



## JOB APPLICANT PRIVACY NOTICE

We obtain, keep and use personal information (also referred to as data) relating to job applicants during our recruitment processes.

We are committed to protecting your privacy. This Notice tells you what personal information we collect, why we need it, how we use it and what protections are in place to keep your personal information secure. It also sets out your rights in relation to your personal information.

'You' refers to yourself as a job applicant and includes any type of job role, including permanent, fixed term, contract, temporary and consultant roles and "we" or "us" means the Just Group.

It is important that you read this Notice, and any subsequent Privacy Notice we may provide to you, carefully so that you are aware of how and why we are processing your personal information.

If you have any questions on how we handle your personal information, or you would like to update the information we hold about you, please contact [recruitment@wearejust.co.uk](mailto:recruitment@wearejust.co.uk). The recruitment team will refer to our data protection team as appropriate.

This Privacy Notice does not form part of any contract of employment, or other contract to provide services. We may update or amend this Notice and any associated Policies at any time.

### WHAT IS PERSONAL INFORMATION?

Your 'personal information' means any information about you from which you can be identified - either by reference to an identifier (for example your name, location data or online identifier (e.g. IP address)) or from factors specific to your physical, cultural or social identity (e.g. your social background, outside interests etc.).

It does not include information where the identity has been removed (such as anonymous information).

### WHAT PERSONAL INFORMATION DO WE PROCESS?

We collect and use personal information that you provide during the recruitment process for making recruitment decisions. If your application is successful we would then ask you to provide additional information as part of our onboarding process, this would be explained in more detail in our [Employee and Worker Privacy Notice](#).

The personal information about you that we may collect, store and use includes, but is not limited to, the following categories of information:

- **General information**, such as your name, address, contact details (work and personal), date of birth, gender, marital status, dependents, next of kin and emergency contact information.
- **Recruitment information**, such as your right to work documentation, driving licence, references, qualification certificates, employment records, salary and benefits history, interview notes and other information included in a CV or covering letter as part of the application process.
- **Financial information**, such as your bank account details, payroll records, tax status information and national insurance number (as part of our onboarding process for successful applicants), and credit report (as part of our background screening process for successful applicants).

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Please note that the type of personal information we collect about you will depend to some extent on your circumstances, your role and our legal obligations.

### **WHAT "SPECIAL CATEGORY" PERSONAL INFORMATION DO WE PROCESS?**

Certain 'special categories' of more sensitive personal information (such as information about racial/ ethnic origin, sexual orientation, political opinions, religious/ philosophical beliefs, trade union membership, biometric or genetic data and health data) are given a higher level of protection by data protection laws.

The special categories of more sensitive personal information we may collect, store and use includes, but is not limited to, the following categories of information:

- Information about your religious beliefs
- Information about your health, including any medical condition, health and sickness records
- Your nationality and ethnicity
- Your sexual orientation.

### **WHERE DO WE COLLECT YOUR PERSONAL INFORMATION FROM?**

We collect your personal information:

- From you: we typically collect your personal information directly from you through the application and recruitment process – personal information is contained in application forms, CVs, from your passport or other identity documents, or collected through interviews or other forms of assessment.
- From third parties: we collect additional information from third parties as part of our onboarding process, including your former employers, credit reference agencies or other background check agencies and details of those third parties are available from HR. The categories of personal information we may collect, store and use from third parties includes the following types of information:
  - References
  - Credit reports
  - Qualification verification
  - Right to work in the UK
  - ID and address verification
  - Directorship checks
  - Global sanctions watchlist report
  - Criminal record check results to the extent allowed by law.

### **WHAT IS THE LEGAL BASIS FOR USING YOUR PERSONAL INFORMATION?**

We will only process your personal information when the law allows us to. In most cases, we will process your personal information where it is necessary:

- To **take steps before entering, and to enter, into a contract with you (Basis 1)**
- to **comply with a legal obligation** e.g. if your application for a job role is successful, we will need to check your eligibility to work in the UK before your employment starts **(Basis 2)**
- for **our legitimate interests as a business and as your potential employer** – it allows us to manage the recruitment process, assess and confirm a job applicant's suitability for employment and decide who to recruit. We may also need to process information from job applicants to respond to and defend legal claims. **(Basis 3)**

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We have considered, as we are required to do under the data protections laws, whether our legitimate interests are overridden by job applicants' rights and freedoms, and where we have processed information for our legitimate interest we have concluded that they are not.

