

# Privacy policy for Frazer-Nash UK job applicants



## WHO WE ARE

Frazer-Nash Consultancy Ltd. (company number 02562870, whose registered office is at Hill Park Court, Springfield Drive, Leatherhead, Surrey, England, KT22 7NL) ("Frazer-Nash", "we", "us", "our") collects, uses and is responsible for certain personal data about you. When we do so, we are subject to the Data Protection Act 2018, and the UK General Data Protection Regulation, any national implementing laws, regulations and secondary legislation, and any related or successor legislation on data protection ("**Data Protection Law**").

## WHAT IS THE PURPOSE OF THIS POLICY?

This Policy describes how we collect and use personal data about you during and after the recruitment process. This Policy applies to all job applicants and does not form part of any contract of employment or other contract.

Please read this Policy carefully, together with any other policy or notice relating to your personal data which we may provide on specific occasions when we are collecting or processing personal data about you.

## TERMINOLOGY USED IN THIS POLICY

When we refer to "**personal data**" in this Policy, we mean any information about an individual which can be used to identify that individual.

When we refer to "**special category personal data**" in this Policy, we mean types of personal data which require a higher level of protection, for example, information revealing racial or ethnic origin, political opinions or religious beliefs.

For the purposes of Data Protection Law, we are a "**data controller**". This means that we are responsible for deciding how we hold and use personal data about you.

## PERSONAL DATA WE COLLECT ABOUT YOU

We may collect, store, and use the following categories of **personal data** about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses
- Date of birth
- Gender
- Marital status and dependants
- National Insurance number
- Bank account details, payroll records and tax status information
- Salary, annual leave, pension and benefits information
- Details of the office to which you are applying to work
- Copy of driving licence
- Copy of identification information (for example passport, birth certificate, utility bill)
- Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process)
- Employment records (including job titles, work history, working hours, holidays, training records and professional memberships).

We may also collect, store and use the following **special category personal data**:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions
- Whether or not you have a disability for which we need to make reasonable adjustments throughout the recruitment process, and if so, the nature of that disability to the extent required to make such reasonable adjustments.
- We may also collect, store and use personal data relating to criminal convictions and offences. Please see below for further information about our collection and use of such data.

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## HOW IS YOUR PERSONAL DATA COLLECTED?

We collect personal data about job applicants through the application and recruitment/on-boarding process, either directly from the individual or sometimes from an employment agency or background check provider.

We may sometimes collect additional data from third parties including former employers, credit reference agencies or other background check agencies.

You are not obliged by statute or contract to provide any personal data to the company during the recruitment process, however, we will only ask for information which is required to make an employment decision and carry out appropriate clearances and security checks in line with our business needs.

## HOW WE USE YOUR PERSONAL DATA

Under Data Protection Law, we can only use your personal data if we have a proper reason for doing so. Most commonly, we will only use your personal data in the following circumstances:

- (i) where we need to do so to take steps (at your request) prior to, or in order to, enter into a contract with you (for example, your employment contract); or
- (ii) where we need such personal data in order to comply with a legal obligation; or
- (iii) 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.

## Situations in which we will use your personal data

The situations in which we may process your personal data are listed below.

- Making a decision about your recruitment or engagement
- Determining the terms on which you work for us
- Checking that you are legally entitled to work in the country in which you have applied to work.
- Checking that you have, or would be able to obtain, the necessary security clearance to work with certain clients or projects
- Ensuring compliance with your statutory rights
- Complying with health and safety obligations
- To prevent fraud
- Equal opportunities monitoring
- To set up payment arrangements for your salary and expenses should you be offered employment
- Ensuring you will receive benefits from the start of your employment.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal data.

## If you fail to provide personal data

If you fail to provide certain information when requested, we may not be able to process your job application either in whole or at all, or we may be prevented from complying with our legal obligations, and you may be unable to exercise your statutory rights.

## Change of purpose

We will only use your personal data for the purposes for which we collected it, i.e. to process your recruitment application. If you are unsuccessful in your application, we may wish to continue to hold your personal data in case of future opportunities for which

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we believe you would be suitable. We will ask for your consent to keep your personal data for this purpose and you will be able to withdraw such consent at any time.

