

Candidate Privacy Notice

Data controller: Leigh Day

Data protection officer: Viviana Marcus

1. Introduction

Leigh Day collects and processes your personal data as part of our recruitment process. The firm is committed to meeting its data protection obligations and to being transparent about how it collects and uses your personal data as well as how and when it deletes or destroys your information once it is no longer required.

This privacy notice applies to the personal information of candidates applying for job vacancies, internships, apprenticeships or work experience at Leigh Day.

2. What information does the firm collect about you?

The firm collects and processes a range of information about you, which may include:

- your name, address and contact details, including email address and telephone number
- details of your qualifications, skills, experience and employment history, including start and end dates with previous employers and copies of practising certificates
- information about your nationality and right to work in the UK
- information about your criminal record or any sanctions placed against you by the Solicitors Regulation Authority (SRA)
- details of your professional registration e.g. SRA for qualified solicitors, CILEx for Chartered Legal Executives, or any other registrations as required by your role
- notes from telephone, virtual and face to face interviews
- results from behavioural, psychometric, technical or other assessments
- information about whether you have a disability for which the firm needs to make reasonable adjustments
- details of work-related memberships and subscriptions
- details of external organisations you have notified us that you are involved with
- equality and diversity monitoring information, including information about your ethnic origin, sexual orientation, religion or belief, age and gender (this information is provided voluntarily)
- applicants for training contracts will be asked additionally to provide certain information to promote and monitor social mobility and diversity within our trainee selection process (again this is on a voluntary basis).

The firm collects this information in a variety of ways, including:

- CVs and covering letters
- application forms and other forms completed by you during the recruitment and onboarding process
- passport or other identity documents such as your driving license
- correspondence with you through interviews, meetings or other assessments.

In some cases, the firm collects personal data about you from third parties, such as references supplied by former employers or academic tutors, information from employment background check providers and information from criminal records checks permitted by law.

3. Why does the firm process personal data?

The firm needs to process your data to assess your suitability for the role for which you have applied and to complete on-boarding and screening processes should your application be successful, in order to offer you employment.

The firm also needs to process data to comply with its legal obligations. The firm is required to check your entitlement to work in the UK and to make reasonable adjustments for people with disabilities to facilitate interview attendance and ability to work if selected.

For certain positions, it is necessary to carry out criminal records checks to ensure that individuals meet suitability criteria under the SRA and if specifically required for the role in question.

The firm has a legitimate interest in processing personal data during the recruitment process.

Processing employee data allows the firm to:

- run recruitment and selection processes
- respond to and defend against legal claims and
- maintain and promote equality in the recruitment process.

Where the firm relies on legitimate interests as a reason for processing data, it has considered whether those interests are overridden by the rights and freedoms of candidates and has concluded that they are not.

Some special categories of personal data, such as information about health or medical conditions, are processed to carry out employment law obligations (such as those in relation to candidates with disabilities and for health and safety purposes).

Where the firm processes sensitive personal data such as information about ethnic origin, sexual orientation, health or religion or belief, this is done for the purposes of equality and diversity monitoring. Data that the firm uses for these purposes is anonymised or is collected with your express consent, which can be withdrawn at any time. You are entirely free to decide whether to provide such data and there are no consequences of choosing not to do so.

4. Who has access to data?

Your information may be shared internally with members of the HR team who have responsibility for the recruitment and on-boarding process, and employees/partners involved in the recruitment and selection process or those who are acting on their behalf. However, your information will be shared only with individuals essential to specified processing activities or where access to the data is necessary for performance of their roles.

The firm may share your data with third parties including:

- suppliers who provide candidate application tracking systems (ATS), interview and assessment services to the firm

- contextualised recruitment systems (CRS) to promote and monitor social mobility and diversity within our trainee selection process
- recruitment agencies acting on behalf of the firm and to whom you have provided consent to share your CV and introduce you
- academic institutions (universities, colleges, etc.) and previous employers in validating information you have provided
- other third-party suppliers (or potential suppliers), who provide services on our behalf such as employment background checks or to obtain necessary criminal records checks from the Disclosure and Barring Service.

The firm will not transfer your data to countries outside the European Union, to third countries or international organisations unless appropriate safeguards are in place and individual rights enforceable.

5. How does the firm protect data?

Data is stored securely within different places including the firm's physical and electronic HR systems, the firm's email system and third-party systems (e.g. ATS and CRS).

The firm takes the security of your data seriously. The firm has internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees or their representatives in the performance of their duties.

Where the firm appoints third parties to process personal data on its behalf, they are engaged on the basis of written instructions, under a duty of confidentiality and an obligation to implement appropriate technical and firm-wide measures to ensure the security of data.

6. For how long does the firm keep data?

The firm holds the personal data of unsuccessful candidates usually for up to 6 months. If during the recruitment process you would like to withdraw from the process, you can do this by getting in contact with the recruitment team at jobs@leighday.co.uk. If you would like to be considered for other suitable vacancies at Leigh Day you can provide consent on the application form for us to hold information for up to 12 months.

If you are offered and take up employment/work experience with the firm, information gathered during the recruitment process will form part of your employment record which will be held for the duration of your employment/placement. The periods for which your data is held after the end of employment/placement are set out in the Human Resources personal data retention policy for staff a copy of which is available from HR on request.

7. Your rights

As a data subject, you have several rights. You can:

- access and obtain a copy of your data on request
- require the firm to change incorrect or incomplete data

- require the firm to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing
- object to the processing of your data where the firm is relying on its legitimate interests as the legal ground for processing and
- ask the firm to stop processing data for a period if data is inaccurate or there is a dispute about whether your interests override the firm's legitimate grounds for processing data.

If you would like to exercise any of these rights, please contact the Human Resources Director. You can make a subject access request by completing the appropriate form available from the HR department.

If you believe that the firm has not complied with your data protection rights, you can complain to the firm's Data Protection Officer (DPO) or the Information Commissioner.

8. What if you do not provide personal data?

Certain information, such as contact details, your right to work in the UK and information relating to your qualifications and previous experience must be provided to enable the firm to run the recruitment and selection processes and fulfil our legal obligations in making offers of employment. If you do not provide information, this will hinder the firm's ability to consider your suitability for the role for which you have applied and our ability to offer you legal employment.

9. Automated decision-making

Employment decisions are not based on automated decision-making.

10. Further information

If you would like any further information or have any queries or concerns about how we deal with your data, please contact:

- Mark Hines, HR Manager (Recruitment): mhines@leighday.co.uk or 020 7650 1200
- Fiona Allen, HR Director: fallen@leighday.co.uk or 020 7650 1200
- Viviana Marcus, Data Protection Officer: dataprotection@leighday.co.uk or 020 7650 1200

30 June 2020
HR Department