### **WHAT IS THE PURPOSE FOR PROCESSING YOUR PERSONAL INFORMATION?**

We need all the personal information referred to above in the section 'What personal information do we process?' We process your personal information for a number of purposes including, but not limited to, the following. In relation to each, we have also identified the legal basis for processing your personal information by reference to each legal basis set out above:

- Recruitment decisions (1)
- Diversity and inclusion monitoring and Fair Employment Monitoring (Northern Ireland) (2, 3)
- Checking your legal entitlement to work in the UK (2)
- Administering your employment contract (1, 2)
- Payroll (1, 2)

### **CHANGE OF PURPOSE**

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 purpose that is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and explain the basis upon why this is necessary.

### **WHAT IS THE LEGAL BASIS FOR PROCESSING YOUR "SPECIAL CATEGORY" PERSONAL INFORMATION?**

We may process special categories of personal information when the law allows us to, which will be in the following situations:

- Where we need to do so to **fulfil our legal obligations or exercise our rights in connection with employment law** (e.g. for making reasonable adjustments for individuals with a disability where this is required by law) (**Basis A**)
- Where it is **needed to assess your working capacity on health grounds** (e.g. for an occupational health report), subject to appropriate confidentiality safeguards (**Basis B**)
- Where it is necessary in order **to establish, exercise or defend a legal claim** (**Basis C**)
- With **your explicit consent, where the processing is voluntary** - this will only be in limited circumstances (**Basis D**)
- Where it is necessary for reasons of substantial public interest (e.g for equal opportunities monitoring under our Diversity and Conscious Inclusion Policy) and is permitted under the Data Protection Act 2018 (**Basis E**).
- Where, in exceptional circumstances, it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent (e.g. in a medical emergency).

### **WHAT IS THE PURPOSE FOR PROCESSING "SPECIAL CATEGORY" PERSONAL INFORMATION?**

'Special categories' of particularly sensitive personal information attract higher levels of protection, and we must have further justification for collecting, storing and using this type of personal information. Where we process such data, we will use it in the following ways:

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- Information about your Nationality – we use this to ensure compliance with UK employment law requirements (e.g ensuring you have the right to work in the UK) **(Basis A)**
  - Information about your Ethnicity – we use this for company-wide equal opportunities monitoring under our Diversity and Conscious Inclusion Policy (Basis E).
  - Information about your religious beliefs –we use this for company-wide equal opportunities monitoring under our Diversity and Conscious Inclusion Policy (Basis E)
  - Information about your Community Background (Belfast)– we use this to ensure compliance with Fair Employment Monitoring Regulations in Northern Ireland **(Basis A)**
  - Information about disabilities – if you advise our recruitment team of a disability in advance of your interview then we use this information to help meet any special requirements during the interview process, to ensure your health and safety in the workplace, and to comply with employment law obligations **(Basis A and Basis C)**. We also capture disability information on our diversity and inclusion questionnaire at the job application stage - we use this information for company-wide equal opportunities monitoring under our Diversity and Conscious Inclusion Policy (Basis E).
  - Information about your sexual orientation - we use this for company-wide equal opportunities monitoring under our Diversity and Conscious Inclusion Policy (Basis E).

#### **INFORMATION ABOUT CRIMINAL CONVICTIONS**

We carry out criminal records checks during the recruitment and onboarding process for successful job applicants. We will notify you and explain the background screening process, including criminal records checks, prior to any checks being carried out.

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to act in accordance with our regulatory and other legal obligations and is in accordance with our **Employee and Worker Data Protection Policy** and **Special Category Data and Criminal Records Data Policy**.

#### **DO WE NEED YOUR CONSENT?**

We will only seek and rely on your consent where you are fully informed and your consent can be freely given.

