



## Candidate Privacy Notice

### Keeping your data safe during the application process

Smartbox is committed to the protection and security of your personal information. Before you begin your contract, during your employment and after you leave the Smartbox family, we will hold personal information about you.

This information helps Smartbox treat you fairly and consistently with other applicants whilst ensuring you are safe.

This document outlines how and why we use this information, your rights to your data and how long we hold your data for.

### Who does this document apply to?

This document applies to all applicants to Smartbox job openings and contractor positions.

For the purposes of your data, Smartbox Assistive Technology Ltd is a Data Controller. This means we are responsible for how the data is stored, who the data is shared with and how we use your data.

### Our Data Privacy Manager

Our Data Privacy Manager is Dianah Marlow. Her details can be found below.

Dianah Marlow  
Dianah.Marlow@thinksmartbox.com  
01684 578868 Ext. 138

### What is personal data?

Personal data is information that can be used to identify you. While some data may not seem to be personal at first, if it can be combined with other information to identify you, then it is still considered to be personal data. Where data has been anonymised, it is no longer considered personal.

## **What information do we hold about you?**

- Your personal contact details
  - Full name
  - Home address
  - Title
  - Telephone number
  - Personal email
- Age and date of birth
- Recruitment information - this includes any right to work documentation, references, education, qualifications and your CV

Much of this information is required for us to fulfil our obligations as responsible employers and ensure we comply with employment law.

## **Special categories of personal data**

Some of the data that we collect about you is considered Special category. This is information that is considered confidential but we still have to hold as responsible employers. There are increased security measures around this information to maintain its safety.

## **Health information**

We may store and process information regarding your health. This is to help us maintain compliance with the law and our obligations as a potential employer. These include:

- Complying to obligations if you are a disabled candidate
- Ensuring suitable measures are taken during the interview process
- Compliance with health and safety obligations

## **Criminal Record Information**

We may ask you prior to your employment with us to disclose your criminal record history and to provide a Disclosure and Barring Service (DBS) check. We cover the costs of these checks.

We collect this information to fulfil our obligations as an employer. For certain roles within Smartbox these checks are mandatory due to the vulnerability of some of our customers and users. In all cases we carry out these checks in accordance with the law.

## **How do we collect your personal information?**

The majority of the information we hold about you is collected during the

application process, via your CV, written correspondence and the interview process.

Sometimes this information can be collected from employment agencies or other third parties.

Following a conditional job offer we may also collect information from former employers, credit reference agencies or other background checks. We will also collect information from your named referees.

During the application process we may request personal information from you that has not been provided. If you do not provide this information, we will be unable to process your application successfully.

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

The information we collect about you during the application, interview process and while you have a conditional job offer is used to:

- Access your skills, qualifications and suitability for the post you have applied for
- Carry out any necessary background checks
- Contact you during the recruitment process
- Comply with legal or regulatory requirements
- Maintain records of our hiring process

We may also use your personal information when it is necessary to protect your vital interests or if we are obliged by official authorities.

As a Data Controller, we will only process your personal information when the law allows us to.

### **Our legal basis for the processing of your data**

All data we hold about you is processed within the six lawful basis outlined in the General Data Protection Regulation (GDPR) that came into force in May 2018.

The legal basis covered by GDPR are:

- Consent - the individual gives clear consent for the processing of information
- Contract - processing your information is necessary to perform a contract
- Legal obligation - processing your information is necessary to comply with the law
- Vital interests - processing your data is necessary to protect your safety
- Public task - processing your information is necessary to carry out a public duty

- Legitimate interests – processing your information is to support the legitimate interests of a third party

It is our legitimate interest to ensure we make sound hiring decisions and comply with our legal obligations as a potential employer.

## **Automated decision making**

We do not rely on any automated methods to process your data through the application process.

## **How we share your personal information during the recruitment process**

We do not share your personal information until your application is successful and we have made an offer of employment. We then may share personal information with the following third parties:

- Former employers or referees to obtain references
- Employment background check providers to obtain necessary checks
- Disclosure and Barring service to obtain necessary checks

When we share personal information with any third party, we ensure the necessary steps have been taken to protect your information in line with our policies. We do not allow any third party to use your personal data for their own purposes.

## **The security of your data**

We aim to keep your data secure. If you would like to find out more about how we protect your data, please make a request to our Data Privacy Manager.

Access to your personal data is always limited to employees, contractors and third parties who have a legitimate business need.

We protect your personal data from being lost, accessed in unauthorised ways, altered or disclosed. We expect the same from any of the third parties who may use your personal data.

In the event of a security breach where your data is compromised, we will notify you within 72 hours of becoming aware.

## **How long do we hold your data for?**

We store your personal data for a period of 12 months after we have communicated our decision in regards to your application. This covers any legal and reporting

requirements we have in regards to job applicants.

After this time, your personal information will be securely deleted and destroyed. Some of your data maybe anonymised at this point so it can no longer be associated with you. Once data is anonymised, we may use it without further notice to you.

## **Your personal data rights**

Under data protection law, you have rights to how your personal data about you is stored, accessed, erased and restricted. You can choose to exercise these rights in certain circumstances.

### **Right to correction**

We want to be sure we hold accurate data about you. Inaccuracy can result in us being unable to fulfil our duties as your potential employer. Please keep us informed of any changes to your personal information during the application process.

### **Right to request access**

You can make a 'Data subject access request'. This allows you to receive a copy of the personal information that we hold about you and for you to query how we are processing that data.

### **Right to object to processing**

If Smartbox or a third party are relying on a legitimate interest to process your personal data and you have grounds where you wish to object, you can raise this with us.

### **Right to request erasure**

You can ask us to delete personal data where you believe we have no good reason to continue to store.

### **Request the restriction of processing**

You have the right to ask us to suspend processing of your personal data. This is a temporary measure you can use while you consider if the data is accurate and if Smartbox or a third party has a legitimate reason for processing it.

### **Right to transfer your personal information**

You can request that we transfer your personal information to another party, for example a lawyer, future employer or bank.

## **Exercising your rights**

If you wish to exercise one of the rights detailed above, contact our Data Privacy Manager in writing. We will ask to you to confirm your request.

When you exercise your rights you can be specific what data you are requesting access to, it does not have to be for all of the data we hold,

To fulfil a request we may require you to confirm specific information prior to the action being taken, as a security measure to prevent your data being disclosed without your consent.

Smartbox also have a right to deny your request if we feel that it is unreasonable, if we are holding your personal information for the completion of your contract or we are required to hold the information by law.

Smartbox will normally not charge any fees for you to access your personal information, however if we deem your request to be excessive or malicious, we may charge a reasonable fee.

You also have the right to make a complaint at any time to the Information Commissioners Office (ICO), the UK supervisory authority for data protection issues.