

Candidate Privacy Notice

1. What is the purpose of this document?

- 1.1. London & Country Mortgages Limited (L&C) are committed to keeping your information safe and secure and ensuring that we are transparent and fair about how we use it. This privacy notice describes how we collect and use personal information about you in connection with your application to work with us (whether as an employee, worker or contractor), in accordance with the General Data Protection Regulation (GDPR).
- 1.2. This notice applies to prospective workers. We have a separate privacy notice for employees, contractors and other workers which we will provide to you if you are successful in your application. This notice does not form part of any contract of employment or other contract to provide services.
- 1.3. London & Country (Mortgages) Ltd 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 in this privacy notice.
- 1.4. It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

2. Who to contact if you have any concerns about how your information is being used

- 2.1. To help ensure we meet all our obligations we have appointed Stephen Williams as our Data Protection Officer. If you have any questions or concerns about how your personal information is being used you can contact Stephen as follows:

on 01225 348286

or by email to The_DPO@landc.co.uk

or by writing to

The Data Protection Officer
London & Country Mortgages Ltd
Beazer House
Lower Bristol Road
Bath
BA2 3BA

- 2.2. You can also obtain information and advice from the Information Commissioner who is the independent regulator appointed by Parliament to oversee compliance with data protection and information rights:
<http://www.ico.org.uk>
- 2.3. L&C is registered with the Information Commissioner (registration number Z6282085).

3. What information we collect and how we use it

3.1. In connection with assessing your application for work with us, we use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses
- Gender
- NI Number
- Recruitment information (including copies of right to work documentation, references, interview notes and opinions taken during and following interviews and other information included in a CV or cover letter or as part of the application process)
- Employment records (including job titles, work history, working hours, training records, professional memberships, educational history)
- Any test results of any tests, psychometric or other, included in the recruitment process
- Compensation history
- Information necessary to complete pre-employment security checks
- Information about criminal convictions
- Health and your health history
- Telephone calls (All incoming and outgoing calls are recorded)

3.2. We need all the categories of information in the list above primarily because they are necessary for entering into a potential contractual relationship with you and in particular the following purposes:

- Making a decision about your recruitment or appointment
- Determining the terms on which you work for us
- Checking you are legally entitled to work in the UK
- Assessing qualifications for a particular job or task
- Dealing with legal disputes involving you
- Ascertaining your fitness to carry out the role
- Complying with health and safety obligations

4. How we use Special Category or sensitive personal information

- 4.1. Special category personal information is any information about ethnic origin, political opinions, religious or philosophical beliefs, or trade-union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation. Special category personal information requires a higher level of protection.
- 4.2. We use information about your health to assess your fitness to work.

5. Information about criminal convictions

- 5.1. The law only allows processing information about criminal convictions and offences where this is carried out either under the control of official authority or when processing is authorised by law.
- 5.2. We may use information about criminal convictions and offences as part of the recruitment process to establish whether or not to offer you a role. Checks regarding criminal convictions will be performed by the Disclosure and Barring Service using the Basic and Standard checks, as appropriate.
- 5.3. Any processing of criminal conviction data will be in accordance with our policy on employing ex-offenders.

6. Profiling and Automated decision-making

- 6.1. Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention that has a legal or similar effect on an individual. We do not undertake any automated decisions about staff.
- 6.2. 'Profiling' means any form of automated processing of personal data to evaluate certain personal aspects relating to an individual, in particular to analyse or predict that person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.
- 6.3. Individuals have defined rights in relation to profiling. These include the right to be informed about profiling and its consequences and the right to object to profiling. We will always inform you when we intend to use automated processing in this way and listen carefully to any concerns you may have. We currently profile staff in the following ways:
 - Credit scoring staff on an annual basis
 - Psychometric testing of candidates for employment
 - Section 7 describes how we profile or data match employees in terms convictions, credit, and sanctions.

7. What are the sources of the Information we have about you?

- 7.1. We typically collect personal information about employees, workers and contactors directly from candidates through the application and recruitment /engagement process and from referees.
- 7.2. Our policy on references for staff we employ or engage is to seek references for advisors for the last 6 years of employment. For other staff we seek references from the last 2 employers or from their educational establishment, if appropriate.
- 7.3. Other sources of information about workers include:-

- employment agencies or background check providers who provide information as part of the recruitment process. Employment Agencies are typically data controllers in their own right and will have their own privacy notices
- Recruitment Agencies
- For Electronic Identity and Credit Checks we use Call Credit
- For Disclosure and Barring checks we use the Disclosure and Barring Service
- We use the UK Government Sanctions List to data match employees

8. What are the legal grounds for processing your personal information

8.1. The law says we must have a legal basis for processing personal data. There are six standard data processing grounds or conditions for processing personal data. Where we process what is called 'special category data' (see section 4 above) we must additionally have a special category condition or ground for processing your personal data.

8.2. Sometimes more than one condition will be applicable but we must tell you about the condition we think is the most relevant ground. We rely on the following conditions for the activities indicated.

8.3. Legitimate Interests and Contract

8.4. The law provides we can use your information under the legitimate interest condition where our interest in using it is not outweighed by your privacy rights or interests. This means that we can use your personal data only in ways you would reasonably expect and which have a minimal impact on your privacy, or where there is a compelling justification for the processing.

