

# LPC Law Recruitment Privacy Notice

LPC Law is aware of its obligations under the General Data Protection Regulation (GDPR) and is committed to processing your data securely and transparently. This privacy notice sets out, in line with GDPR, the types of data that we collect and hold on you as an applicant. It also sets out how we use that information, how long we keep it for and other relevant information about your data.

## Data controller details

LPC Law is a data controller, meaning that it determines the processes to be used when using your personal data. Our address is LPC Law, Level 34, 25 Canada Square, Canary Wharf, London E14 5LQ.

## 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 legitimate reasons during the course of your engagement with us 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 designed to ensure it will not be lost, destroyed or used for anything that you are not aware of

## Types of data we process

We hold many types of data about you, including:

- your personal details including your name, address, date of birth, email address, phone numbers
- your photograph
- gender
- marital status
- whether or not you have a disability
- information included on your CV including references, education history and employment history
- documentation relating to your right to work in the UK

## How we collect your data

We collect data about you in a variety of ways including the information you would normally include in a CV or application cover letter, or notes made by our Recruitment Department during interview or assessment. Further information will be collected directly from you when you complete forms as part of the recruitment or engagement process, for example, your bank details. Other details may be collected directly from you in the form of official documentation such as your driving licence, passport or other right to work evidence.

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We also collect data about you from third parties, such as employment agencies, former employers when gathering references or information from credit reference agencies. For further information on how your data is used by the credit reference agency, TransUnion (formerly CallCredit), please refer to the TransUnion Bureau Privacy Notice: <https://www.transunion.co.uk/legal-information/bureau-privacy-notice>

Personal data is held securely on our IT systems which are password protected and access the information is restricted to those at LPC Law who require access to undertake their job.

## Why we process your data

The law on data protection allows us to process your data for certain reasons only:

- in order to perform the a contract that we are party to
- in order to carry out legally required duties
- in order for us to carry out our legitimate interests
- to protect your interests and
- where something is done in the public interest.

All of the processing carried out by us falls into one of the permitted reasons. Generally, we will rely on the first three reasons set out above to process your data.

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 for individuals with a disability.

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

- making decisions about who to engage as an advocate or offer employment to
- assessing training needs
- dealing with legal claims made against us

If you are unsuccessful, your data will not be used for any reason other than in the ways that have been explained in this Privacy Notice in respect of your application for advocacy work/employment.

## Special categories of data

Special categories of data are data relating to your:

- health
- sex life
- sexual orientation
- race
- ethnic origin

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- political opinion
- religion
- trade union membership and
- genetic and biometric data.

We must process special categories of 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
- we must process the data in order to carry out our legal obligations
- we must process data for reasons of substantial public interest
- you have already made the data public.

We will use your special category data for the purposes of equal opportunities monitoring.

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.

## **Criminal conviction data**

We will only collect criminal conviction data where the law permits us. This data will be collected at the recruitment stage to allow us to assess whether you are a suitable person to handle the personal data of our clients. We rely on the following lawful bases to process this data:

- 'Processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract'
- 'Processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.'

Criminal Conviction data may be processed where necessary for the purposes of performing or exercising employment law obligations or rights or with the consent of the data subject. Your consent is obtained prior to the commencement of any Pre-Engagement Screening. Consent must be freely given, specific, informed and unambiguous.

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## **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 continue with your application if you do not.

## **Sharing your data**

Your data will be shared with colleagues within LPC Law where it is necessary for them to undertake their duties with regard to recruitment. This includes, for example, the HR & Recruitment Department; those in the relevant department who are responsible for screening your application and interviewing or assessing you and/or the IT department where you require access to our systems to undertake any assessments requiring IT equipment.

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

Your data will be shared with third parties if you are successful in applying to be an advocate or we offer you employment. In these circumstances, we will share your data in order to undertake a credit reference check and financial sanctions check. If we are offering you employment we will undertake a criminal records check.

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

## **Protecting your data**

We are aware of the requirement to ensure your data is protected against accidental loss or disclosure, destruction and abuse. We have implemented processes to guard against this in our Data Protection Policy. If you would like a copy of this policy please let us know.

Where we share your data with third parties, we have a written agreement with them to ensure that your data are held securely and in line with GDPR requirements. Third parties must implement appropriate technical and organisational measures to ensure the security of your data.

## **How long we keep your data for**

In line with data protection principles, we only keep your data for as long as we need it and this will depend on whether or not you are engaged by LPC Law or successful in obtaining employment with us.

If your application is not successful, we will keep your data for 6 months once the recruitment process ends. You are free to withdraw your consent to this and there will be no consequences for withdrawing consent.

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Applications for advocacy opportunities are limited to two applications within a three year period. If, when applying for advocacy opportunities, you are unsuccessful, the following data will be retained for a period of three years:

- Name
- Email Address
- Application Date
- Date Declined and at which stage
- Date Withdrawn and at which stage (if applicable)

If we have sought your consent to keep your data on file for future job vacancies, and you have provided consent, we will keep your data for one year once the recruitment process ends. At the end of this period, we will securely delete or destroy your data, unless you have already withdrawn your consent to our processing of your data in which case it will be deleted or destroyed upon your withdrawal of consent.

If your application is successful, your data will be kept and transferred to the systems we administer for employees or sub-contractors. We have a separate privacy notices for employees and advocates, which will be provided to you where appropriate.

Where your details have been provided via the Refer a Friend Scheme, your details will be held on file for a period of 6 months from the date of the referral. These details are retained so that your name may be matched to your application and the referral gifts be paid if relevant. Please let us know if you would like your details removed from our system. Where an application is made, your details will be retained in accordance with the retention periods detailed above.

## **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.

## **Your rights in relation to your data**

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

- the right to be informed. This means that we must tell you how we use your data, and this is the purpose of this privacy notice
- the right of access. You have the right to access the data that we hold on you. To do so, you should make a subject access request
- the right for any inaccuracies to be corrected. If any data that we hold about you is incomplete or inaccurate, you are able to require us to correct it

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- the right to have information deleted. If you would like us to stop processing your data, you have the right to ask us to delete it from our systems where you believe there is no reason for us to continue processing it
- the right to restrict the processing of the data. For example, if you believe the data we hold is incorrect, we will stop processing the data (whilst still holding it) until we have ensured that the data is correct
- the right to portability. You may transfer the data that we hold on you for your own purposes
- the right to object to the inclusion of any information. You have the right to object to the way we use your data where we are using it for our legitimate interests
- the right to regulate any automated decision-making and profiling of personal data. You have a right not to be subject to automated decision making in way that adversely affects your legal rights.

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 but we may no longer be able to continue with your application. 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 Alex Cunliffe at [Alex.Cunliffe@lpc-law.co.uk](mailto:Alex.Cunliffe@lpc-law.co.uk)

### **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.

### **Data Protection Officer**

The Company's Data Protection Officer is Alex Cunliffe who can be contacted at [Alex.Cunliffe@lpc-law.co.uk](mailto:Alex.Cunliffe@lpc-law.co.uk)