

# Candidate Data Privacy Notice

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## Contents

1	Introduction .....	2
2	Defined Terms .....	2
3	Policy statement.....	2
4	Scope.....	3
5	The kind of information we hold about you .....	3
6	How is your personal information collected?.....	3
7	How we will use information about you .....	3
8	How we use particularly sensitive personal information .....	4
9	Information about criminal convictions .....	4
10	Automated decision-making .....	4
11	Data sharing .....	4
12	Data security .....	4
13	Data retention .....	5
14	Rights of access, correction, erasure and restriction .....	5
15	Right to withdraw consent .....	5
16	Data Protection Officer .....	5

## 1 Introduction

- 1.1 A copy of this Candidate Privacy Notice is made available to all prospective employees, workers, contractors and consultants about the personal data held by Taylor Rose in relation to them, how personal data will be used and for what purposes.
- 1.2 Please read the Notice carefully as it contains important information about who, how, and why we will collect, store, use and share your personal information. The Notice also details your rights in relation to your personal information and how to contact us and our supervisory authority in the event of a complaint.

## 2 Defined Terms

- 2.1 In this Data Privacy Notice:

**"Company"** Taylor Rose Limited (T/A Taylor Rose) and any successor practice and any service company owned or controlled by or on behalf of the Company or any of the Directors;

**"Data Controller"** the person or organisation that determines when, why and how to process Personal Data and responsible for establishing practices and policies in line with UK GDPR;

**"Data Protection Legislation"** the Data Protection Act 2018, the UK GDPR and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and any successor legislation to the Data Protection Act 2018, including the UK GDPR;

**"Data Protection Officer"** the person required to be appointed by the Company as detailed under the UK GDPR and having responsibility for data protection compliance;

**"Data Subject"** a living, identified or identifiable individual about whom we hold Personal Data. Data Subjects may be nationals or residents of any country and may have legal rights regarding their Personal Data;

**"UK GDPR"** The retained EU law version of the General Data Protection Regulation ((EU) 2016/679) (UK GDPR)

### **"Personal Data"**

any information identifying a Data Subject or information relating to a Data Subject that we can identify, directly or indirectly, from that data alone or in combination with other identifiers we possess or can reasonably access. Personal Data includes Special Data and Pseudonymised Data but excludes anonymous data or data that has the identity of an individual permanently removed. Personal Data can be factual and include details such as a name, email address, identification number, location, date of birth an online identifier or an opinion about that person's actions or behaviour.

Personal Data specifically includes, but is not limited to names, addresses, email addresses, online identifiers, dates of birth or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;

### **"Pseudonymised Data"**

means data where the information which directly or indirectly identifies an individual with one or more artificial identifiers or pseudonyms so that the person to whom the data relates cannot be identified without the use of additional information which is kept separate and secure;

### **"Special Data"**

information revealing racial or ethnic origin, political opinions, religious beliefs, philosophical beliefs or trade union membership, genetic and biometric data and data concerning health, sex life or sexual orientation.

## 3 Policy statement

- 3.1 Taylor Rose Limited ('we', 'us') is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. You are provided with a copy of this privacy notice because you are applying for work with us (whether as an employee, worker, contractor or consultant). It makes you aware of how and why your personal data will be used, namely for the purposes of the recruitment exercise, and how long it will usually be retained for. It provides you with certain information that must be provided under UK GDPR.

3.2 Taylor Rose is committed to ensuring that all Personal Data will be processed in accordance with Data Protection Legislation at all times.

3.3 In accordance with the Data Protection principles, the personal information held about you will be:

- used lawfully, fairly and in a transparent way;
- collected only for valid purposes that the we have clearly explained to you and not used in any way that is incompatible with those purposes;
- relevant to the purposes we have told you about and limited only to those purposes;
- accurate and kept up to date;
- kept only as long as necessary for the purposes we have told you about;
- kept securely.

## 4 Scope

4.1 Taylor Rose, Taylor Rose MW, Taylor Rose TTKW, McMillan Williams and MW Solicitors are trading names of Taylor Rose Limited. Taylor Rose Limited is an independent law firm authorised and regulated by the Solicitors Regulation Authority, SRA No. 623604, and is a company registered in England & Wales, Company No. 09673088. Our registered office is at 69 Carter Lane, London EC4V 5EQ.

4.2 This privacy notice describes how the Company will collect and use personal information about you in accordance with UK General Data Protection Regulation (UK GDPR) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and unless and until GDPR is no longer directly applicable in the UK, then any successor legislation to GDPR and the Data Protection Act 2018.

4.3 A current version of this document is available on the Company website.

## 5 The kind of information we hold about you

5.1 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 your curriculum vitae and covering letter.
- The information you have provided on our application, including name, title, address, telephone number, personal email address, date of birth, gender, employment history, qualifications.

- Any information you provide to us during an interview.

5.2 We may also collect, store and use the following types of more sensitive personal information including information about:

- Race or ethnicity, religious beliefs, sexual orientation and political opinions.
- Health, including any medical condition, health and sickness record.
- Criminal convictions and offences.

