

Candidate Privacy Notice

Human Resources | September 2020

About this document

This Privacy Notice explains how Farrer & Co collects, uses and shares your personal data, and your rights in relation to the personal data we hold. This Privacy Notice concerns our processing of the personal data of all job applicants and candidates for roles and should be read in conjunction with the firm's Employment Screening Checks Policy. If your job application is successful and you accept our offer of employment or another form of engagement with us, then your personal information will be processed in accordance with the firm's Internal Privacy Notice, which will be issued to you as part of your pre-joiner contract pack.

1. Who we are

Farrer & Co LLP is a limited liability partnership registered in England and has its registered office at 66 Lincoln's Inn Fields, London, WC2A 3LH. We are registered with the UK Information Commissioner's Office with registration number Z5587757 and we are the controller of your personal data under the General Data Protection Regulation (the "GDPR") and related UK data protection law.

2. How we collect your information

2.1 We may collect your personal data in a number of ways, for example:

- (a) From the information you (or, for example, a recruitment agency on your behalf) provide to us when you interact with us before making an application to work for us, for example when you come for a meeting / interview, including when you apply for or attend a work experience placement with us;
- (b) When you submit a formal application to work for us, and provide your personal data in CVs, application forms and covering letters, etc.;
- (c) From third parties, for example from recruitment agencies, from your previous or current employers (including referees) and institutions of study, or from background checks providers, credit reference agencies or the Disclosure and Barring Service, where relevant, in order to verify details about you and/or your application to work for us.

2.2 You will not be subject to decisions that will have a significant impact on you, based solely on automated decision-making.

3. The types of information we collect

3.1 In connection with your application for work with us, we will collect the following types of personal information about you:

- (a) The information you have provided to us in your curriculum vitae and covering letter.

- (b) The information you have provided on your application form, including name, title, address, telephone number, personal email address, date of birth, gender, photograph, employment and work history (including compensation history, performance information, training records, professional memberships and disciplinary and grievance information), and qualifications.
- (c) Any information you provide to us during an interview (for example, your identification data, including a copy of your driving licence and passport details page).

3.2 We may also collect special category data, and information about criminal convictions and offences (together “**sensitive personal data**”), where this is necessary for your job application, including:

- (a) Information revealing your racial or ethnic origin, religious, philosophical beliefs, sex life and / or sexual orientation and political opinions;
- (b) Information concerning your health and medical conditions (for example dietary needs, or to make reasonable adjustments);
- (c) Information about certain criminal convictions and your credit history and other information arising from background checks (for example, where this is necessary for due diligence purposes or compliance with our regulatory obligations);
- (d) Information about your practising certificate status and any disciplinary action taken by the Solicitors Regulation Authority (SRA) against you, if applicable to your role.

3.3 If you fail to provide information when requested, which is necessary for us to consider your application (such as evidence of qualifications or work history), we will not be able to process your application successfully.

4. How we use your information

4.1 The purposes for which we may use the personal data (including sensitive personal data where applicable) we collect in connection with your job application with us includes:

- (a) Providing you with information about the firm and what it is like to work for us (where you have asked for this, most obviously before you have made a formal application to work for us);
- (b) Administering job applications, assessing your skills, qualifications and suitability for the role you have applied for, communicating with you about the recruitment process and, where relevant, offering you a job with us;
- (c) Checking you are legally entitled to work in the UK;
- (d) Ascertaining your fitness to work;
- (e) Carrying out due diligence checks on you during the application process for a role at the firm, including by checking references in relation to your education and your employment history;

- (f) To conduct data analytics studies to review and better understand the types of job applications we receive, from whom and what kind of education, skills, qualifications and employment history the applicants typically have for each different role;
- (g) Retaining your application form and related documents and information, either:
 - (i) In your personnel file, if you are offered and accept employment with the firm; or
 - (ii) If you are not offered a job, or if you do not ultimately take up a role with us, we will retain your personal information for a period of nine months after our last interaction with you concerning the role you have applied for (with aside from trainee solicitor recruitment, which will be retained for a period of three years).

4.2 We may process sensitive personal data, in particular for the purposes of:

- (a) Using information about disability status to consider whether we need to provide appropriate adjustments during the recruitment process;
- (b) Recording a member of staff's racial or ethnic origin or religious or philosophical beliefs in order to monitor the firm's compliance with equal opportunities legislation.

