contacting us (see contact details section below).

If you think our collection or use of personal information is unfair, misleading or inappropriate or if you have concerns about the security of your personal information, you also have the right to make a complaint to

the Information Commissioner's Office. You can contact the Information Commissioner's Office at the following address:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Contacting us

If you have any queries about the processing of your data, please contact us by one of the following:

Email: hr@forbessolicitors.co.uk

Write to us at:

73 Northgate

Blackburn

BB2 1AA

Telephone: 01254 580000

Our Data Protection Officer is Daniel Milnes and he can be contacted by email on

DataProtectionOfficer@forbessolicitors.co.uk.