



# Applicant Privacy Notice

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## Introduction

Amberjack Global Ltd (“Amberjack”, “We”, “Us”, “Our”, “Company”) are committed to protecting and respecting the privacy of the candidates that we assess for internal recruitment purposes. We strive to ensure accountability and transparency with regards to the handling of your personal data at all times.

This notice sets out the basis on which any personal data we collect from you, or that you provide to us, will be processed by us.

The General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679) is a new regulation which replaced the Data Protection Regulation (Directive 95/46/EC) The Regulation aims to harmonise data protection legislation across EU member states, enhancing privacy rights for individuals and providing a strict framework within which commercial organisations can legally operate.

Your rights under the GDPR are set out in this notice and came into effect following the GDPR becoming law on 25th May 2018.

Please read this document carefully to ensure you understand our views and practices regarding your personal data and how we will treat it.

## Definitions

**Personal data** means any information relating to an identified or identifiable natural person (known as a “data subject”), and can include, for example, names, ID numbers, location data, online identifiers and factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of a data subject. The data protection legislation also recognises ‘**special categories**’ of personal data, the processing of which are subject to stricter regulation than other forms of personal data. This category of personal data includes data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic or biometric data used to uniquely identify natural persons, data concerning health or data concerning an individual’s sex life or sexual orientation.

All activities relating to personal data (e.g. collection, structuring, alteration, storage, retrieval, consultation, use, adaptation, disclosure, erasure or destruction), whether using automated means or not, are known as “**processing**” for the purposes of the data protection legislation.

The data protection legislation makes a distinction between those who process data as “**controllers**” and those who process it as “**processors**” and imposes different obligations on controllers and processors. “**Controllers**” are individuals or organisations that determine the purposes and means of the processing of personal data. “**Processors**” are individuals or organisations that process personal data on behalf of a controller.

For the purposes of data protection legislation in force from time to time the data controller is:

**Amberjack**  
**Newbury House**  
**20 Kings Road West**  
**Newbury**  
**Berkshire**  
**RG14 5XR**

Our Data Protection Officer can be contacted at the above address or [dpo@weareamberjack.com](mailto:dpo@weareamberjack.com)

### Who we are and what we do

Amberjack provide consultancy, technology and outsourced recruitment services, specialising in early talent. We employ individuals to deliver these services across a number of business areas including Resourcing Services, Assessment Consulting, Technical Development, Client Solutions, Marketing and Business Services.

The information we collect about the candidates applying to work for us is limited to that which is deemed absolutely necessary and integral to Amberjack's internal recruitment and assessment processes.

### Information you give to us or we collect about you

This is information about you that you give us by corresponding with us by phone, e-mail or otherwise. It includes information you provide should you, attend our events, participate in discussion boards or other social media functions on our site, enter a competition, promotion or survey, and report a problem with our site.

The information you give us or we collect about you may include your:

- Name
- Gender
- Date of birth
- Nationality
- Address
- Private/corporate e-mail address
- Phone number/s

- CV/employment history
- Academic qualifications
- Referee contact details
- References verifying your qualifications and experience
- Your right to work in the United Kingdom
- Professional qualifications/memberships
- Other compliance documentation
- Financial information/salary details
- Image - on our CCTV system should you visit our offices
- Links to your professional profiles available in the public domain e.g. LinkedIn, Twitter, business Facebook or corporate website

### Information we obtain from other sources

This is information we obtain about you from other sources such as: LinkedIn, other social media sites, corporate websites, events, job board websites, online CV libraries, your business card, personal recommendations, referees and recruitment agencies or Head hunters.

We may also, dependant on the role you are applying for with Amberjack and the specification requirements attached to this, obtain pre-employment information from various employment screening/checking providers. Information obtained may include the following:

Financial/bankruptcy, education/qualifications verification, employment history, identity verification, International Sanctions check list, address verification, right to work, basic criminal record checks.

### If you fail to provide personal information

If you do not provide certain information when requested, we may not be able to process your application for a vacancy with our company.

### Purposes of the processing

Amberjack may use information held about you in the following ways:

To provide you with any information you request from us or we think will be of interest or relevant to your interest in job opportunities with Amberjack. We also use your information to enable us to consider and fully assess your application/s for vacancies within our company.

We will rely on legal obligation if we are legally required to hold information on you to fulfil our legal obligations.

We will in some circumstances rely on consent for particular uses of your data and you will be asked for your express consent, if legally required. Examples of when consent may be the lawful basis for processing include Special Category (sensitive information). Our legal basis for the processing of personal data is our legitimate business interests, described in more detail below, although we will also rely on contract, legal obligation and consent for specific uses of data

## The legal basis for the processing

Amberjack's Lawful Basis for the processing of your personal data is to pursue our legitimate business interests, described in more detail below, although we will also rely on the Lawful Basis of legal obligation and the Lawful Basis of consent for specific uses of data.

We will rely on legal obligation if we are legally required to hold information on to you to fulfil our legal obligations.

We will in some circumstances rely on consent for particular uses of your data and in these circumstances, you will be asked for your express consent, if legally required. Examples of when consent may be the lawful basis for processing include Special Category (sensitive information).

## Our legitimate business interests

Our legitimate business interests in collecting and retaining your personal data are described below:

To carry out recruitment and assessment activities to fill Amberjack internal vacancies. In order to effectively manage our internal recruitment and assessment activities we need to collect, share and store candidate personal data for as long as is reasonably necessary to fully assess against current and planned vacancies.