5. The basis for processing your information

5.1 We may process your personal data for the above purposes because:

- (a) It is necessary to enable us decide whether to enter into or perform a contract of employment (or equivalent) with you;
- (b) It is necessary for our or a third party's legitimate interests, and your interests and fundamental rights do not override those interests. Our "legitimate interests" include our commercial interests in operating the firm in a professional, sustainable manner, in accordance with all relevant legal requirements (which includes appointing the highest quality candidates to the jobs or roles that we identify as being necessary to achieve those interests), and to review and better understand employee retention and attrition rates; or
- (c) It is necessary for the establishment, exercise or defence of legal claims (for example, to protect and defend our rights or property, and/or the rights or property of our clients and others);

5.2 Importantly, we also process your personal data for our compliance with our legal obligations. In this respect, we use your personal data for the following:

- (a) To meet our compliance and regulatory obligations, such as compliance with anti-money laundering laws, SRA requirements, health and safety obligations and tax reporting requirements;
- (b) For the prevention and detection of crime, and in order to assist with investigations (including criminal investigations) carried out by the police and other competent authorities.

6. Sharing your information with others

- 6.1 For the purposes referred to in this Privacy Notice and relying on the bases for processing as set out above, we will share your personal data with certain third parties, including third party service providers. We require third parties to maintain the security of your data and to process it in accordance with applicable data protection legislation. We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so. We will disclose personal data to a variety of recipients including:
- (a) Other employees, agents and contractors where there is a legitimate reason for their receiving the information, including third parties where we have engaged them to process personal data on our behalf, for example recruitment agencies and providers of background checks;
 - (b) Internal and external auditors, and our legal advisers;
 - (c) When the firm is legally required to do so (by a court, government body, law enforcement agency or other authority of competent jurisdiction), for example by hm revenue and customs.
- 6.2 We may also share information about you with other employers in the form of a regulatory reference, where we are required to do so in compliance with our legal obligations or relevant regulatory rules.

7. International data transfers

As a matter of course, we do not transfer your personal data outside of the European Economic Area. We may, however, do so on an *ad hoc* basis, for example where this is necessary for interaction with you, and you are located outside of the EEA, or in connection with the provision of services to us by our service providers (subject always to confidentiality obligations). In such circumstances, we will put in place measures to provide appropriate safeguards for the confidentiality and security of your personal data.

8. How long your information is kept

- 8.1 If your job application is successful and you accept our offer of employment or another form of engagement with us, then your personal information will be retained and processed for the purpose of your role in accordance with the firm's Internal Privacy Notice.
- 8.2 If you are not offered a job, or if you do not ultimately take up a role with us, we will retain your personal information for a period of nine months after our last interaction with you (with aside from trainee solicitor recruitment, which will be retained for a period of three years) concerning the role you have applied for.

9. Your rights

- 9.1 Under GDPR you have the following rights:
- (a) To obtain access to, and copies of, the personal data that we hold about you;
 - (b) To require us to correct the personal data we hold about you if it is incorrect;

- (c) To require us to erase your personal data in certain circumstances;
- (d) To require us to restrict our data processing activities (and, where our processing is based on your consent, you may withdraw that consent, without affecting the lawfulness of our processing based on consent before its withdrawal);
- (e) To receive from us the personal data we hold about you which you have provided to us, in a reasonable format specified by you, including for the purpose of you transmitting that personal data to another data controller; and
- (f) To object, on grounds relating to your particular situation, to any of our particular processing activities where you feel this has a disproportionate impact on your rights.

9.2 Please note that the above rights are not absolute, and we may be entitled to refuse requests where exceptions apply.

9.3 If you have given your consent and you wish to withdraw it, please contact us using the contact details set out in section 11.2 below. Please note that where our processing of your personal data relies on your consent and where you then withdraw that consent, we may not be able to provide all or some aspects of our services to you and / or it may affect the provision of those services; and where your processing of your personal data does not rely on your consent, we may not be able to fulfil your request.

10. Changes to this Privacy Notice

We may update this Privacy Notice in line with changes to how we process personal data. We will publish any new version of the Privacy Notice on the intranet and, where appropriate, we will provide a copy to you.

11. Contact and complaints

11.1 If you are not satisfied with how we are processing your personal data, you can make a complaint to the Information Commissioner. You can find out more about your rights under data protection legislation from the Information Commissioner's Office website available at www.ico.org.uk.

11.2 If you have any queries about this Privacy Notice or how we process your personal data, or if you wish to exercise any of your rights under applicable law, you may contact us:

- (a) By email sent to dataprotection@farrer.co.uk;
- (b) Through the HR team; or
- (c) By post to Data Protection, Farrer & Co LLP, 66 Lincoln's Inn Fields, London, WC2A 3LH.