

THE *fitzwilliam* HOTEL

belfast

JOB APPLICANT PRIVACY NOTICE

Fitzwilliam Hotel is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you as a job applicant, in accordance with the General Data Protection Regulations (GDPR).

DATA CONTROLLER DETAILS

Fitzwilliam Hotel is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

DATA PROTECTION PRINCIPLES

In relation to your personal data, we will:

- process it fairly, lawfully and in a clear, transparent way
- collect your data only for reasons that we find proper for the course of your employment in ways that have been explained to you
- only use it in the way that we have told you about
- ensure it is correct and up to date
- keep your data for only as long as we need it
- process it in a way that ensures it will not be used for anything that you are not aware of or have consented to (as appropriate), lost or destroyed

TYPES OF PERSONAL DATA WE PROCESS

We will collect, store and use the following categories of personal information about you:

- Your personal details including your name, address, date of birth, email address, phone numbers
- Gender
- Whether or not you have a disability
- Recruitment information (including references, education history, employment history and any other information included in a CV or cover letter as part of the application process)
- Documentation relating to your right to work in the UK

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

- Information used for equal opportunities monitoring about your religious beliefs
- Information about your health, including medical conditions to make reasonable adjustments

HOW WE COLLECT YOUR PERSONAL DATA

We collect data about you in a variety of ways including the information you would normally include in a CV or cover letter, or notes made by our recruiting officers during a recruitment interview.

Other details may be collected directly from you in the form of official documentation such as your passport or other right to work evidence.

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In some cases, we will collect data about you from third parties, such as employment agencies, former employers when gathering references.

Personal data is kept in personnel files or within the Hotel's HR and IT systems.

WHY WE PROCESS YOUR PERSONAL DATA

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- Where we need to comply with a legal obligation.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations, which are likely to be rare:

- Where we need to protect your interests (or someone else's interests).
- Where it is needed in the public interest or for official purposes.

We need to collect your data to ensure we are complying with legal requirements such as:

- Carrying out checks in relation to your right to work in the UK and
- Making reasonable adjustments.

Ground for processing will overlap and there may be several grounds which justify our use of your personal information.

We also collect data so that we can carry out activities which are in the legitimate interests of the Company. We have set these out below:

- Making a decision about your recruitment or appointment.
- Determining the terms on which you may work for us.
- Checking you are legally required to work in the UK.
- Assessing qualifications for a particular job or task, including decisions about promotions.
- Assessing education, training and development requirements.
- Dealing with complaints and legal claims made against us, including accidents at our workplace.
- Complying with health and safety obligations.
- Equal opportunities monitoring.

If you are unsuccessful in obtaining employment, your data will not be used for any reason other than in the ways explaining in relation to the specific application you have made.

SPECIAL CATEGORIES OF DATA

We must process special categories of personal data in accordance with more stringent guidelines. Most commonly, we will process special categories of data when the following applies:

- You have given explicit consent to the processing.

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- We must process the personal data in order to carry out our legal obligations or exercise rights in connection with employment.
- It is needed in the public interest.

Less commonly, we may process special categories of personal data where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

We will use your particularly sensitive personal information in the following ways:

- We will use information about your physical or mental health, or disability status, to ensure your health and safety in our workplace and to provide appropriate workplace adjustments.
- We will use information about your religious to ensure meaningful equal opportunity monitoring and reporting.

We do not need your consent if we use special categories of personal data in order to carry out our legal obligations or exercise specific rights under employment law. However, we may ask for your consent to allow us to process certain particularly sensitive data. If this occurs, you will be made fully aware of the reasons for the processing. As with all cases of seeking consent from you, you will have full control over your decision to give or withhold consent and there will be no consequences where consent is withheld. Consent, once given, may be withdrawn at any time. There will be no consequences where consent is withdrawn.

AUTOMATED DECISION MAKING

No decision will be made about you solely on the basis of automated decision making (where a decision is taken about you using an electronic system without human involvement) which has a significant impact on you, however we will notify you in writing if this position changes.

IF YOU DO NOT PROVIDE YOUR DATA TO US

One of the reasons for processing your data is to allow us to carry out an effective recruitment process. Whilst you are under no obligation to provide us with your data, we may not be able to process, or continue with (as appropriate), your application. We may also be prevented from confirming, or continuing with, your employment with us in relation to our legal obligations if you do not provide us with this information e.g. confirming your right to work in the UK.

SHARING YOUR DATA

Your data will be shared with colleagues within the Hotel where it is necessary for them to undertake their duties with regard to recruitment. This includes, for example, the HR department, those in the department where the vacancy is, who are responsible for screening your application and interviewing you.

In some cases, we will collect data about you from third parties, such as employment agencies.

Your data will be shared with third parties if you are successful in your job application. In these circumstances, we will share your data in order to obtain references as part of the recruitment process.

We do not share your data with bodies outside of the European Economic Area.

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PROTECTING YOUR PERSONAL DATA

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.

HOW LONG WE KEEP YOUR PERSONAL DATA FOR

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, and this will depend on whether or not you are successful in obtaining employment with us.

If your application is not successful and we have not sought consent or you have not provided consent upon our request to keep your data for the purpose of future suitable job vacancies, we will keep your data for one (1) year once the recruitment exercise ends.

If your application is successful, your data will be kept and transferred to the systems we administer for employees. We have a separate privacy notice for employees, which will be provided to you.

YOUR RIGHTS IN RELATION TO YOUR PERSONAL DATA

The law on data protection gives you certain rights in relation to the data we hold on you. These are:

- **Be informed.** This means that we must tell you how we use your data, and this is the purpose of this privacy notice.
- **Request access** to your personal information. You have the right to access the data that we hold on you. To do so, you should make a subject access request.
- **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.
- **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.
- **Portability.** You can request we transmit personal data concerning you to another data controller, which you provided to us, in a structured, commonly used and machine-readable format, where technically feasible.
- **Not be subject to decisions that will have a significant impact on you based solely on automated decision-making**, unless we have a lawful basis for doing so and we have notified you.

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Where you have provided consent to our use of your data, you also have the unrestricted right to withdraw that consent at any time. Withdrawing your consent means that we will stop processing the data that you had previously given us consent to use. There will be no consequences for withdrawing your consent. However, in some cases, we may continue to use the data where so permitted by having a legitimate reason for doing so.

If you wish to exercise any of the rights explained above, please contact the HR department at Fitzwilliam Hotel.

MAKING A COMPLAINT

The supervisory authority in the UK for data protection matters is the Information Commissioner (ICO). If you think your data protection rights have been breached in any way by us, you are able to make a complaint to the ICO.