

**RBB ECONOMICS LLP –
RECRUITMENT PRIVACY NOTICE
May 2018**

1 THIS NOTICE

- 1.1 This notice is provided by RBB Economics LLP, registered number OC315356, registered office: 199 Bishopsgate, London, EC2M 3TY (“RBB”, “we”, “us” or “our”) and is addressed to all applicants who are applying to work with us or with any of our group entities together “RBB”, “we”, “us” or “our”), or who are enquiring about vacancies (whether as an employee, consultant, contractor, worker or other staff member) (together, “**you**”).
- 1.2 This notice relates to personal information about you from which you can be identified. We refer to this information throughout this notice as “**personal data**”. Personal data does not include data where the identity has been removed (anonymous data). There are “special categories” of more sensitive personal data which require a higher level of protection. Section 3 of this notice sets out examples of your personal data that we use.
- 1.3 We are the controller of your personal data. This means that we are responsible for deciding how we hold and use personal data about you during the recruitment exercise. As a controller we use (or ‘process’) the personal data we hold on you in accordance with this notice.
- 1.4 We take our data protection responsibilities seriously and this notice reflects the obligations set out in the General Data Protection Regulation (EU Regulation 2016/679) (“**GDPR**”) and applies regardless as to which the RBB entity receives the application, to the extent permitted under any applicable local laws.
- 1.5 This notice sets out how we collect and process your personal data. This notice also provides certain information that is legally required and lists your rights in relation to your personal data.
- 1.6 If you need to contact us in connection with our processing of your personal data, then you can do so at gdpr@rbbecon.com or on 020 7421 2410.
- 1.7 Your personal data belongs to you and it is your choice whether you provide us with your personal data. However, because we require certain items of your personal data in order to consider your application (for example, evidence of qualifications or work history), please be aware that if you do not provide all of the personal data we request from you then we may not be able to consider your application further. 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 the course of the recruitment process.
- 1.8 Please read this notice carefully, so that you are aware of how and why we are using your data.
- 1.9 If you are successful in your application and commence work with us, a separate internal privacy notice will apply to the use of your personal data during your period of work.
- 1.10 This notice may be amended or updated from time to time. Please regularly check this document to review any changes made.

2 PRINCIPLES OF DATA PROTECTION

- 2.1 The GDPR requires that the personal data we hold about you must be:
- 2.1.1 Used lawfully, fairly and in a transparent way.

- 2.1.2 Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- 2.1.3 Relevant to the purposes we have told you about and limited only to those purposes.
- 2.1.4 Accurate and kept up to date.
- 2.1.5 Kept only as long as necessary for the purposes we have told you about.
- 2.1.6 Kept securely.

3 RECRUITMENT PROCESS

- 3.1 In some cases your application may reach us via a third party recruitment agency. If that is the case, we will provide the recruitment agency with the minimum criteria for the role and they will provide us with your application if you meet the minimum criteria. Having received your application (whether by way of your CV and covering letter or application form or otherwise) we will then process that information to decide whether you meet the requirements to be shortlisted for the role or to consider if there is a vacancy which you may be suited for. We will decide whether your application is strong enough to invite you for an interview or to attend assessments. If we decide to call you for an interview or to attend assessments, we will use the information you provide to us at the interview(s) and during any assessments to decide whether to offer you the role. We may then take up references or carry out a criminal record check before confirming your appointment. If we have retained a search consultancy on an exclusive basis to recruit for the role for which you are applying, your application will be forwarded to and managed by the search consultancy.
- 3.2 You are under no obligation to provide personal data to us during the recruitment process. However, if you do not provide the information, we may not be able to process your application properly or at all.

4 PERSONAL DATA

- 4.1 We may obtain personal data about you, in connection with your application to work with us or in respect of an enquiry about vacancies, including but not limited to the following:
 - 4.1.1 Personal details: name(s), title, gender, date of birth, age, nationality, marital status, passport number, national insurance number and driver's licence number;
 - 4.1.2 Contact details: home and work addresses; home, work and personal mobile telephone numbers and work and personal email addresses;
 - 4.1.3 Information included in references;
 - 4.1.4 Any other information included on CVs, application forms and covering letters including qualifications, education history, details of previous employment, salary and benefits information and professional memberships;
 - 4.1.5 Health questionnaires and medical examination reports;
 - 4.1.6 Immigration status details including copies of your passport, biometric residence permit and other immigration documents;
 - 4.1.7 Other personal data required as part of immigration applications including immigration history;
 - 4.1.8 Data revealed by background checks, including data revealed by criminal record checks;
 - 4.1.9 Driving licence;

- 4.1.10 Other recruitment data: submissions for and information obtained from any assessment or at interview stage and notes/results thereof, special arrangements required for interview, interview notes, notes from shortlisting exercises, assessment exercises and tests, building entry, exit records, post interview feedback; and
- 4.1.11 Photographs.
- 4.2 Some of the above personal data may contain or consist of more sensitive personal data known as “**Special Categories of Data**”.
- 4.3 We may process the following Special Categories of Data:
 - 4.3.1 Information about your race or ethnicity, religious or philosophical beliefs, sexual orientation, sex life and political opinions;
 - 4.3.2 Trade union membership;
 - 4.3.3 Information about your health, including any medical condition, health and sickness records; and
 - 4.3.4 Genetic information and biometric data.
- 4.4 We may also process information about criminal convictions and offences.