8.5. We will use this condition up to the point where we make you an offer after which we will, for the most part, rely on the condition which covers contract or steps necessary to enter into contract. At the point the contract is accepted your data is processed in accordance with our staff privacy notice.

8.6. We rely on the legitimate interests condition to ask you for your references but will need you to give a signed consent for your referees to disclose information to us, which we will send them when we ask for your reference.

8.7. Legal Obligations

8.8. We will use your information to comply with our legal obligations with regards to checking whether you have a right to work in the United Kingdom.

8.9. Vital Interests

8.10. We may use your personal information in an emergency where we need to do so to protect your life or that of another person.

8.11. Public Interest

8.12. We can use information about you where that is in the public interest.

8.13. Employment Law

8.14. We can process special category data such as data about your health where we are required to do so by Employment law. We also rely on this condition to undertake Standard DBS (Disclosure & Barring) checks on positions exempted from the Rehabilitation of Offenders Act 1974 under the Financial Services and Markets Act 2000 and to process conviction data in Basic DBS checks for staff, where appropriate.

8.15. **Substantial Public Interest**

8.16. We can use special category information about you, such as your race or sexual orientation or health where this is necessary in the substantial public interest. Such uses include in connection with the monitoring of equality of opportunity, in connection with protecting the public against dishonesty, legal claims, preventing fraud, for anti-money laundering or combating terrorist financing and the prevention and detection of illegal acts. We can also process information about offences and criminal convictions for specified reasons.

8.17. 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.

8.18. Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law. We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law.

9. Who we share your personal information with

9.1. We do not share your personal information with anybody prior to offer and acceptance.

10. Where in the World is your Information

10.1. All of the data we process directly is stored in the UK and we ensure that all our contractors process data only within the EEA.

11. Data Security

11.1. The Board and Directors understand how important it is to keep your personal information secure. We use a variety of technologies and procedures to protect your personal information from accidental or unlawful breaches of security. These include physical, organisational, and technological measures. 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.

11.2. 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.

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

12. Data retention

12.1. Our Policy is to 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.

12.2. The retention period for unsuccessful applicants is 6 months after which documentation is reviewed for secure destruction. Documentation may be kept for longer where there is a justification for doing so, for example, in connection with an ongoing complaint. Information about successful applicants will be retained in accordance with our staff records retention policy as set out in the staff privacy notice.

13. Your Information Rights

13.1. It's really important that you understand your legal rights in relation to your personal information – as well as how you can contact us if you have any questions or concerns. This section covers just that.

13.2. The following is a list of the rights you have under Data Protection legislation. Not all these rights apply in all circumstances but we will be happy to explain this to you at the time you ask. Independent advice about your rights can be obtained from the Information Commissioner (see Section 2)

13.3. All these rights can usually be exercised free of charge and generally speaking we must respond within one month. If we need longer to respond we will explain why this is necessary within the one month period and tell you more about any rules that affect how you can exercise your rights.

INFORMED You have the right to be informed in a concise, transparent, intelligible and easily accessible way about how we use your personal information. We will explain why we need information (in particular any uses that are not obvious) at the time we collect information from you and make sure that all our data collection forms and letters point you to this privacy notice.

ACCESS You can make what is called a subject access request for a copy of the information we hold about you. We must also tell you why we have the information, what types of information we collect; who we share it with and whether, in particular, any of those recipients are outside the European Economic Area; how long we will keep your information for; where the information came from, if we didn't collect it from you directly; the details of any automatic decision taking and about your rights of complaint to the Information Commissioner.

PORTABILITY You have the right in some circumstances to have the data you have provided to us sent to you or provided to another person or business in an electronic machine readable format.

CORRECTION You have the right to have inaccurate information corrected and incomplete information completed. If the information we need from you changes please tell us about this as soon as possible.

OBJECT You will normally have the right to object to how we intend to use your information based on your individual circumstances. You have an absolute right to object to us using your personal information for the purpose of **direct marketing** at any time.

RESTRICTION If you have objected or complained about how we have used your information or its accuracy you may not want it to be deleted until your complaint has been resolved. In certain circumstances you can ask for your data to be restricted or not used until these issues are resolved.

ERASURE You have a right to have some or all of the information we hold about you erased in some circumstances. This is known as the right to be forgotten.

AUTOMATED DECISIONS This right only applies where a decision which has a legal or similar effect is taken about a person by automated means without any human intervention. Where such decisions are made individuals have a right to ask for the decision to be reviewed and the data controller must make sure appropriate safeguards are in place. However, L&C does not make automated decisions about candidates.

CONSENT If we are processing your personal information on the basis of your consent you have the right to withdraw that consent at any time.

COMPLAINT

You have a right of complaint to the Information Commissioner (the Supervisory Authority) if you consider any aspect of L&C's use of your personal information infringes the law. Section 2 provides the contact details.

However, L&C will want to put matters right wherever we can and we would hope that you will contact us in the first instance. You can exercise your data protection rights or complain about how we are processing your personal information by contacting the Data Protection Officer as set out in Section 2.

14.Changes to this privacy notice

- 14.1. We will continuously refine this privacy notice to make sure we are complying with our obligations to be transparent about how we use your personal information and that it is as concise, intelligible and as easily accessible as it can be. However, if we make any changes to how we process your personal information in ways that you would not reasonably expect, we will contact you and bring these changes to your attention.

Version Control

GDPR Candidate Privacy Notice version 1 effective from 25th May 2018