### HOW WE USE SPECIAL CATEGORY PERSONAL DATA

Where it is necessary for us to collect special category personal data (as defined above), we will ensure that such data is suitably protected. We may process special categories of personal data in the following circumstances:

- (i) in limited circumstances, with your explicit written consent; or
- (ii) where we need to carry out our legal obligations or exercise rights in connection with employment; or
- (iii) where it is needed in the public interest, such as for equal opportunities monitoring; or
- (iv) less commonly, we may process this type of data where it is needed in relation to legal claims.

### Situations in which we will use your special category personal data

The situations in which we may process your special category personal data are listed below:

- To ensure we comply with your statutory rights.
- To assess your suitability for employment.
- We will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate adjustments to allow you attend interview.
- To apply for the appropriate level of security clearance as required for your role.
- We may use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting in recruitment. Such personal data used for these purposes is either anonymised or collected with your explicit consent which may be withdrawn at any time.
- We may use your special categories of personal data, and any information about any criminal convictions and offences, where it is needed to establish, exercise or defend legal claims.

### INFORMATION ABOUT CRIMINAL CONVICTIONS

Owing to Frazer-Nash's involvement in work pertaining to national security, we are required by the Cabinet Office's "Baseline Personnel Security Standard" to carry out criminal record checks using the Disclosure and Barring Service ("DBS") (or "Disclosure Scotland" in Scotland).

This is a legal requirement for us under the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended).

Whilst it is true that not all our employees and workers will be involved in work relating to national security, the fact that Frazer-Nash operates an open office environment means that employees and workers could find themselves working alongside individuals that are, and on this basis, we have taken the view that we have a legitimate business interest in carrying out criminal record checks for all job applicants.

We only hold such information for such time as is necessary in order to complete the required checks, thereafter, it is deleted.

### WHO WE SHARE YOUR PERSONAL DATA WITH

We may share your personal data internally within the company in order to progress your job application and make a decision about recruitment. This will include sharing your data with members of the HR department and recruitment team, managers in the department advertising the vacancy and IT staff if necessary.

We will only disclose your personal data to third parties when the law allows us to do so. These may include, but are not limited to:

- External organisations for the purposes of conducting pre-employment reference and employment background checks

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- Former employers or other referees in order to collect references
- Professional advisors
- Regulators to ensure compliance with the law
- Other third parties where it is necessary in order to enter into a contract with you, in order to comply with a legal obligation, or where it is necessary for our interests (or those of a third party)
- Banking providers (where making travel expense payments)
- Affiliated companies within Frazer-Nash's corporate group, such as parent, sister and subsidiary corporations, for their recruitment, recordkeeping and/or reporting purposes
- External organisations for the purposes of conducting aptitude tests and/or other similar activities to aid us in the recruitment process

## KEEPING YOUR PERSONAL DATA SECURE

We have appropriate security measures in place to prevent your personal data from being accidentally lost, or used or accessed unlawfully. We limit access to your personal data to those who have a genuine business need to know it. Those processing your personal data will only do so in an authorised manner and are subject to a duty of confidentiality.

In the event that we become aware of an actual or suspected data security breach, we will promptly take all necessary steps to address such breach.

Where your personal data is shared with third parties, we require all third parties to take appropriate security measures to protect your personal data and to treat it subject to a duty of confidentiality and in accordance with data protection law.

## HOW LONG YOUR PERSONAL DATA WILL BE KEPT

We will only retain your personal data 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. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal data so that it can no longer be associated with you, in which case we may use such data without further notice to you.

## TRANSFERRING DATA OUTSIDE OF THE UK

As well as our network of offices in the UK, we also have several offices in Australia. As a result, it is possible that from time to time, we may transfer your personal data to Australia. This would be most likely to occur in the event that you are applying to work with or at one of our Australian offices.