#### **YOUR RIGHT TO WITHDRAW CONSENT**

If you do provide your consent to the processing of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. Once we have received notification that you have withdrawn your consent, we will no longer process your information for that purpose.

If you wish to withdraw your consent at any time, please contact [recruitment@wearejust.co.uk](mailto:recruitment@wearejust.co.uk) or [dataprotection@wearejust.co.uk](mailto:dataprotection@wearejust.co.uk).

#### **WHAT STEPS DO WE TAKE TO PROTECT YOUR DATA?**

Just have security measures in place to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, or inappropriately altered or disclosed. In addition, we limit access to your personal information to those who need to process that information for business reasons. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

Details of these security measures may be obtained from [recruitment@wearejust.co.uk](mailto:recruitment@wearejust.co.uk) or [dataprotection@wearejust.co.uk](mailto:dataprotection@wearejust.co.uk).

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We have put in place procedures to deal with any suspected information security breach and will notify you and any applicable regulator of a suspected breach as appropriate and in accordance with our legal obligations.

#### **WHO DO WE SHARE YOUR PERSONAL INFORMATION WITH?**

Where this is relevant to their role, your line managers, certain HR professionals and in some cases certain colleagues in Compliance and Finance (i.e. where necessary to fulfil business or Regulatory requirements) will have access to some of your personal information in the context of the recruitment and onboarding process.

We may share your personal information with third parties, including third party service providers and other Just Group companies in the following situations:

- where it is necessary to take steps at your request when considering entering into a contract with you
- where required by law (e.g. to check a successful applicant's eligibility to work in the UK)
- where we have another legitimate interest in doing so, as a business and as your potential employer.

In these circumstances, we require third parties to ensure the security of your personal information and to treat it in accordance with the law.

The terms of our contracts with third parties include obligations on them in relation to what personal information they can process and what they can do with that information.

All our third party service providers, professional advisers and other entities in the group are required to take appropriate security measures to protect your personal information.

We do not permit our third party service providers to use your personal information for their own purposes – they may only process your personal information for specified purposes and in accordance with our instructions.

#### **WHICH THIRD PARTIES PROCESS YOUR PERSONAL INFORMATION?**

We may disclose your personal information to the third parties, including those listed below where relevant to the purposes described in this Notice:

- UK Visas and Immigration;
- Financial Conduct Authority (FCA) / Prudential Regulation Authority (PRA);
- Recruitment agencies that are involved with your job application;
- Outsourced service providers that provide recruitment services to us;
- Background screening services;
- Internal or external auditors

Further details can be obtained from HR by email at [recruitment@wearejust.co.uk](mailto:recruitment@wearejust.co.uk)

#### **DO WE USE AUTOMATED DECISION MAKING AND PROFILING?**

Automated decision making takes place when an electronic system uses personal information to make a decision without human intervention.

We do not envisage that any decisions will be taken about you using automated means during the recruitment process.

#### **WHICH COUNTRIES DO WE TRANSFER DATA TO AND WHAT PROTECTIONS ARE IN PLACE?**

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Certain suppliers and service providers may have personnel, systems or third party providers located outside the UK and European Economic Area (EEA). Your personal information may therefore be transferred outside of the UK and to non-EEA countries, details of which can be obtained from HR.

Where third parties transfer your personal information outside the UK and EEA, we take steps to ensure that information receives an adequate level of protection (e.g. by entering into information transfer agreements or by ensuring that the third parties are certified under appropriate information protection schemes).

The transfer of your personal data outside of the UK and to non-EEA countries would only happen in rare circumstances during the job application process, if you are applying for a job role based outside of the UK and Ireland, or in rare circumstances as part of our background screening process. In these circumstances you would be fully advised of the situation by a member of the HR team or a representative of the background screening company. No personal information is transferred outside of the UK and EEA without your express consent and also approval from Just's Data Protection Officer.

You have a right to request further information relating to the transfer of your personal information and the safeguards in place. If you require further information, please request this from [recruitment@wearejust.co.uk](mailto:recruitment@wearejust.co.uk) or [dataprotection@wearejust.co.uk](mailto:dataprotection@wearejust.co.uk).

