



## **GDPR Candidate privacy notice (UK)**

What is the purpose of this document?

You are being made aware of this privacy notice because you have applied or are applying for work (whether as an employee, worker or contractor) with HM Legal. We are committed to protecting the privacy of applicants and candidates. HM Legal is a trading name of HM Legal Services Limited, which is a company registered in England and Wales under company number 09975109 and whose registered office is at Gorse Stacks House, George Street, Chester, CH1 3EQ

If we are provided with personal information under contract via a third party, it is likely we will be acting as a Data Processor or acting as Joint Controllers. If this is not the case, then we will be acting as the Data Controller.

This privacy notice makes you aware of how and why your personal data will be used, namely for the purposes of recruitment, and how long it will usually be retained for. It details certain information that must be provided under the General Data Protection Regulation ((EU) 2016/679) (GDPR) and the Data Protection Act 2018.

### **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 the following categories of personal information about you:

- The information you have provided to us in your application form, curriculum vitae and covering letter including name, title, address, telephone number, personal email address, employment history, qualifications and details of your expectations.
- Any information you provide to us during an interview.
- Any other information gained throughout the interview process including test results, presentations and business plans.

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 the following categories of data: name, title, address, telephone number, personal email address, employment history, qualifications and details of your expectations.
- Disclosure and Barring Service in respect of criminal convictions.
- Your named referees, from whom we collect the following categories of data: dates of employment, title and salary.
- Data from third parties which is publicly accessible, including social media and networking sites.

### **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 or upcoming roles you may be interested in.
- Keep records related to our hiring processes.
- Comply with legal or regulatory requirements.

It is in our legitimate interests to process this information, as it is beneficial to our business to appoint a suitable candidate to that role. We also need to process your personal information to decide whether to enter into a contract of employment with you.

Having received your application form, CV and covering letter, we will 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, criminal record checks and carry out checks on professional bodies websites (where applicable to role), 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, work history or information required to carry out credit checks), we will not be able to process your application successfully.

#### **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 making reasonable appropriate adjustments during the recruitment process, for example, whether adjustments need to be made during a test or interview.
- We may 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**

We envisage that we will process information about criminal convictions (where applicable to role). We will collect information about your criminal convictions history if we would like to offer you the role (conditional on DBS 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 SRA and Police Act 1997 (Criminal Records) Regulations to carry out a standard check from the Disclosure and Barring Service for Conveyancing/Commercial Property/Wills, Trusts and Estates roles.



- Roles in Conveyancing/Commercial Property/Wills, Trusts and Estates require a high degree of trust and integrity since it involves dealing with high value client money. Under the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 we are required to carry out appropriate screening of relevant and during the course of their employment.

We have in place an appropriate policy document and safeguards, which we are required by law to maintain when processing such data. Please contact Paul Beckett, Operations & Risk Director for further detail.

### **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 other entities within the HM Group or with an instructed recruitment agency (if your application came in to us via this route) for the purposes of processing your application. All our third-party service providers and other entities in the HM 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 and in accordance with our instructions.

### **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. Details of these measures may be obtained from Paul Beckett, Operations & Risk Director.

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 keep my information for?

We will retain your personal information for a period of up to twelve months after we have communicated to you our decision about whether to appoint you to role, however you can request that we remove your data at any time during this 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 on prohibited grounds and that we have conducted the recruitment exercise in a fair manner. After this period, we will securely destroy your personal information in accordance with applicable laws and



regulations.

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.

We are obliged to retain any CV or other recruitment related information, which we have received via an instructed recruitment agency for up to 12 months, in order for us to comply with the Terms and Conditions of our contract with the agency. After this point, the information will be destroyed.

### **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 Paul Beckett, Practice Manager in writing.

We reserve the right to update this privacy notice at any time.

### **Right to withdraw consent**

When you applied for this role, you provided 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 Paul Beckett, Operations & Risk Director. 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.

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.

### **Our Details**

Our registered office and principal place of business is at Gorse Stacks House, George Street, Chester, CH1 3EQ.

You can contact us:

by post, using the postal address given above;

using our website contact form;

by telephone, on the contact number published on our website; or

by email, using the email address published on our website.

Or you can contact our Data Protection Officer directly by email at [pb@law.uk.com](mailto:pb@law.uk.com)