5 SOURCES OF PERSONAL DATA

- 5.1 We may obtain your personal data from various sources including the following:
 - 5.1.1 Yourself;
 - 5.1.2 Other entities within our corporate group
 - 5.1.3 Recruitment agencies, employment agencies and employment businesses
 - 5.1.4 Employment background check providers, Credit reference agency, The Disclosure and Barring Service;
 - 5.1.5 Statutory or other official bodies such as government immigration departments, including UK Visas and Immigration;
 - 5.1.6 Professional advisers;
 - 5.1.7 Occupational health;
 - 5.1.8 Other medical professionals
 - 5.1.9 Past employers;
 - 5.1.10 Referees; and
 - 5.1.11 Public sources including social media.
- 5.2 We will also create personal data about you, such as interview documentation.
- 5.3 We may seek information from third parties only once a job offer to you has been made and will inform you that we are doing so.

6 LEGAL BASIS FOR PROCESSING

- 6.1 To process your personal data in connection with the purposes set out in section 7 of this notice, we will rely most commonly on one or more of the following legal bases:
 - 6.1.1 we have a legitimate interest in carrying out the processing, which is not overridden by your interests, fundamental rights, or freedoms. When we rely on this legal basis our legitimate interests may include the following:
 - (a) the management of the recruitment process and employment and engagement of staff, in particular making decisions about who to offer employment or engagement to and on what terms;
 - (b) the efficient running of our business;

- (c) meeting external and internal governance and regulatory obligations;
 - (d) to enable the business to share information intra group; and
 - (e) to enable us to take legal advice and to defend claims.
- 6.1.2 the processing is necessary for compliance with a legal obligation; or
- 6.1.3 the processing is necessary for the performance of a contract with us or in order to take steps at your request prior to entering into a contract.
- 6.2 In rare circumstances we may rely on the following legal bases:
- 6.2.1 the processing is necessary to protect your vital interests or the interests of someone else; or
 - 6.2.2 the processing is necessary for the performance of a task carried out in the public interest.
- 6.3 We do not need your consent if we process your data under one or more of the other legal bases set out above. In some circumstances we may approach you for your written consent to allow us to process certain data.

7 PURPOSES OF PROCESSING

- 7.1 We need your personal data primarily to pursue our legitimate interests, provided your interests and fundamental rights do not override those interests to enable us to comply with legal obligations and to allow us to take steps prior to entering into a contract with you. We will use your personal data for a variety of different purposes including those listed below.
- 7.2 We will use your personal data for a variety of different purposes including the following:
- 7.2.1 Making a decision about your recruitment or appointment;
 - 7.2.2 Determining the terms on which you will work for us if you are offered employment or engagement with us;
 - 7.2.3 Checking you are legally entitled to work in the country in which you have applied to be employed;
 - 7.2.4 Submitting immigration applications on your behalf or assisting you with applications and applying for and issuing certificates of sponsorship;
 - 7.2.5 Complying with our obligations as a Tier 2 sponsor, including in relation to retaining records of the recruitment process and details of applicants who applied for the role;
 - 7.2.6 Carrying out background checks;
 - 7.2.7 Requesting references;
 - 7.2.8 Communicating with you about your application and the recruitment process;
 - 7.2.9 Assessing your skills, qualifications and suitability for a particular job or task;
 - 7.2.10 Retaining details about you in case there are future employment opportunities for which you may be suited;
 - 7.2.11 Assessing education, training and development requirements;
 - 7.2.12 Dealing with legal disputes involving you including accidents on our premises;
 - 7.2.13 Complying with our legal or regulatory requirements;
 - 7.2.14 Complying with health and safety obligations;
 - 7.2.15 Equal opportunities monitoring;
 - 7.2.16 Protecting and defending our rights or property;
 - 7.2.17 Using your personal data in life or death situations (e.g. in the event of an accident and we have to give your personal details to medical personnel);
 - 7.2.18 Selling, making ready for sale or disposal of our business in whole or in part including to any potential buyer or their advisers;

- 7.2.19 Succession and organisational planning; and
- 7.2.20 Sharing employee data within our group as necessary, including for administrative purposes.

