

# Candidate Privacy Notice

Gigaclear Ltd is committed to being transparent about how it collects and uses personal data, protecting the privacy and security of that information in accordance with the General Data Protection Regulation (GDPR) and Gigaclear's Data Protection Policy. Within scope of this privacy notice is the data collected and processed in connection with the recruitment process. This encompasses all the data held on candidates for vacancy applications, including candidates who are successfully offered a role with Gigaclear and those who are unsuccessful. Throughout this privacy notice we use the term "processing" to cover all activities involving your personal information, including collecting, handling, storing, sharing, accessing, using, transferring and disposing of data.

By making available your personal data, as defined below, you confirm that you have reviewed this notice and agree that Gigaclear Ltd may process your candidate data in accordance with this notice. If you decline to submit your consent it may affect your ability to apply for or receive an offer of employment. This notice does not form part of any contract of employment offered to candidates hired by Gigaclear Ltd. We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates.

## THE KIND OF INFORMATION WE HOLD ABOUT YOU AND HOW IT IS COLLECTED

Gigaclear Ltd collects, stores and processes personal information in order to process applications as part of the recruitment process. Such information is submitted directly from candidates, collected from recruitment agencies where agencies are being used and from managers as part of their note taking in the recruitment process. This information is held in the candidate tracking system and if an offer of employment is made information is held in our employee database and an individual efile will be created to which strictly only members of the HR team specifically will have access to. We collect and store the following personal information: contact details, details held on your CV, salary and benefit information and notes from interviews including technical assessments and psychometric test results if used.

Should you be offered and accept an offer of employment with Gigaclear Ltd the following information will also be collected directly from you: eligibility to work in the UK documents, date of birth, driving licence details, NI number, bank details and information provided by referees. We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so.

## THE PURPOSE FOR PROCESSING PERSONAL INFORMATION

To manage your application and any offer of employment we need to process certain personal information about you. We will only use your personal information when the law allows us to do so or where you have provided your consent. Your explicit consent is required as part of the recruitment process for Gigaclear Ltd to process, store and retain and evaluate your application against Gigaclear Ltd vacancies. If an offer of employment is made Gigaclear Ltd is required to collect and process information relating to your eligibility to work in the UK to enable Gigaclear Ltd to satisfy a legal requirement and information relating to your bank details and references is required to enable Gigaclear Ltd to fulfil the employment contract.

In rare circumstances we may process your personal information where we need to comply with a legal obligation and 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.

By providing your personal information and agreeing to this notice you also agree to Gigaclear Ltd considering you for other positions aside the specific role you may have applied for. This is for the period outlined in the data retention section. If you do not wish to be considered for other vacancies you can access your candidate profile on our candidate tracking system and delete your profile.

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so. Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

We do not envisage that any decisions will be taken about you using automated means.

## **THE PURPOSE FOR PROCESSING SENSITIVE PERSONAL INFORMATION**

“Special categories” of sensitive personal information require higher levels of protection. As part of the recruitment process Gigaclear Ltd collects information concerning nationality or citizenship, race or ethnic origin, criminal history, marital status, disability and health issues, religion. This information is not mandatory for the candidate to provide and is held anonymously for the purpose of feeding into overall reporting and diversity monitoring.

Information about health & disability is collected with your consent to enable Gigaclear Ltd to consider what adjustments can be reasonably made to the recruitment process and to the role to ensure that we comply with our legal obligations in this respect. In addition, information confirming your eligibility to work in the UK is held and processed in order to enable Gigaclear Ltd to meet legal obligations.

Less commonly, we may process this type of information 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.

Information of this nature is held within our candidate tracking system and in the employee database. Individuals in the recruitment team and the HR team have access to this information only. Information regarding health conditions will be shared with those with managerial responsibility to enable the consideration of reasonable adjustments to the recruitment process and job role.

## **DATA SHARING**

Gigaclear Ltd will need to share your personal information internally for the purpose of processing your application for a vacancy and for the purpose of providing an offer of employment. Your information will only be shared if it is necessary or required (for example to obtain references) to employees who would have managerial responsibility for you, employees in HR responsible for processing your application and offer of employment, employees in IT who manage user access, the facilities management team and any employee involved in supporting the interview process.

We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you (such as for the provision of benefits) or where we have another legitimate interest in doing so. We require third parties to respect the security of your data and to treat it in

accordance with the law and their contract with Gigaclear Ltd. The following activities are carried out by third-party service providers: payroll, pension administration and benefits provision and administration.

All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies and to comply with GDPR.

We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

We may also need to share your personal information with a regulator or to otherwise comply with the law. This may include disclosures to shareholders such as directors' remuneration reporting requirements.

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. In this situation we will, so far as possible, share anonymised data with the other parties before the transaction completes. Once the transaction is completed, we will share your personal data with the other parties if and to the extent required under the terms of the transaction.

## **DATA SECURITY**

Your personal information is not transferred outside of the UK.

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.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

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.

## **DATA RETENTION**

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. For the purpose of recruitment all data will be held for a period of 9 months, at which point if an offer of employment has not been made to you we will ask you if you wish us to continue holding your data for an extended period and to verify that your details are correct. If you do not consent to this all information held in our systems and any manual notes will be deleted.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, for statistical or other business analysis purposes in which case we may use such information without further notice to you. If you are under an offer of employment then we will retain and process your details for the purpose of complying with our contract, your employment will then be covered by a separate privacy notice which will be provided to you.

## **RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION**

It is your responsibility to keep your personal information accurate and current. You can manage all of your candidate data by accessing and updating your profile on Gigaclear's candidate tracking system or by contacting a member of the HR and Recruitment team.

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information
- **Request correction** of the personal information that we hold about you
- **Request erasure** of your personal information.
- **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.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please make a request through the Message Centre in the Candidate Tracking system or send an email to [recruitment@gigaclear.com](mailto:recruitment@gigaclear.com)

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

## **RIGHT TO WITHDRAW CONSENT**

In the circumstances where you have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent either delete your candidate profile in Gigaclear's candidate tracking system or contact the Human Resources & Recruitment team. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

## **DATA PROTECTION OFFICER**

Gigaclear Ltd has appointed a Data Protection officer (DPO) to oversee compliance with this policy and associated privacy notices. If you have any questions about this or how we handle your personal information, please contact the DPO on [DPO@gigaclear.com](mailto:DPO@gigaclear.com).

**If you have any questions about this policy, please contact the Human Resources Director.**