### **HOW LONG DO WE USE YOUR PERSONAL INFORMATION FOR?**

We will retain your personal information only for as long as is reasonably necessary to satisfy the purposes for which it was collected, and for the purposes of satisfying any legal, accounting or reporting and regulatory requirements.

These legal and other requirements require us to retain certain records for a set period of time, including following the conclusion of the recruitment process or termination of your employment. In addition, we retain certain records in order to resolve queries and disputes that may arise from time to time.

We retain your data on file for 12 months after the completion of the recruitment process. At the end of that period, your data will be deleted or destroyed. Any information you provided on the applicant questionnaire for diversity and inclusion monitoring purposes (including nationality, ethnicity, religious beliefs, disability and sexual orientation) is retained indefinitely, but in a fully anonymised format.

If your application is successful, the personal data that we gathered during the recruitment process will be transferred to your personnel file and retained during your employment or contract for services. We will also use the information you provided as part of the background screening process. Any information you provided on the applicant questionnaire for diversity and inclusion monitoring is retained during your employment but is strictly controlled, with only a small number of authorised HR staff members being able to access this information for monitoring purposes. Details about the periods for which your data will be held will be provided to you in the [Employee and Worker Privacy Notice](#) and [Special Category Data and Criminal Records Data Policy](#).

### **WHAT ARE YOUR RESPONSIBILITIES?**

Please ensure you inform us if your personal information changes because it is important that the personal information we hold about you is accurate and current.

### **FAILURE TO PROVIDE PERSONAL INFORMATION**

Certain information must be provided so that we can enter into a contract with you (e.g. your contact details, right to work in the UK and payment details). Without this information, we may not be able to process your job application efficiently.

In addition, you may have to provide us with information so that you can exercise your statutory rights. If you fail to provide the necessary information, this may mean you are unable to exercise your statutory rights.

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Certain information may also need to be provided so that we can comply with our regulatory obligations.

### **YOUR RIGHTS IN RELATION TO YOUR PERSONAL INFORMATION**

You have a number of rights in relation to the personal information that we hold about you (subject to certain exemptions (e.g. public interest)), including the right:

- to ask us to correct inaccurate personal information, including the right to have any incomplete information about you made complete;
- to ask us to erase your personal data where it is no longer necessary in relation to the purposes for which it was collected;
- To ask us to restrict the processing of your personal information where:
  - the accuracy of the personal data is contested - while steps are taken to correct or complete it or to verify the accuracy
  - the processing is unlawful but the erasure of the personal data is not appropriate
  - we no longer require the personal data for the purposes for which it was collected unless it is required for the establishment, exercise or defence of a legal claim
- to object to processing that is on the basis of a legitimate interest - in which case the relevant processing will only continue where we have compelling legitimate grounds for processing your personal information;
- to object to any decisions based solely on automated decision making;
- to ask to obtain a portable copy of those parts of your personal data where we rely on consent or performance of the contract as the justification for processing, or to have a copy of that personal data transferred to a third party controller;
- to make a data subject access request: to obtain a copy of the personal information we hold about you together with how and on what basis that personal information is processed;
- to withdraw your consent to processing where, in rare circumstances, we have relied on your consent as the justification for processing your personal information
- to ask to obtain a copy of any data transfer agreement, or to access information about safeguards under which your personal data is transferred outside the UK and EEA;
- to lodge a complaint with the Information Commissioner's Office (the UK supervisory authority for data protection issues) or other appropriate supervisory authority.
- to make a data subject access request, i.e. to obtain a copy of the personal information we hold.

### **SUBJECT ACCESS REQUESTS**

There is generally no fee to access the personal information that we hold about you, however we may charge a reasonable fee if your request is clearly unfounded or excessive or if you request further copies of the same information. Alternatively, we may refuse to comply with a request that is unfounded or excessive);

### **FURTHER INFORMATION AND HELP**

If you would like further information about your rights or want to make one of the above requests, please put your request in writing to [recruitment@wearejust.co.uk](mailto:recruitment@wearejust.co.uk) or [dataprotection@wearejust.co.uk](mailto:dataprotection@wearejust.co.uk)