

GDPR PRIVACY NOTICE FOR JOB APPLICANTS

Data controller (“the Company”): The Royal Oak Hotel (Betws-y-coed) Limited

Introduction

As part of any recruitment process, the Company collects and processes personal information, or personal data, relating to job applicants. This personal information may be held by the Company on paper or in electronic format.

The Company is committed to being transparent about how it handles your personal information, to protecting the privacy and security of your personal information and to meeting its data protection obligations under the General Data Protection Regulation (“GDPR”) and the Data Protection Act 2018. The purpose of this privacy notice is to make you aware of how and why we will collect and use your personal information during the recruitment process. We are required under the GDPR to notify you of the information contained in this privacy notice.

This privacy notice applies to all job applicants, whether they apply for a role directly or indirectly through an employment agency. It is non-contractual.

If you have any questions about this privacy notice or about how we handle your personal information, please contact The Data Compliance Officer, Royal Oak Hotel, Holyhead Road, Betws-y-Coed, Conwy LL240AY.

What types of personal information do we collect about you?

Personal information is any information about an individual from which that person can be directly or indirectly identified. There are also “special categories” of personal information, and personal information on criminal convictions and offences, which requires a higher level of protection because it is of a more sensitive nature.

The Company collects, uses and processes a range of personal information about you during the recruitment process. This includes (as applicable):

- your contact details, including your name, address, telephone number and personal e-mail address
- personal information included in a CV, any application form, cover letter or interview notes
- references
- information about your right to work in the UK and copies of proof of right to work documentation
- copies of qualification certificates
- copy of driving licence
- other background check documentation

- details of your skills, qualifications, experience and work history with previous employers
- information about your current salary level, including benefits and pension entitlements
- any professional memberships*

The Company may also collect, use and process the following special categories of your personal information during the recruitment process (as applicable):

- whether or not you have a disability for which the Company needs to make reasonable adjustments during the recruitment process
- information about criminal convictions and offences.

How do we collect your personal information?

The Company collects personal information about you during the recruitment process either directly from you or sometimes from a third party such as an employment agency. We may also collect personal information from other external third parties, such as references from current and former employers, information from background check providers, information from credit reference agencies and criminal record checks from the Disclosure and Barring Service (DBS). Other than employment agencies, the Company will only seek personal information from third parties during the recruitment process once an offer of employment or engagement has been made to you and we will inform you that we are doing so.

You are under no statutory or contractual obligation to provide personal information to the Company during the recruitment process.

Your personal information may be stored in different places, including on your application record, in the Company's HR management system and in other IT systems, such as e-mail.

Why and how do we use your personal information?

We will only use your personal information when the law allows us to.

The purposes for which we are processing, or will process, your personal information are to:

- manage the recruitment process and assess your suitability for employment or engagement
- decide to whom to offer a job
- comply with statutory and/or regulatory requirements and obligations, e.g. checking your right to work in the UK
- comply with the duty to make reasonable adjustments for disabled job applicants and with other disability discrimination obligations
- ensure compliance with your statutory rights

- ensure effective HR, personnel management and business administration
- enable us to establish, exercise or defend possible legal claims

Please note that we may process your personal information without your consent where this is required or permitted by law.

What if you fail to provide personal information?

If you fail to provide certain personal information when requested, we may not be able to process your job application properly or at all, we may not be able to enter into a contract with you, or we may be prevented from complying with our legal obligations. You may also be unable to exercise your statutory rights.

Why and how do we use your sensitive personal information?

We will only collect and use your sensitive personal information, which includes special categories of personal information and information about criminal convictions and offences, when the law allows us to.

Some special categories of personal information, i.e. information about your health, and information about criminal convictions and offences, is processed so that we can perform or exercise our obligations or rights under employment law and in line with our data protection policy.

Your consent can be withdrawn at any time.

The purposes for which we are processing, or will process, health information and information about any criminal convictions and offences, are to:

- assess your suitability for employment or engagement
- comply with statutory and/or regulatory requirements and obligations, e.g. carrying out criminal record checks
- comply with the duty to make reasonable adjustments for disabled job applicants and with other disability discrimination obligations
- ensure compliance with your statutory rights
- ascertain your fitness to work
- ensure effective HR, personnel management and business administration

We may also occasionally use your special categories of personal information, and information about any criminal convictions and offences, where it is needed for the establishment, exercise or defence of legal claims.

Change of purpose

We will only use your personal information for the purposes for which we collected it, i.e. for the recruitment exercise for which you have applied.

However, if your job application is unsuccessful, the Company may wish to keep your personal information on file in case there are future suitable employment opportunities with us. Your consent can be withdrawn at any time.

