

## Recruitment – Privacy Policy

**Data controllers: Osborne Clarke LLP (company number: OC397443) and Osborne Clarke Services (an unlimited company) (company number: 3049484), both with registered offices at One London Wall, London, EC2Y 5EB (referred to as "Osborne Clarke", "we" and "us" in this policy, as the relevant context dictates.)**

As part of any recruitment process, we collect and process personal data relating to job applicants. We are committed to being transparent about how we collect and use that data and to meeting our data protection obligations.

### 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; and
- Kept securely.

### What information do we collect?

In connection with your application for work with us, we will collect, use and store a range of personal information about you (the applicant). This includes:

- the information you have provided to us in your curriculum vitae and covering letter;
- the information you have provided to us on our application form (including the information below);
- where you are submitting an applicant profile for general consideration, your profile information;
- your name, address and contact details, including email address and telephone number;
- details of your qualifications, skills, experience and employment history;
- information about your current level of remuneration, including benefit entitlements;
- whether or not you have a disability for which we need to make reasonable adjustments during the recruitment process;
- information about your eligibility to work in the UK; and
- any information you provide to us during an interview.

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

- equal opportunities monitoring information, including information about your race or ethnic origin, sexual orientation, and religion or belief;
- 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 may collect this information from a number of different sources. For example, information might be collected from you in application forms, CVs or covering letters; obtained from your passport or other identity documents; or collected through interviews or other forms of assessment including online tests. Information may also be collected from a recruitment agency.

At the time an offer of employment is made, we will also collect personal data about you from third parties, such as from references supplied by former employers and will conduct pre-employment screening checks via a third party, Accurate (Vero). We will seek information from third parties only once a job offer to you has been made and will inform you that we are doing so. Further details on all the information that will be requested will be disclosed at offer stage and prior to any pre-employment checks being carried out.

### **Where will data be stored?**

Data will be stored in our secure systems and the secure systems of our suppliers, including the recruitment platform via which you submitted your application or set up your applicant profile, in HR management systems and on other IT systems (including email).

### **Why do we process personal data?**

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

- Assess your skills, qualifications, and suitability for the role;
- Where you have submitted a profile via our recruitment platform, review your profile to assess suitability for roles as they arise;
- 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 to check eligibility to work in the UK); and
- Respond to and defend against legal claims.

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 the role. Processing data from job applicants allows us to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job.

Where you submit a general applicant profile, you consent to our storing and reviewing your profile for the purpose stated above. For this reason, please ensure that you keep your profile information up to date.

We also need to process your personal information to decide whether to enter into a contract of employment or for the provision of services with you.

### **Why do we process 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 a test or 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. This information is not visible to the recruitment team or hiring managers except for reporting purposes in which the applicant is not identifiable.

### **How do we use your personal data?**

Having received your CV and covering letter or your application form, we will then process that information to decide whether you meet the basic requirements to be shortlisted for the role. If we decide to call you for an interview, we will use the information you provide to us at that interview to

decide whether to offer you the role. If we decide to offer you the role, we will then collect information from third parties (refer to the section above on 'How is your personal information collected?'). With your consent, we may retain your information on our systems in order to assess suitability for future roles as they arise.

### **Information about criminal convictions**

We may collect information about your criminal convictions history if we would like to offer you a role (conditional on checks and any other conditions, such as references, being satisfactory). We may 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. This may apply in particular where:

- We are legally required by the Solicitors Regulation Authority to carry out criminal record checks.
- The role is one which is listed on the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (*SI 1975/1023*) and is also specified in the Police Act 1997 (Criminal Records) Regulations (*SI 2002/233*).
- The role requires a high degree of trust and integrity.

### **Who has access to data?**

Your information may be shared internally for the purposes of the recruitment exercise. This includes members of the HR and recruitment team, interviewers involved in the recruitment process, managers in the business area with a vacancy and IT staff if access to the data is necessary for the performance of their roles.

We will not share your data with third parties, unless your application for employment is successful and we make you an offer of employment. We will then share your data with former employers and referees to obtain references for you. Further details will be provided at offer stage.

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, save that our recruitment platform provider may use anonymised information relating to use of the platform for statistical and research purposes. Otherwise, we only permit them to process your personal data for specified purposes and in accordance with our instructions.

We will not transfer your data outside the UK.

### **How do we protect your information?**

We take the security of your information seriously. We have internal policies and controls in place to ensure that your information is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties. 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.

### **For how long do we keep data?**

The periods for which your data will be held are provided below:

<b>Data Held:</b>	<b>Retention Period:</b>
Successful Candidates	7 years after the termination of employment
Unsuccessful Candidates	If your application is unsuccessful, your data will be stored for a period of 2 years from the date that the application was received.
Talent Bank	If your application is unsuccessful, but we consider that you may be suitable for a future role, we will store your data for an initial 2 years based on our legitimate interests (as with all unsuccessful candidates) and then we will contact you every 12 months to see if you remain interested in employment opportunities with us (and therefore consent to us retaining your data for another 12 months).
Your profile	Where you have used the recruitment platform to create a candidate profile, we will contact you either if we have a specific role that we think may be of interest to you, or otherwise, every twelve months to see if you remain interested in employment opportunities with us (and therefore consent to us retaining your data for another 12 months). Otherwise, you can delete your profile at any time.

After this period, we will securely destroy your personal information.

### Your rights

Under data protection law, you have certain rights in relation to your personal data. These include:

- **Right of access** – you have the right to ask us for a copy of the personal information we hold on you;
- **Right to rectification** – you have the right to request that any inaccuracies in your personal data are rectified;
- **Right to erasure** – in certain circumstances, you have the right to ask us to erase your personal data;
- **Right to restrict processing** – in certain circumstances, you have the right to ask us to restrict the processing of your personal data; and
- **Right to object to processing** – where we are processing your personal data based on our legitimate interests, you have the right to object to that processing.

Where you have created a candidate profile on our recruitment platform, you may access, update, amend or delete your profile at any time.

If you would like to exercise any of these rights, please contact [Privacy.UK@osborneclarke.com](mailto:Privacy.UK@osborneclarke.com)

Outside the recruitment context, our primary privacy and confidentiality policy can be accessed [here](#).

If you believe that we have not complied with your data protection rights, you can complain to the Information Commissioner. The contact details for the Information Commissioner are as follows:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Telephone: 0303 123 1113  
Website: <https://ico.org.uk/>

### **What if you do not provide personal data?**

You are under no statutory or contractual obligation to provide data to us during the recruitment process. However, if you do not provide the information, we may not be able to process your application properly or at all.

### **Automated decision-making**

We do not base any recruitment decisions solely using automated decision-making.