

# KFH Candidate Privacy Policy

Drafted May 2018

## Introduction

The Company is committed to protecting the personal data of its job applicants. This Policy sets out important information about how the Company and its associated companies ("the Group" "we" or "us") collect and use your personal data during the course of the application and recruitment process.

You should read this Policy carefully and raise any questions you may have with our Client Liaison manager who is the Company's Data Protection Coordinator.

## Scope

This Policy applies to job applicants located in the UK.

If your application is in connection with Kinleigh Limited, the relevant data controller is Kinleigh Limited of KFH House, 5 Compton Road, Wimbledon, London SW19 7QA.

If your application is in connection with Kinleigh Financial Services Limited, the relevant data controller is Kinleigh Financial Services Limited of KFH House, 5 Compton Road, Wimbledon, London SW19 7QA.

If your application is in connection with Kinleigh Folkard & Hayward Limited, the relevant data controller is Kinleigh Folkard & Hayward Limited of KFH House, 5 Compton Road, Wimbledon, London SW19 7QA.

## What personal data do we collect?

Personal data means information which identifies you and relates to you as an individual. As your prospective employer or to engage you as a client employee, the Group will collect, use and store your personal data for a wide variety of reasons in connection with the application and recruitment process. We have set out below the main categories of candidate personal data which we process in connection with our recruiting activities on a day to day basis:

- personal contact information (including your name, home address, personal telephone number(s) and personal e-mail address)
- work history and other relevant experience including information contained in CV, cover letter or job application form
- education information including degrees awarded, transcripts and other

- information provided in support of the job application
- remuneration history
  - National Insurance number
  - Driving licence details
  - information collected during phone screenings and interviews
  - details regarding the type of employment sought, desired salary, willingness to relocate, job preferences, and other information related to remuneration and benefits
  - reference information and information received from background checks (where applicable) including information provided by third parties
  - information related to previous applications to us or previous employment history with us
  - documents evidencing your right to work (including information about your immigration status where relevant)
  - date of birth
  - gender
  - information gathered through the Group's monitoring of its IT systems, building access records and CCTV recording in relation to your communications with us and attendance at our premises

The majority of the personal data to be provided by you is mandatory in connection with our recruiting activities. Failure to provide mandatory personal data may affect our ability to accomplish the purposes stated in this Policy, including considering your suitability for employment and/or entering into an employment contract with you or contract for services.

The list set out above is not exhaustive, and there may be other personal data which the Group collects, stores and uses in the context of the application and recruitment process. The Group will update this Policy from time to time to reflect any notable changes in the categories of personal data which it processes.

The majority of the personal data which we process will be collected directly from you. However, your personal data may also be provided to us by third parties, such as recruitment agencies, former employers, official bodies (such as regulators or criminal record bureaus), and/or medical professionals.

## Referencing and vetting

As part of our referencing and vetting procedures, we will contact certain third parties in order to verify your personal information (including personal information that you provide as part of the application and recruitment process). These third parties will include:

- Specialist background vetting providers to conduct referencing and vetting

procedures on our behalf and/or to assist with the process of obtaining the relevant signed documentation from you

- these specialist background vetting providers and/or the Group will contact former employers in order to verify your previous employment history
- these specialist background vetting providers and/or the Group will contact universities and/or other establishments for higher education that you attended in order to verify your education history
- credit reference agencies will be contacted for certain roles including those roles that are regulated

We will only seek this information in relation to successful candidates that have accepted a conditional offer of employment, or a conditional offer of a position as a client employee, with us and we will specifically inform such candidates that we will be contacting these third parties in advance of doing so.

## How do we use your personal data?

The Group uses your personal data for a variety of purposes in order to take steps necessary to enter into an employment contract or working relationship with you, to comply with legal obligations or otherwise in pursuit of its legitimate business interests. We have set out below the main purposes for which candidate personal data is processed:

- to identify and evaluate job applicants, including assessing skills, qualifications and experience
- verifying candidate information and carrying out employment, background and reference checks, where applicable and in order to prevent fraud
- communicating with you about the recruitment process and your application
- to comply with our legal, regulatory, or other corporate governance requirements
- for the purposes of conducting data analytics to review and better understand the operation of our recruitment processes

In addition to using your personal data to consider you for the role you applied for, we will retain and process your personal data to inform you about and to consider you for other roles that may be appropriate for you. If you do not want us to consider you for other roles which we consider may be appropriate for you, please inform us.

Again, this list is not exhaustive and the Group may undertake additional processing of personal data in line with the purposes set out above. The Group will update this Policy from time to time to reflect any notable changes in the purposes for which it processes your personal data.

## What special categories of personal data do we process?

Certain categories of data are considered "special categories of personal data" and are subject to additional safeguards. The Group limits the special categories of personal data which it processes as follows:

- Health Information

We may process information about a candidate's physical or mental health in compliance with our obligations owed to disabled employees and/or candidates, in particular:

- We may process information about an individual candidate's physical or mental health to comply with our obligations to make reasonable adjustments for disabled candidates and/or employees as part of the recruitment process and/or our obligation to make reasonable adjustments in the workplace for a new employee or client employee.

