

Recruitment Privacy Notice



As part of our candidate application and recruitment process Elmwood collects, processes and stores personal information about you. We process this information for a range of purposes relating to the recruitment process and this may include your application, assessment, pre-employment screening, and your right to work.

This notice applies to applications that are received to Elmwood for any vacancy, speculative or otherwise. The policy also applies to freelance engagements that are not payrolled.

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 the information.

In order to manage your application we need to process certain personal information about you. We only process your information as necessary for the purposes of progressing your application or as required by law.

Data controller details

The Company is a data controller, meaning that it determines the processes to be used when using your personal data.

Data protection principles

In relation to your personal data the Company will:

- process it fairly, lawfully and in a clear, transparent way
- collect your data only for reasons that we find proper for the course of your employment 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 that ensures it will not be used for anything that you are not aware of or have consented to (as appropriate), lost or destroyed

Types of data we collect and process

When applying to Elmwood we collect and process a range of information including:

- your name, address, contact telephone numbers, email and skype address, employment history, and if provided on your CV your date of birth, nationality, and your personal photo
- details of your qualifications, skills, experience and employment history
- information about your current level of remuneration, including benefit entitlements

- bank details
- tax codes and National Insurance number
- information about your entitlement to work in the UK.

How we collect your data

Elmwood collects information in a variety of ways. For example, data might be contained in our Application Tracking System, on email, from your passport or other identity documents, or collected through interviews or other forms of assessment.

Elmwood may also collect personal data about you from third parties, such as references supplied by former employers, or information that is in the public domain on professional networking sites such as LinkedIn.

Why we process your data

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

- where you have given us your consent to process your data for a specific purpose (Consent)
- in order for us to carry out our legitimate interests (Legitimate Interests)
- in order to carry out legally required duties (Legal Obligation)
- in order to carry out the employment contract with you (Contract)
- to protect your interests (Vital Interests)
- where something is done in the public interest (Public Task).

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. For example

- the business needs to process data for various reasons including taking necessary steps to contact you when you apply for one of our positions or freelance opportunities. It may also need to process your data to enter into a contract with you.
- in some cases Elmwood needs to process data to ensure that it is complying with its legal obligations. For example, the business is required to check a successful applicant's eligibility to work in the UK before employment starts.
- the business has a legitimate interest in processing personal data during the recruitment process and for keeping records of the process.
- processing the data that is provided to us by applicants allows Elmwood to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. The Company may also need to process data from job applicants to respond to and defend against complaints or claims.
- in addition, Elmwood may process information about whether or not applicants are disabled to make reasonable adjustments for candidates who have a disability in order to carry out its obligations and exercise specific rights in relation to Employment practices.
- if your application is unsuccessful, Elmwood may keep your personal data on file in case there are future employment opportunities for which you may be suited. We will ask for your consent before it retains your data for this purpose and you are free to withdraw your consent at any time.

Where is information stored?

Data will be stored in a range of different places, including on our ATS system and other HR, IT and Finance systems including email.

Who has access to your data?

Your information may be shared internally for the purposes of the recruitment exercise. This includes members of the HR team, interviewers involved in the recruitment process, IT staff, and externally with Recruitment Agents should your information have been provided to us via them.

The Company will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment. Where an offer is accepted, Elmwood will naturally share your data with third parties where there is a legitimate reason to do so including in order to obtain pre-employment references from other employers.

Where an application is received from outside of the EEA, the Company may need to share your data with colleagues in other Studios which may mean sharing data outside of the EEA eg. if an application for a vacancy was to be received for a role in our Melbourne Studio, your information would be processed both in Australia and the UK.

Protecting your data

Elmwood takes the security of your data seriously. The business has internal controls in place to try to ensure, as far as practicable, that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties.

Where we share your data with third parties, we have asked them to provide details of their GDPR compliance.

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 for, which may differ depending on the situation:

- candidates – when applying for any role Elmwood will ask for your consent to retain your personal data on file for a period of 2 years for consideration for future employment opportunities. We will do this either when you apply for a role via our ATS system, or if you have contacted us via our recruitment@elmwood.com address, we will ask for your consent via email. At the end of this period, unless you otherwise withdraw your consent at an earlier stage, your data will be deleted.

If your application is successful, personal data gathered during the application process will be transferred to your personnel file and in which case retention periods will be covered by a separate privacy.

For candidates applying via a recruitment agency, in line with the Recruitment Agency's Privacy Policy, we shall retain candidate information on file for a period of 2 years in our role as the Data Processor (unless Elmwood receives a request to delete this information earlier at which point it shall be deleted within 30 working days).

This also applies On receipt of information from candidates who have not been successful in being shortlisted, for

- interns and placements - we will retain and process your information for the duration of the relationship we have with you and for the subsequent 7 years. Following this your information will be deleted from the Company systems.
- freelancers - we will retain and process your information for the duration of the relationship we have with you and for the subsequent 7 years. Following this your information will be deleted from the Company systems.

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. You can read more about this in our Subject Access Request policy which is available from HR.
- the right for any inaccuracies to be corrected. If any data that we hold about you is incomplete or inaccurate, you have the right to challenge it. If you do this we will take reasonable steps to check the information and if the information does turn out to be incorrect, we will update our records accordingly. If you want to let us know about information you think is incorrect or incomplete, please contact the DPO Officer whose details can be found in this policy.
- 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. 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 the Head of Human Resources.

If you do not provide your data to us

You are under no obligation to provide data to the business during the application process or when seeking an internship or freelance assignment other than that which is required by law, however, if you do not provide the information Elmwood may not be able to process your application.

Automated decision making

Recruitment decisions are not based solely on automated decision making.

Review

Elmwood will review the effectiveness of this notice annually and in line with changes in legislation and best practice.

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 Deborah Longbottom. She can be contacted on GDPR@elmwood.com.