

## **JOB APPLICANT PRIVACY NOTICE**

London Chamber of Commerce and Industry (“LCCI”, “Chamber”, “we”, “our”, “us”) is committed to protecting and respecting your rights to privacy and data protection and to complying with the provisions of all applicable data protection legislation and regulations.

This privacy notice sets out the types of data that we collect and process on you as a job applicant, how we use that information, how long we keep it for and other relevant information.

### **Data controller**

The Data Controller for all Personal Data collected by us is London Chamber of Commerce and Industry (company number 15993) whose registered office is at 33 Queen Street, London EC4R 1AP. We are responsible for deciding what data we collect and how we hold and use your personal data. We will implement appropriate data security measures for protecting the data from unauthorised access and loss as laid out in the Protecting Your Data section of this Policy.

### **Data protection principles**

In relation to your personal data, we will:

- process it fairly, lawfully and in a clear, transparent way
- collect your data only for reasons that we find proper for considering you for employment
- only use it in the way that we have told you about
- ensure it is correct and up to date
- keep your data for only as long as we need it
- process it in a way that ensures it will not be lost, destroyed or used for anything that you are not aware of or have consented to (as appropriate)

### **Types of data we hold and use**

We hold many types of data about you, including:

- personal details e.g. your name, address, date of birth, email address, phone numbers
- gender
- marital status
- whether or not you have a disability
- information included on your CV e.g. references, education history and employment history
- documentation relating to your right to work in the UK
- copy of passport/driving licence

### **How we collect your data**

We collect data about you in a variety of ways including the information you would normally include in a CV or a job application cover letter, or notes made by our recruitment team during a job interview. Further information will be collected directly from you when you complete forms at the start of your employment, for example, your bank and next of kin details. Other details may be collected directly from you in the form of official documentation such as your driving licence, passport or other right to work evidence.

In some cases, we will collect data about you from third parties, such as employment agencies, former employers when gathering references or credit reference agencies.

Personal data is kept in HR files or within the Chamber’s HR and IT systems.

## **Why we process your data**

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

- to perform the employment contract that we are party to
- to carry out legally required duties
- 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 above and generally, we will rely on the first three reasons.

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 for disabled employees.

We also collect data so that we can carry out activities which are in the legitimate interests of the Chamber. These include:

- 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 at the Chamber 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.

## **Special categories of data**

Special categories of data are data relating to your:

- health
- 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 may use your special category data for the purposes of equal opportunities monitoring.

We do not need your consent if we use special categories of personal data in order to carry out our legal obligations or exercise specific 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. There will be no consequences where consent is withdrawn.

## **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. This data will usually be collected at the recruitment stage, to inform our recruitment decision.

## **If you do not provide your data to us**

One of the reasons for processing your data is to allow us to carry out an effective recruitment process. Whilst you are under no obligation to provide us with your data, we may not be able to process, or continue with, your application.

## **Sharing your data**

Your data will be shared with colleagues within the Chamber where it is necessary for them to undertake their duties with regard to recruitment. This includes, for example, the HR team, those in the team where the vacancy is who are responsible for screening your application and interviewing you, the IT team where you require access to our systems to undertake any assessments requiring IT equipment.

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

Your data will be shared with third parties if you are successful in your job application. In these circumstances, we will share your data in order to:

- obtain references
- seek pre-employment medical advice
- obtain a criminal records check, if appropriate

The data that we collect from you may be transferred to, and stored at, a destination outside the European Economic Area (“EEA”). By submitting your Personal Data, you agree to this transfer, storing or processing. We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this Policy.

## **Protecting your data**

We use reasonable measures – which are appropriate to the type of information and compliant with relevant legislation – to safeguard the confidentiality, integrity and availability of personally identifiable information. Technical and organisational measures are in place to prevent your Personal Data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed, including:

- hard copy files being stored in locked cabinets
- restricted access and password protection on all HR and HR related IT systems
- restricted access shared drives to minimise data transfer
- password protection on all necessary data transfers

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

## **How long we keep your data for**

In line with data protection principles, we only keep your data for as long as we need it for and this will depend on whether or not you are successful in obtaining employment with us.

If your application is not successful and we have not sought consent or you have not provided consent upon our request to keep your data for the purpose of future suitable job vacancies, we will keep your data for six months once the recruitment exercise ends.

If we have sought your consent to keep your data on file for future job vacancies, and you have provided consent, we will keep your data for six months once the recruitment exercise ends. At the end of this period, we will delete or destroy your data, unless you have already withdrawn your consent to our processing of your data in which case it will be deleted or destroyed upon your withdrawal of consent.

If your application is successful, your data will be kept and transferred to the systems we administer for employees. We have a separate privacy notice for employees, which will be provided to you.

### **Automated decision making**

No decision will be made about you solely on the basis of automated decision making (where a decision is taken about you using an electronic system without human involvement) which has a significant impact on you.

### **Your rights in relation to your data**

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

- **right to be informed.** We must tell you how we use your data, and this is the purpose of this privacy notice
- **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 to [dataprotection@londonchamber.co.uk](mailto:dataprotection@londonchamber.co.uk)
- **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
- **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
- **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
- **right to portability.** You may transfer the data that we hold on you for your own purposes
- **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
- **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.

Where you have provided consent to our use of your data, you also have the unrestricted right to withdraw that consent at any time. Withdrawing your consent means that we will stop processing the data that you had previously given us consent to use. There will be no consequences for withdrawing your consent. However, in some cases, we may continue to use the data where so permitted by having a legitimate reason for doing so.

If you wish to exercise any of the rights explained above, please contact:

HR Manager  
London Chamber of Commerce and Industry  
33 Queen Street  
London EC4R 1AP  
Email: [hr@londonchamber.co.uk](mailto:hr@londonchamber.co.uk)  
Tel: 020 7248 4444

**Making a complaint**

The supervisory authority in the UK for data protection matters is the Information Commissioner (ICO). If you think your data protection rights have been breached in any way by us, you are able to make a complaint to the ICO.