Aside from transfers to Australia, it may also be necessary from time to time, for us to transfer your personal data to other countries outside the European Economic Area (EEA) and UK. For example, where you are applying to work on a project outside of the EEA and UK. In any event we will contact you to inform you of this proposed transfer before it is completed.

## Protecting your personal data

We are aware that transfers of personal data outside of the EEA and UK are subject to special rules under Data Protection Law and will ensure that your personal data is suitably protected.

With regard to transfers of personal data to Australia, we will ensure your personal data is protected by requiring our Australian offices to comply with the EU's model clauses on transfers of personal data outside the EEA and UK, or successor UK International Data Transfer Agreement (IDTA) clauses published by the Information Commissioner's Office.

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For transfers outside of the UK and to non-EEA countries other than Australia, we will safeguard your personal data by (i) ensuring that the transferee country is one which has been granted an EU “adequacy decision” or subsequent UK equivalent; or (ii) putting in place sufficient safeguards, in accordance with the applicable Data Protection Law, to protect your personal data. These safeguards may include putting in place data transfer agreements containing the EU model clauses (or successor UK IDTA clauses) with the party receiving the personal data.

If you would like further information, please do not hesitate to contact us.

### YOUR RIGHTS AND RESPONSIBILITIES

#### Your duty to inform us of changes

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your working relationship with us.

#### Your rights in connection with personal data

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

- **Request access** to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected.
- **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal data 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. You also have the right to object where we are processing your personal data for direct marketing purposes.
- **Request the restriction of processing** of your personal data. This enables you to ask us to suspend the processing of personal data about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal data to another party.

If you want to review, verify, correct or request erasure of your personal data, object to the processing of your personal data, or request that we transfer a copy of your personal data to another party, please contact us using the following email address [datamanagement@fnc.co.uk](mailto:datamanagement@fnc.co.uk).

For more information about your rights, we would recommend that you look at the Information Commissioners website at [www.ico.gov.uk](http://www.ico.gov.uk).

#### No fee usually required

You will not normally have to pay a fee to access your personal data (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.

#### What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal data is not disclosed to any person who has no right to receive it.

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## RIGHT TO WITHDRAW CONSENT

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal data for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact us. Once we have received notification that you have withdrawn your consent, we will no longer process your data for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

## HOW LONG WILL WE HOLD YOUR PERSONAL DATA?

We will only retain your personal data for as long as is necessary to fulfil the purposes for which it was collected and processed.

If your application for employment or engagement is unsuccessful, we will generally destroy your personal data after the end of the relevant recruitment exercise.

This is subject to:

- a) any minimum statutory or other legal, tax, health and safety, reporting or accounting requirements for particular data or records, and
- b) the retention of some types of personal data for up to seven years to protect against legal risk, e.g. if they could be relevant to a possible legal claim in a tribunal, County Court or High Court.

If you have consented to us keeping your personal data on file, in case there are future suitable employment opportunities with us, we will hold your personal data for a further six months after the end of the relevant recruitment exercise, or until you withdraw your consent if earlier.

If your application for employment is successful, personal data collected during the recruitment process will be retained for the duration of your employment or engagement. Our privacy statement for Frazer-Nash Employees and Workers will then apply to you.

Personal data which is no longer retained will be securely and effectively destroyed or permanently erased from our IT systems and we will also require third parties to destroy or erase such personal data where applicable. In some circumstances we may anonymise your personal data so that it no longer permits your identification. In this case, we may retain such data for a longer period.

## AUTOMATED DECISION MAKING

Our recruitment processes are not based solely on automated decision-making (i.e. when an electronic system uses your personal data to make a decision without human intervention).

## HOW TO CONTACT US

If you have any questions about this Policy or how we handle your personal data, please contact the Head of Human Resources & Administration using the following email address [datamanagement@fnc.co.uk](mailto:datamanagement@fnc.co.uk).

In the event you have a complaint relating to our handling of your personal data, you also have the right to lodge a complaint with the UK Information Commissioner.

## CHANGES TO THIS POLICY

We reserve the right to update this Policy at any time, and we will republish it when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal data.