



## Candidate Privacy Notice – UK and EEA

### What is the purpose of this document?

NEC Software Solutions (UK) Limited (NECSWS) is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. You are being sent a copy of this privacy notice because you are applying for work with us (whether as an employee, worker or contractor). 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 the UK General Data Protection Regulations and Data Protection Act.

### Data protection principles

We will comply with data protection law and principles, which means that your data will be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that 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.

### The kind of information we hold about you

In connection with your application for work with us, we will collect, store, and use personal information about you, including the following categories:

- The information you have provided to us in your curriculum vitae and covering letter.
- The information you have provided on our application form, including name, title, address, telephone number, personal email address, date of birth, gender, employment history, qualifications.
- Information regarding your right to work.
- Any information not included above that you provide to us during an interview.
- The results of any test in which you participate as part of our recruitment process.

We may also collect, store and use the following “special categories” of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
- Information about your health, including any medical condition, health and sickness records.
- Information about criminal convictions and offences.

### How is your personal information collected?



We collect personal information about candidates from the following sources:

- You, the candidate.
- Recruitment agencies, from which we collect data in all of the categories set out above.
- Organisations that provide information as to historic criminal record data (such as the Disclosure and Barring Service in the UK and the National Vetting Bureau in Ireland) in respect of criminal convictions and offences.
- Other background check providers, from which we collect the following categories of data: referee information, right to work information, various identification data.
- Your named referees, from whom we collect the following categories of data: details as to your relationship with your named referees, details as to your employment history (including dates of, performance during, and leave taken during previous employment), academic records, any views or opinions that your named referees may give about you, and details regarding membership of trade associations/professional institutions (or similar).
- The following data from third parties is from a publicly accessible source: that obtained from organisations that provide information as to historic criminal record data and background checks.

How we will use information about you

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 (such as verifying your right to work).

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

We also need to process your personal information to decide whether to enter into a contract with you.

Having received either your CV and/or covering letter and/or application, we will then process the information therein 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 call 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, carry out a criminal record check and a background check before confirming your appointment.

### **If you fail to provide personal information**

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.

How we use particularly sensitive personal information

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 during an interview).
- 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.

Information about criminal convictions and offences

We envisage that we will process information about criminal convictions and offences.

We will collect information about your criminal convictions and offences history if we would like to offer you the role (conditional on checks and any other conditions, such as references, being satisfactory). We are entitled 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, many of our customer contracts require us to carry out criminal record checks for our personnel carrying out certain roles. In addition, certain employees, workers and contractors undertake security clearance procedures to allow them to work on various contracts to which we are a party; we may ask you to obtain such clearances before commencing work with us, in which case we will process information relating to criminal convictions and offences in connection with those clearances.

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

Automated decision-making

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

Data sharing

**Why might you share my personal information with third parties?**



We will only share your personal information with the following third parties for the purposes of processing your application: the provider from time to time of our recruitment platform, the organisation(s) that we use from time to time to undertake occupational health assessments, the organisation(s) that we use from time to time to undertake background checks, the organisations that we use from time to time to obtain criminal record and offence data, and those of our group companies that undertake administrative functions for us. All our third-party service providers and other entities in the group are required to take appropriate security measures to protect the personal information that we share with them. We do not allow our third-party service providers to use that personal data for their own purposes, although you may yourself provide personal data to third-party providers which is used for that provider's own purposes. We only permit third-party service providers and our group companies to process the personal data of yours that we provide to them for specified purposes and in accordance with our instructions. We remain the data controller in relation to the personal data of yours that we provide to third-party service providers.

### **Transferring information outside the UK or European Economic Area (EEA)**

We may transfer the personal information we collect about you to the following countries outside the UK or EEA:

- India (within the NECSWS group)
- For the purposes of hosting by Google, the United States of America or such other country in which Google has its hosting facilities from time to time

There is not an adequacy decision by the UK or the EEA in respect of India or the United States of America. This does not mean that your personal data is not sufficiently secure or protected when transferred to those countries, but does mean that we require some additional contractual arrangements to be in place to ensure that your personal information does receive an adequate level of protection. We have put in place the following appropriate measures to ensure that your personal information is treated by the relevant third parties in a way that is consistent with and which respects the EU and UK laws on data protection:

- contracts including the Standard Contractual Clauses as adopted by the European Commission (which include details as to the measures in place to protect any transferred personal data)



- all entities within the group operate to the same levels of technical and information security standards.

#### Data security

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.

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.

#### Data retention

##### **How long will you use my information for?**

If you are successful in your application and start work with NECSWS, we will 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. You will be provided further details.

If you are not successful in your application, or otherwise do not start work with NECSWS, we will retain personal information about you for a period of twelve months after your application process has come to an end (for whatever reason) unless you ask us to delete that personal information before the end of such period. 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 (or if you request us to delete the information earlier), we will securely destroy your personal information in accordance with our data retention policy and applicable laws and regulations. There may be some of your personal information that we destroy sooner than the period stated above without your asking us to do so, if we do not need that information for the reasons stated above.

We also retain your personal information on file for twelve months in case a further opportunity arises in future for which we may wish to consider you.



Should you not wish for your personal information to be kept for this reason then please let us know, or alternatively you may wish to delete your candidate profile from our recruitment platform.

Rights of access, correction, erasure, and restriction

### **Your rights in connection with personal information**

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 (see below).
- **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.

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 our Data Protection Officer in writing.

### **Right to withdraw consent**

When you apply for a role with us and are loaded onto our recruitment systems, you are sent an email asking you to provide consent to us processing your personal information for the purposes of the recruitment exercise. You have the right to withdraw your consent for processing for that purpose at any time. To withdraw your consent, please contact our 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. Withdrawing your consent will bring your application with us to an



end, as we cannot process an application without processing your personal data.

**Data protection officer and complaints**

We have appointed a Data Protection Officer to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the Data Protection Officer at the email address set out below. 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.

**If you have any questions about this privacy notice, please contact our Data Protection Officer at [dpo@necsww.com](mailto:dpo@necsww.com).**

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