## 6 How is your personal information collected?

6.1 We collect personal information about **candidates** from the following sources:

- You, the **candidate**.
- Recruitment agencies, which provide us with candidate details and applications.
- Background check providers.
- Disclosure and Barring Service, in respect of criminal convictions.
- Your named referees, from whom we collect relevant data concerning your employment record in the case of former employer referees.
- Third parties where the data is from a publicly accessible source.

## 7 How we will use information about you

7.1 We will use the personal information we collect about you to:

- Assess your skills, qualifications, and suitability for the role.
- Carry out background and reference checks, where applicable.
- Communicate with you about the recruitment process.
- Keep records related to our hiring processes.
- Comply with legal or regulatory requirements.

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

7.3 We also need to process your personal information to decide whether to enter into a contract of employment with you or any other contract of engagement as a worker, contractor or consultant.

7.4 Having received your CV and covering letter or application form, we will then process that information to decide whether you meet the basic requirements to be shortlisted for the role. If you do, we will decide whether your application is

strong enough to invite you for an interview. If we decide to invite you for an interview, we will use the information 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 a criminal record check before confirming your appointment.

7.5 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 a credit check or references for this role and you fail to provide us with relevant details, we will not be able to take your application further.

## 8 How we use particularly sensitive personal information

8.1 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 when you attend our offices.
- 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.

## 9 Information about criminal convictions

9.1 We envisage that we will process information about criminal convictions.

9.2 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:

- We are legally required by the Solicitors Regulation Authority to carry out criminal record checks for those carrying out certain types of work within the Company.
- We are legally required by any other regulatory bodies to carry out criminal record checks for those carrying out a particular role.
- Particular roles require a high degree of trust and integrity since they involve dealing with for example finance, confidential personal matters

and high value client money and so we would like to ask you to seek a basic disclosure of your criminal records history from the Disclosure and Barring Service.

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

## 10 Automated decision-making (ADM)

10.1 Generally, ADM is prohibited when a decision has a legal or similar significant effect on you unless:

- You have Explicitly Consented;
- the Processing is authorised by law; or
- the Processing is necessary for the performance of or entering into a contract.

10.2 If certain types of Special Categories of Personal Data or Criminal Convictions Data are being processed, then grounds (2) or (3) will not be allowed but the Special Categories of Personal Data and Criminal Convictions Data can be Processed where it is necessary (unless less intrusive means can be used) for substantial public interest like fraud prevention.

10.3 If a decision is to be based solely on Automated Processing (including profiling), a Data Protection Impact Assessment will be carried out and you will be informed of your right to object.

## 11 Data sharing

11.1 We will only share your personal information with the following third party for the purposes of processing your application: Data Atlantic (Disclosure and Barring Service check). All our 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 our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes, a specific duration and in accordance with our instructions.

## 12 Data security

12.1 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. Details of these measures may be obtained from HR.

12.2 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.

## 13 Data retention

13.1 We will retain your personal information for a period of 12 months (refer to the Record Control Procedure available on the Company's intranet) after we have communicated to you our decision about whether to appoint you to the role. We retain your personal information for that period so that we can show, in the event of a legal claim, that we have not discriminated against **candidates** on prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way. After this period, we will securely destroy your personal information in accordance with our data retention policy and applicable laws and regulations.

13.2 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.

## 14 Rights of access, correction, erasure and restriction

14.1 You have certain rights in connection with the personal information supplied to us as part of the recruitment process and under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing.

- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes

- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.

- **Request the transfer** of your personal information to another party.

14.2 If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the Data Protection Officer in writing at [simon.banfield@taylor-rose.co.uk](mailto:simon.banfield@taylor-rose.co.uk).

## 15 Right to withdraw consent

15.1 When you applied for the role, you provided consent to us processing your personal information for the purposes of the recruitment exercise (refer to Section 7). You have the right to withdraw your consent for processing for that purpose at any time. To withdraw your consent, please contact the Data Protection Officer. Once we have received notification that you have withdrawn your consent, we will no longer process your application and, subject to our retention policy, we will dispose of your personal data securely.

15.2 Where we need to collect Personal Data by law and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you, which could lead to the withdrawal of your application to us.

## 16 Data Protection Officer

16.1 We have appointed a Data Protection Officer who is responsible for overseeing questions in relation to this Privacy Notice. If you have any questions about this Privacy Notice or our privacy practices please contact our Data Protection Officer using the details set out below.

16.2 Simon Banfield is our Data Protection Officer and can be contacted at:

Taylor Rose  
Worldwide House  
Thorpe Wood  
Peterborough  
PE3 6SB

E: [simon.banfield@taylor-rose.co.uk](mailto:simon.banfield@taylor-rose.co.uk)

16.3 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. The ICO can be contacted at [www.ico.org.uk/concerns/](http://www.ico.org.uk/concerns/) or 0303 1231113.

We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

*Please do not hesitate to contact us should you have any queries regarding this Notice or the Personal Data we hold about you.*

*Please let us know on the contact details above if you would like this notice in another format.*