Who has access to your personal information?

Your personal information may be shared internally within the Company for the purposes of the recruitment exercise, including with members of the HR department, members of the recruitment team, managers in the department which has the vacancy and IT staff if access to your personal information is necessary for the performance of their roles.

The Company will not share your personal information with third parties during the recruitment process unless your job application is successful and we make you an offer of employment or engagement. At that stage, we may also share your personal information with third parties (and their designated agents), including:

- external organisations for the purposes of conducting pre-employment reference and employment background checks
- the DBS, to obtain a criminal record check
- former employers, to obtain references
- professional advisors, such as lawyers

We may also need to share your personal information with a regulator or to otherwise comply with the law.

How does the Company protect your personal information?

The Company has put in place measures to protect the security of your personal information. It has internal policies, procedures and controls in place to try and prevent your personal information from being accidentally lost or destroyed, altered, disclosed or used or accessed in an unauthorised way. In addition, we limit access to your personal information to those employees, workers, agents, contractors and other third parties who have a business need to know in order to perform their job duties and responsibilities. You can obtain further information about these measures from our Data Compliance Officer.

Where your personal information is shared with third parties, we require all third parties to take appropriate technical and organisational security measures to protect your personal information and to treat it subject to a duty of confidentiality and in accordance with data protection law. We only allow them to process your personal information for specified purposes and in accordance with our written instructions and we do not allow them to use your personal information for their own purposes.

The Company also has in place procedures to deal with a suspected data security breach and we will notify the Information Commissioner's Office (or any other applicable supervisory authority or regulator) and you of a suspected breach where we are legally required to do so.

For how long does the Company keep your personal information?

The Company will only retain your personal information for as long as is necessary to fulfil the purposes for which it was collected and processed.

If your application for employment or engagement is unsuccessful, the Company will generally hold your personal information for one year after the end of the relevant recruitment exercise but this is subject to: (a) any minimum statutory or other legal, tax, health and safety, reporting or accounting requirements for particular data or records, and (b) the retention of some types of personal information for up to six years to protect against legal risk, e.g. if they could be relevant to a possible legal claim in a tribunal, County Court or High Court.

If your application for employment or engagement is successful, personal information gathered during the recruitment process will be retained for the duration of your employment or engagement and in accordance with the privacy notice for employees, workers and contractors.

Personal information which is no longer to be retained will be securely and effectively destroyed or permanently erased from our IT systems and we will also require third parties to destroy or erase such personal information where applicable.

In some circumstances we may anonymise your personal information so that it no longer permits your identification. In this case, we may retain such information for a longer period.

Your rights in connection with your personal information

As a data subject, you have a number of statutory rights. Subject to certain conditions, and in certain circumstances, you have the right to:

- request access to your information
- request rectification of your information
- request the erasure of your information
- restrict the processing of your information
- object to the processing of your information
- data portability - this gives you the right to request the transfer of your personal information to another party so that you can reuse it across different services for your own purposes.

If you wish to exercise any of these rights, please contact our Data Compliance Officer, The Royal Oak Hotel, Holyhead Road, Betws-y-coed, Conwy LL240AY. We may need to request specific information from you in order to verify your identity and check your right to access the personal information or to exercise any of your other rights. This is a security measure to ensure that your personal information is not disclosed to any person who has no right to receive it.

In the limited circumstances where you have provided your consent to the processing of your personal information for a specific purpose, you have the right to withdraw your

consent for that specific processing at any time. This will not, however, affect the lawfulness of processing based on your consent before its withdrawal. If you wish to withdraw your consent, please contact our Data Compliance Officer, The Royal Oak Hotel, Holyhead Road, Betws-y-coed, Conwy LL240AY. Once we have received notification that you have withdrawn your consent, we will no longer process your personal information for the purpose you originally agreed to, unless we have another legal basis for processing.

If you believe that the Company has not complied with your data protection rights, you have the right to make a complaint to the Information Commissioner's Office (ICO) at any time. The ICO is the UK supervisory authority for data protection issues.

Transferring personal information outside the European Economic Area

The Company will not transfer your personal information to countries outside the European Economic Area.

Automated decision making

Automated decision making occurs when an electronic system uses your personal information to make a decision without human intervention.

We do not envisage that any recruitment decisions will be taken about you based solely on automated decision-making, including profiling.

Changes to this privacy notice

The Company reserves the right to update or amend this privacy notice at any time. We will issue you with a new privacy notice when we make significant updates or amendments. We may also notify you about the processing of your personal information in other ways.