

## **Privacy notice for applicants**

We take your privacy very seriously. Please read this privacy notice carefully as it contains important information on how and why we collect, store, use and share your personal data. It also explains your rights in relation to your personal data and how to contact us or supervisory authorities in the event you have a complaint.

When we use your personal data we are regulated under the General Data Protection Regulation (GDPR) which applies across the European Union (including in the United Kingdom) and we are responsible as 'controller' of that personal data for the purposes of the GDPR. Our use of your personal data is subject to your instructions, the GDPR, other relevant UK and EU legislation and our professional duty of confidentiality.

### **What information do we collect?**

The table below sets out the personal data we will or may collect in the course of advising and/or acting for you.

<b>Personal data we will collect</b>	<b>Personal data we may collect</b>
The information you have provided on our application form, including name, title, address, telephone number, personal email address, date of birth, gender, employment history, qualifications	Your racial or ethnic origin, gender and sexual orientation, religious or similar beliefs
Your employment status and details including salary and benefits	Information to enable us to undertake a credit or other financial checks on you where appropriate
Any information you provide to us during an interview	Your employment records relating to, where relevant, records relating to sickness and attendance, performance, disciplinary, conduct and grievances (including relevant special category personal data)
	Information about your health, including any medical condition, health and sickness records
	Information about criminal convictions and offences
	Your bank and/or building society details
	Details of your spouse/partner and dependants or other family members

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.

### **How your personal data is collected**

We collect most of this information from you direct. However, we may also collect information:

- from publicly accessible sources, e.g. Companies House, HM Land Registry, Electoral Roll;
- directly from a third party, e.g.:
  - recruitment agency;
  - Court records of debt judgments and bankruptcies;
- from a third party with your consent, e.g.:
  - disclosure and Barring Service in respect of criminal convictions;
  - your named referees;
  - your bank or building society, another financial institution or advisor;
  - your employer and/or trade union, professional body or pension administrators;
  - your doctors, medical and occupational health professionals;
- via our website—we use cookies on our website (for more information on cookies, please see our Website Privacy Notice which can be found on our website or provided upon request)
- via our information technology (IT) systems, reception and telephone logs;

### **How and why we use your personal data**

We will use the personal information we collect about you to:

- Assess your skills, qualifications, and suitability for the role;
- Carry out background and reference checks, where applicable.
- Communicate with you about the recruitment process.
- Keep records related to our hiring processes.
- Comply with legal or regulatory requirements.

It is in our legitimate interests to decide whether to appoint you.

We also need to process your personal information to decide whether to enter into a contract of employment with you.

Having received your CV and covering letter or your application form (as appropriate) we will then process that information to decide whether you meet the basic requirements to be shortlisted for the role. If you do, we will decide whether your application is strong enough to invite you for an interview. If we decide to call you for an interview, we will use the information you provide to us at the interview to decide whether to offer you the role. If we decide to offer you the role, we will then take up references and / or carry out a criminal record and / or other checks as appropriate before confirming your appointment.

## **How we use particularly sensitive personal information**

We will use your particularly sensitive personal information in the following ways:

- We will use information about your disability status to consider whether we need to provide appropriate adjustments during the recruitment process
- We will 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.

## **Information about criminal convictions**

We may need to process information about criminal convictions.

We are required to carry out a criminal records check for some employees in order to satisfy ourselves that there is nothing in that person's criminal convictions history which makes them unsuitable for the role. In particular:

- We are legally required by the Solicitors Regulation Authority to carry out criminal record checks for those carrying out work regulated by them.
- The roles of Solicitor, Chartered Legal Executive and Licensed Conveyancer require criminal record checks to be carried out.
- In addition, the role of Legal Cashier requires a high degree of trust and integrity since it involves dealing with client money and so we would require a criminal record check to be carried out.

We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data.

## **Who we share your personal data with**

We will only share your personal information with the following third parties for the purposes of processing your application:

- external service suppliers, representatives and agents that we use to make our business more efficient

We may also need to share your information with:

- our insurers and brokers;
- our legal and other professional advisors;
- external auditors, e.g. in relation to Lexcel or other accreditations held by the Firm or individual solicitor and the audit of our accounts;
- our banks

We only allow our service providers to handle your personal data if we are satisfied they take appropriate measures to protect your personal data. We also impose contractual obligations on

service providers relating to ensure they can only use your personal data to provide services to us and to you.

We may disclose and exchange information with law enforcement agencies and regulatory bodies to comply with our legal and regulatory obligations.

### Retention of your information

We will retain your personal information for a period of four months after we have communicated to you our decision about whether to appoint you. We retain your personal information for that period so that we can show, in the event of a legal claim, that we have not discriminated against candidates on prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way. After this period, we will securely destroy your personal information in accordance with applicable laws and regulations.

If we wish to retain your personal information on file, on the basis that a further opportunity may arise in future and we may wish to consider you for that, we will write to you separately, seeking your explicit consent to retain your personal information for a fixed period on that basis.

### Your rights

You have the following rights, which you can exercise free of charge:

Access	The right to be provided with a copy of your personal data
Rectification	The right to require us to correct any mistakes in your personal data
To be forgotten	The right to require us to delete your personal data - in certain situations where there is no compelling reason for its continued processing
Restriction of processing	The right to require us to restrict processing of your personal data - in certain circumstances, e.g. if you contest the accuracy of the data
Data portability	The right to receive the personal data you provided to us, in a structured, commonly used and machine-readable format and/or transmit that data to a third party—in certain situations
To object	The right to object: <ul style="list-style-type: none"><li>- at any time to your personal data being processed for direct marketing;</li><li>- in certain other situations to our continued processing of your personal data, e.g. processing carried out for the purpose of our legitimate interests.</li></ul>
Not to be subject to automated individual decision-making	The right not to be subject to a decision based solely on automated processing that produces legal effects concerning you or similarly significantly affects you

For further information on each of those rights, including the circumstances in which they apply, please contact us or see the [Guidance from the UK Information Commissioner's Office \(ICO\) on individuals' rights under the General Data Protection Regulation](#).

If you would like to exercise any of those rights please email, call or write to our Data Protection Officer, Natalie Thomas at [info@bmcf.co.uk](mailto:info@bmcf.co.uk), 01522 518888, Sibthorp House, 351-355 High Street, Lincoln, LN5 7BN. Please ensure that you let us have your full name, address and matter reference number; proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill); and let us know what right you want to exercise and the information to which your request relates.

### **Protection of your information**

We have appropriate security measures to prevent 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 access it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

### **Changes to this notice**

We keep our privacy notice under regular review and we will place any updates on our website. You should check this policy occasionally to ensure that you are aware of the most recent version. This privacy notice was last updated in May 2018.