We will always treat information about health as confidential and it will only be shared internally where there is a specific and legitimate purpose to do so. We have implemented appropriate physical, technical, and organisational security measures designed to secure your personal data against accidental loss and unauthorised access, use, alteration, or disclosure.

If a candidate is successful, any health information processed as part of the recruitment process that is relevant to the Group's compliance with its obligations in connection with employment will be retained and processed in accordance with the Employee and Client Employee Privacy Policy.

If a candidate is unsuccessful, any health information obtained as part of recruitment process will be deleted with the rest of the candidate's personal data within 12 months of their rejection.

- Criminal Record Information

In some cases we are required to carry out these checks (for example, for regulated roles); in all cases, we carry out the checks in accordance with the applicable law.

We will always treat criminal record history as confidential and it will only be shared internally where there is a specific and legitimate purpose to do so. We have implemented appropriate physical, technical, and organizational security measures designed to secure your personal data against accidental loss and unauthorized access, use, alteration, or disclosure.

Criminal record information will be deleted once the recruitment process has been completed, subject to any exceptional circumstances and/or to comply with particular laws or regulations. Criminal record information will typically be retained for a maximum of 6 months, although the outcome of any check will remain on the employee's record.

## When do we share candidate personal data?

The Group will share candidate personal data with other parties only in limited circumstances in order to take steps necessary to enter into the employment contract or where necessary to comply with a legal obligation, or otherwise in pursuit of its legitimate business interests as follows:

- recruitment agencies
- background vetting specialists
- occupational health providers
- HMRC and/or any other applicable government body
- accountants, lawyers and other professional advisers
- the Financial Conduct Authority and/or the Prudential Regulatory Authority and/or any other applicable regulatory body

In all cases, the candidate personal data is shared under the terms of a written agreement between the Group and the third party which includes appropriate security measures to protect the personal data in line with this Policy and our obligations. The third parties are permitted to use the personal data only for the purposes which we have identified, and not for their own purposes, and they are not permitted to further share the data without our express permission.

In all cases, where personal data is transferred to a country which is deemed not to have the same level of protection for personal data as the home country, the Group has put in place written data transfer agreements to protect the personal data. In the case of any transfer of personal data from a country within the European Economic Area (EEA) to a country outside of the EEA, these transfer agreements incorporate the standard contractual clauses approved by the European Commission. If you have any questions about the transfer of your personal data in these circumstances, please contact your local Data Protection Lead using the details set out below.

The Group will also share job applicant personal data with other group companies

from time to time (i.e. between Kinleigh Limited, Kinleigh Financial Services Limited and Kinleigh Folkard & Hayward) Limited for the purposes set out in this Policy.

## For how long will my personal data be retained?

The Group's policy is to retain personal data only for as long as needed to fulfil the purpose(s) for which it was collected, or otherwise as required under applicable laws and regulations. Under some circumstances we may anonymise your personal data so that it can no longer be associated with you. We reserve the right to retain and use such anonymous data for any legitimate business purpose without further notice to you.

For unsuccessful candidates:

- We will typically retain personal data collected during the recruitment process for a maximum period of 2 years from the date of application subject to any exceptional circumstances and/or to comply with particular laws or regulations.
- We may retain select data relating to particular candidates on file in order to follow up with the candidates in relation to future vacancies; if you do not wish for your personal data to be maintained on file for this purpose, please inform us.

If you are offered and accept employment or a position as a client employee with us, the personal data we collected during the application and recruitment process may become part of your record and we may use it in connection with your employment or working relationship in accordance with the Employee and client employee Privacy Policy which will be made available to you upon commencement of your employment with us.

## What are my rights in relation to my personal data?

The Group will always seek to process your personal data in accordance with its obligations and your rights.

You will not be subject to hiring decisions based solely on automated data processing without your prior consent.

In certain circumstances, you have the right to seek the erasure or correction of your personal data, to object to particular aspects of how your data is processed, and otherwise to seek the restriction of the processing of your personal data. You also have the right to request the transfer of your personal data to another party in a commonly used format. If you have any questions about these rights, please contact your Data Protection Coordinator using the details set out below.

You have a separate right of access to your personal data processed by the Group. You may be asked for information to confirm your identity and/or to assist the Group to locate the data you are seeking as part of the Group's response to your request. If you wish to exercise your right of access you should set out your request in writing to your Data Protection Coordinator using the details set out below.

Finally, you have the right to raise any concerns about how your personal data is being processed with the Information Commissioner's Office (ICO) by going to the ICO's website: <https://ico.org.uk/concerns/> or contacting the ICO on 0303 123 1113 or [casework@ico.org](mailto:casework@ico.org).

## Where can I get further information?

The Group has appointed our Client Liaison manager as our Data Protection Coordinator and to oversee compliance with this Policy and to deal with any questions or concerns. If you would like further information about the matters set out in this Policy, please contact the Client Liaison manager at [clientliaison@kfh.co.uk](mailto:clientliaison@kfh.co.uk) or phone 0208 739 2005.