The reviewing and exchanging of personal data of candidates is a fundamental, essential part of our recruitment process which is designed to ensure that we have the appropriate skill sets and levels of experience to enable us to fulfil our client contracts. We also need to ensure that we have adequate resources to continue to deliver current and to win new business to ensure sustainability and future growth of the company.

## Consent

Should we want or need to rely on consent to lawfully process your data we will request your consent by asking you to sign a Consent Form for the specific activity we require consent for and record your response on our recruitment system. Where consent is the lawful basis for our processing you have the right to withdraw your consent to this particular processing at any time by completing a Withdrawal of Consent Form, which you can request from our Data Protection Officer.

## Disclosure of your information inside and outside of the EEA

We may share your personal information with selected third parties including compliance partners/pre-employment screening providers for the purpose of assessing your suitability for a role

If we sell all or part of our business, we may be required to provide personal data about you to any prospective purchaser in the course of negotiations. So far as possible such data will be provided in an anonymous form and if this is not possible the prospective purchaser will be required to keep the information confidential. We will transfer your personal data on any transfer or sale falling within the terms of the Transfer of Undertakings (Protection of Employment) Regulations 2006.

The lawful basis for the third party processing will include:

- Their own legitimate business interests in processing your personal data
- For the performance of a contract in place or in contemplation
- To fulfil their legal obligations

## Change of purpose

We will only use your personal information for the purpose for which it was collected unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will advise you of this and explain the Lawful Basis for us doing so.

You should be aware that we may process your personal information without your knowledge or consent where this is required or permitted by law.

## Your Duty to Inform us of Changes

It is important that the personal information we hold about you is accurate and current. Please be sure to keep us informed if your personal information changes during your recruitment process.

## How we use sensitive personal information

Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations for example in relation to candidates with disabilities and for health and safety purposes.

We may use other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or philosophical belief, this is done for the purposes of meaningful equal opportunities monitoring or reporting. Data used by us for these purposes is anonymised or is collected with your express consent, which can be withdrawn at any time. You are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so.

## Where we store and process your personal data

Amberjack will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this privacy notice. We are registered with the Information Commissioner's Office and all records retained by the company are done so in accordance with data protection laws.

All information you provide to us, or we obtain is stored on our secure servers, or in locked files. Any personal information is only saved in shared access computer drives ("shared drives", OneDrive) if access is restricted to those with a specific need to know and it is further secured by the setting of permissions or passwords.

## Retention of your data

We do the following to try to ensure our data is accurate:

At first contact we check that we have accurate information about you and we keep in touch with you throughout the recruitment process so you can let us know of changes to your personal data.

We understand our legal duty to retain accurate data and only retain personal data for as long as we need it for our legitimate business interests and that you are happy for us to do so. Accordingly, we have a data retention policy and run data routines to remove data that we no longer have a legitimate business interest in maintaining using the following guidelines.

DATA TYPE	STAGE OF RECRUITMENT PROCESS	RETENTION PERIOD
CV	Application regretted as unsuitable	CV not retained
CV	Unsuccessful for vacancy applied for but would like to retain in our talent pool	1 year
CV	Successfully appointed	Refer to 'Employee Privacy Notice' on commencement of employment
Supporting statement/letter to demonstrate suitability for role	All stages	Statement/letter not retained following regret or appointment
Personality profiling/aptitude reports	Unsuccessful after assessment	No data retained
Personality profiling/aptitude reports	Successfully appointed	No data retained
Referee details	Pre-employment checking prior to start date	Not retained following receipt of reference
Reference form/comments	Pre-employment checking prior to start date	If unsatisfactory not retained. If satisfactory refer to 'Employee Privacy Notice' on commencement of employment

The criteria we use to determine whether we should retain your personal data includes:

- The nature of the personal data
- Its perceived accuracy
- Our legal obligations
- What stage of the recruitment process you have reached

## Your rights

The GDPR provides you with the following rights.

To:

- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information the company hold about you corrected
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for the company continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where the company is 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.
- **Request the restriction of processing** of your personal information. This enables you to ask the company to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party in certain formats, if practicable.

## Access to information

The GDPR gives you the right to access and obtain the personal information held about you. This is known as a “data subject access request”.

Your right of access can be exercised in accordance with the GDPR. A data subject access request should be submitted to [dpo@weareamberjack.com](mailto:dpo@weareamberjack.com) No fee will apply under the terms of the GDPR.

## Breach Reporting

A personal data breach is a breach that results in the destruction, alteration or unauthorised disclosure or access to personal data.

Amberjack will make every effort to contain any personal data breaches identified and will also undertake an immediate assessment of any potential risks resulting from the breach in line with our data breach incident process. Should it be considered that there is a high risk to an individual/s as a result of the breach then Amberjack will endeavour to inform the individual/s as soon as possible.

In such situations where you feel that a breach may have taken place then you must notify our Data Protection Officer immediately.

## Changes to our privacy notice

This Notice may be updated, revised, replaced and re-issued from time to time, to ensure it continues to meet all legislative requirements and relevant developments in data management and security techniques. Any changes to Amberjack's data processing processes or this privacy notice will be published via a link on our website and any candidates registered on our Talent Pool or those part way through a recruitment process will be notified of any such changes.

## Contact

Questions, comments and requests regarding this privacy notice are welcomed and should be addressed to The Data Protection Officer at [dpo@weareamberjack.com](mailto:dpo@weareamberjack.com) or Amberjack, Newbury House, 20 Kings Road West, Newbury, Berkshire, RG14 5XR

You also have the right to raise concerns or make a complaint to a supervisory body which in the United Kingdom is the Information Commissioner's Office. The ICO can be contacted on 0303 123 1113 or at <https://ico.org.uk/concerns/>