8 SPECIAL CATEGORIES OF DATA

- 8.1 Special Categories of Data require higher levels of protection. We need to have further justification for collecting, storing and using this type of data. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data.
- 8.2 Where we process Special Categories of Data, we usually rely on the following additional legal bases:
 - 8.2.1 where such processing is necessary for the purposes of performing or exercising obligations or rights which are imposed or conferred by law on us or you in connection with employment, social security or social protection; or
 - 8.2.2 where you have given your explicit written consent.
- 8.3 Subject to any applicable conditions in each case, we may also process Special Categories of Data on other additional legal bases including:
 - 8.3.1 where it is necessary to protect your vital interests (or someone else's interests) and you are not capable of giving your consent,
 - 8.3.2 where it is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;
 - 8.3.3 where you have already made the information public;
 - 8.3.4 where it is necessary for archiving, scientific, historical research or statistical purposes and is in the public interest; or
 - 8.3.5 where it is necessary for reasons of substantial public interest and it is necessary for the purpose of identifying or keeping under review the existence or absence of equality of opportunity or treatment between groups with a view to enabling such equality to be promoted or maintained.
- 8.4 We may lawfully process Special Categories of Data in certain ways, including for the following purposes:
 - 8.4.1 We will use data about your physical or mental health or disability status to consider if we need to provide any adjustments for the recruitment process, to determine whether you are suitable for the role or to consider if we need to make any adjustments to the role you are applying for.
 - 8.4.2 We will use our knowledge of your health-related personal data in the event of illness or injury or some other related emergency.
 - 8.4.3 We may use some Special Categories of Data when bringing or defending a legal claim.
 - 8.4.4 We will use data about your race or national or ethnic origin, religious or philosophical beliefs, health or your sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.
 - 8.4.5 We will use data about your race or national or ethnic origin when carrying out right to work checks and retaining immigration documents and complying with our obligations as a Tier 2 sponsor.

9 INFORMATION ABOUT CRIMINAL CONVICTIONS

- 9.1 We may in limited circumstances process data about criminal convictions (including personal data relating to the alleged commission of offences).
- 9.2 We will only collect information about criminal convictions if it is appropriate given the nature of the role that you apply for. In some cases we may be notified of such information directly by you in the course of you applying for a role or working for us.
- 9.3 We will only use data relating to criminal convictions where we have a legal basis to do so. This will usually be where such processing is necessary for the purposes of performing or exercising obligations or rights which are imposed or conferred by law on us or you in connection with employment, social security or social protection.
- 9.4 Subject to any applicable conditions in each case, we may also use data relating to criminal convictions on other lawful bases including:
- 9.4.1 where you have given your explicit written consent;
 - 9.4.2 where it is necessary for the purpose of, or in connection with, any legal proceedings (including prospective legal proceedings) or where it is necessary for obtaining legal advice or for the purpose of establishing, exercising or defending legal rights;
 - 9.4.3 where it is necessary when a court or tribunal is acting in its judicial capacity;
 - 9.4.4 where you have already made the information public; or
 - 9.4.5 where it is necessary for reasons of substantial public interest and is necessary for the purposes of:
 - (a) the prevention or detection of an unlawful act; or
 - (b) the purposes of complying with, or assisting other persons to comply with, a regulatory requirement (a requirement imposed by legislation or a requirement forming part of generally accepted principles of good practice relating to a type of body or an activity) which involves a person taking steps to establish whether another person has committed an unlawful act, or been involved in dishonesty, malpractice or other seriously improper conduct.
- 9.5 We may use information about criminal convictions and offences in a number of ways including:
- 9.5.1 to determine whether to employ or engage you;
 - 9.5.2 when submitting immigration applications to government immigration departments.
- 9.6 We have in place an appropriate policy and safeguards which we are required by law to maintain when processing such data.

10 RECIPIENTS OF PERSONAL DATA

- 10.1 Your information will be shared internally for the purposes of the recruitment exercise. This includes members of the HR and recruitment team, interviewers involved in the recruitment process, senior staff within the Firm and IT staff if access to the data is necessary for the performance of their roles.
- 10.2 We will not usually share your data with third parties, unless your application for employment is successful and we make you an offer of employment or engagement. If we share data within any third parties before this stage we will let you know.
- 10.3 Once we have made an offer to you we may then share your personal data with third parties.
- 10.4 We may share your personal data with the following recipients:
- 10.4.1 Your named referees when requesting a reference;

- 10.4.2 Employment background checking companies;
 - 10.4.3 Government immigration departments (including UK Visas and Immigration);
 - 10.4.4 Occupational health advisers and other medical professionals;
 - 10.4.5 Legal and regulatory authorities, on request, or for the purposes of reporting any actual or suspected breach of law or regulation;
 - 10.4.6 External professional advisers such as accountants, auditors, lawyers and other outside professional advisers, subject to binding obligations of confidentiality;
 - 10.4.7 Any relevant party, law enforcement agency, tribunal or court, to the extent necessary for the establishment, exercise or defence of legal rights;
 - 10.4.8 Any relevant party for the purposes of prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties; and
 - 10.4.9 Any relevant third party acquirer(s), potential acquirers or bidders and their advisers in the event that we sell or transfer, or propose to sell or transfer all or any portion of our business or assets (including in the event of a reorganisation, outsourcing, service provision change, dissolution or liquidation).
- 10.5 In addition, we may disclose the personal data you provide to us to our group companies and affiliates or third party data processors who may process data on our behalf to enable us to carry out our usual business practices. Any such disclosure will only be so that we can process your personal data for the purposes set out in this notice.
- 10.6 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. 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.

11 TRANSFERS OF PERSONAL DATA OVERSEAS

- 11.1 In the course of the recruitment process, personal data we collect from you may be transferred to, stored and/or processed outside the European Economic Area (“EEA”) and we may transfer your personal data to countries including Australia and South Africa, including to the entities within our corporate group which are based there. It is possible that your personal data will also be transferred to, stored and/or processed in other countries outside the EEA.
- 11.2 Subject to any applicable conditions in each case, such transfers of personal data may be made on the following bases:
- 11.2.1 there are EU Model Clauses between us and the recipient, and, to the extent applicable, a copy can be obtained by using the contact details set out in paragraph 1.6 or
 - 11.2.2 there is an adequacy decision, namely:
 - (a) Privacy Shield for transfers to the US; or
 - (b) the European Commission has decided that the relevant non-EU country ensures an adequate level of protection;
 - 11.2.3 where the transfer is necessary for:
 - (a) the establishment, exercise or defence of legal claims;
 - (b) to protect your vital interests (or someone else’s interests) and you are not capable of giving your consent,
 - (c) the performance of any contract with us or the implementation of pre-contractual measures taken at your request;

- (d) for important reasons of public interest;
- (e) the conclusion or performance of a contract concluded in your interests between us and another party; or

11.2.4 where you have given your explicit written consent.

11.3 You can request further information by contacting us as specified in section 1.6.

12 RETENTION OF PERSONAL DATA

12.1 Personal data will be stored in a range of different places, including on your application record, in HR management systems and on other IT systems (including email).

12.2 We take the security of your personal data seriously. We have internal policies and controls in place to ensure that your personal data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by members of staff in the proper performance of their duties.

12.3 We will usually retain the personal data (applications/CVs) of unsuccessful candidates for a period of 5 years after we have communicated to you the decision not to offer you a role. Key details (such as name, university) will be kept on our database for a period of 10 years.

12.4 After this period, our policy is, in most circumstances to delete your personal data from our system. This is subject to any legal or regulatory obligation to keep personal data for a longer period of time (for example it is subject to our obligations as a Tier 2 sponsor). We will also hold your personal data for a longer period if it is required in connection with legal proceedings.

12.5 If your application for a role is successful, personal data gathered during the recruitment process will be transferred to your personnel file and retained during your employment or engagement. The periods for which your personal data will usually be held will be provided to you in a new privacy notice.

13 AUTOMATED DECISION MAKING

13.1 Automated decision-making takes place when an electronic system uses personal data to make a decision without human intervention. We are allowed to use automated decision-making in the following circumstances:

13.1.1 Where it is necessary for entering into a contract with you and appropriate measures are in place to safeguard your rights;

13.1.2 In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights; or

13.1.3 Where authorised by law and subject to certain conditions.

13.2 If we make an automated decision on the basis of any particularly sensitive personal data, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

13.3 You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

13.4 We do not envisage that any decisions will be taken about you using automated means during the recruitment process, however we will notify you in writing if this position changes.

14 YOUR RIGHTS IN RELATION TO YOUR PERSONAL DATA

- 14.1 You have a number of rights in connection with the processing of your personal data, subject to certain conditions set out in the GDPR and the law of the country in which you have applied to be employed, including the right to:
- 14.1.1 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.
 - 14.1.2 Request the correction of the personal data that we hold about you. This enables you to have incomplete or inaccurate data we hold about you corrected.
 - 14.1.3 Request the 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.
 - 14.1.4 Ask us to stop processing personal data where we are relying on a legitimate interest and there is something about your particular situation which makes you want to object to processing on this ground.
 - 14.1.5 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.
 - 14.1.6 Request the transfer of your personal data to another party.
 - 14.1.7 Lodge a complaint regarding the processing of your data with the Information Commissioner’s Office.
- 14.2 In the limited circumstances where you 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 the COO in writing in accordance with section 1.6. After we have received notification that you have withdrawn your consent in relation to a particular purpose we will no longer process your information for that purpose, unless we have another legitimate basis for doing so in law.
- 14.3 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 the COO in writing in accordance with section 1.6.