

JOB APPLICANT FAIR PROCESSING NOTICE

1. GDPR – OVERVIEW

The EU General Data Protection Regulation (2016/679 EU) (GDPR) will come into effect on 25 May 2018 and will replace the Data Protection Directive (95/46/EC), which was implemented in the UK through the Data Protection Act 1998.

The GDPR will comprehensively reform the data protection rules that apply in EU member states. Although many of the existing concepts under the Directive will remain the GDPR will introduce several new concepts, approaches to data and restrictions on processing. It will also expand rights for data subjects and significantly increase sanctions.

In the employment context, the GDPR will regulate the processing of data on employees in the EU, including employee information that is held outside the EU.

Impact of Brexit - When the UK leaves the EU, the GDPR will be incorporated into UK law by the European Union (Withdrawal) Bill. The Government has also published the Data Protection Bill, which will supplement GDPR standards in the UK. The Bill will replace the Data Protection Act 1998.

2. PROCESSING YOUR DATA

Hyperion Services Limited (HSL) is the data controller for the personal information you provide during the recruitment and onboarding process.

The company collects and processes your personal information for the purposes described in this Fair Processing Notice. The Company may change or update this Fair Processing Notice at any time.

If you have any queries about the process, or how we handle your information please contact us at recruitment@hyperiongrp.com

3. CATEGORIES OF DATA

During the recruitment process the company control and process the following categories of data:

Employee related data: Name, address, Date of Birth (DOB), contact information, gender, HMRC PAYE details, National Insurance details, National Insurance number, bank details, marital status, details of any disabilities which require workplace adjustments, photo, hobbies, interests

Recruitment and selection: Job history, education - qualification certificates, agency name, referral details, proof of unemployment, interview notes , tests, pre-employment screening, conflict of interest: information on directorships, interest in other companies

Right to work information: Valid passport and visa, National Identity Card or long birth certificate and proof of National Insurance number, proof of address, UK immigration details, nationality

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4. PROCESSING DATA

The Company processes your data in order to facilitate essential business activities for different purposes and we are relying on a number of lawful grounds.

The lawful grounds that we are relying on for each purpose is set out in the table below. By way of summary, these include:

- Performance of our contract with you
- Compliance with a legal obligation and legal claims
- For our legitimate business interests (or those of a third party)

Where we have indicated that the processing activities are necessary for our legitimate interests, we consider that the processing activity is necessary to ensure fair and effective recruitment of suitable personnel and the effective reward, administration, support, development and management of staff. This is important to ensure that the Company continues to meet its business objectives and goals both in the short and long term; maintains its reputation; and continues to attract and retain high calibre staff. Any additional legitimate interests are set out below.

Activities (Purposes)	This processing is necessary:
Recruitment and selection of all employees including pre-employment screening	<ul style="list-style-type: none">• To take steps at the applicant's request to enter a contract of employment.• For the purpose of the legitimate interests pursued by the Company.

5. PROCESSING SPECIAL CATEGORIES OF PERSONAL DATA

On occasion, we will process sensitive personal data as part of the activities described above. This type of personal data is referred to as "special categories" of personal data. This may include information related to your health and, to the extent that you provide it to us, information relating to your race, ethnicity, political opinions, religious or philosophical beliefs, sexual orientation and trade union membership.

Where processing of these categories of data takes place, we process the same under one of the following bases:

- The processing is necessary for the purposes of carrying out the obligations and exercising the rights of you or the Company in the field of employment law, social security and social protection law, to the extent permissible under applicable laws;
- The processing is necessary for the establishment, exercise or defence of legal claims.

This will include the following activities and purposes, although this is not an exhaustive list. In each of the cases set out below, the processing is necessary for the purposes of carrying out the obligations and exercising the rights of you or the Company in the field of employment law, social security and social protection law, to the extent permissible under applicable laws.

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We will process special categories of personal data as follows:

- In order to assess and review eligibility to work for the Company in the UK;
- To carry out the collection of statistical data subject to local laws, or where required to record such characteristics to comply with equality and diversity requirements of applicable local legislation or to keep the Company's commitment to equal opportunity under review;
- For compliance with employment, health and safety or social security laws. For example, to provide statutory incapacity or maternity benefits, avoid breaching legal duties to you, to ensure fair and lawful management of your employment, avoid unlawful termination of your employment, to administer the Company's private medical and long term disability schemes, to make reasonable accommodations or adjustments and avoid unlawful discrimination or dealing with complaints arising in this regard;

6. CONSENT

We may seek your consent to certain processing which is not otherwise justified under one of the above bases set out under paragraphs 4 and 5 above. If consent is required for the processing in question, it will be sought from you separately to ensure that it is freely given, informed and explicit. Information regarding the relevant processing will be provided to you at the time that consent is requested, along with the impact of not providing any such consent.

You should be aware that it is not a condition or requirement of your employment to agree to any request for consent from the Company.

7. DATA COLLECTION

We may collect your personal data from various sources, including:

- You;
- Your previous employer or representative;
- Pre-employment screening provider;

We do not collect more information than we need to fulfil our purposes.

8. DATA RETENTION

The Company endeavours to ensure that personal data are kept as current as possible and that irrelevant or excessive data are deleted or made anonymous as soon as reasonably practicable.

We retain records containing personal data for the life of your employment and the following 8 years, unless there is a legal or regulatory obligation to do otherwise. This means that some personal data may be retained for varying time periods in order to comply with legal and regulatory obligations and for other legitimate business reasons. Further information on data retention can be found in the [HIG UK Retention, Archiving and Disposal \(RAD\) Policy](#).

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9. DATA SHARING

Within the Company, your personal data can be accessed by or may be disclosed internally on a need to know basis to:

- local, [regional and global] Human Resources, including managers and team members;
- local, regional and executive management responsible for managing or making decisions in connection with your relationship with the Company or when involved in an HR process concerning your relationship with the Company.
- system administrators; and
- where necessary for the performance of specific tasks or system maintenance by staff in the Company teams such as the Finance and IT Department and the Global HR information systems support team.

Your personal data may also be accessed by third parties that we work with to provide us with services, including hosting, supporting and maintaining the framework of Workday and other information systems and as set out further below.

We share data with various recipients for the following processes:

- Recruitment & Selection providers
- Pre-employment Screening providers

10. TRANSFER OF PERSONAL INFORMATION

From time to time your Personal Information (including special categories of Personal Information) will be transferred to associated companies of the Company to process for the purposes described in this Fair Processing Notice.

These associated companies may be located within the European Union and elsewhere in the world. Personal Information may also be transferred to third parties, as set out above.

As a result, your Personal Information may be transferred to countries outside of the country in which you work to countries whose data protection laws may be less stringent than yours.

The Company will ensure that appropriate or suitable safeguards are in place to protect your personal information and that transfer of your personal information is in compliance with applicable data protection laws. Where required by applicable data protection laws, the Company has ensured that service providers (including other Company associated companies) sign standard contractual clauses as approved by the European Commission or other supervisory authority with jurisdiction over the relevant Company exporter. You can obtain a copy of any standard contractual clauses in place which relate to transfers of your Personal Information by contacting hr@hyperiongrp.com.

11. YOUR RIGHTS

Right to access, correct and delete your Personal Information:

- The Company aims to ensure that all Personal Information are correct. You also have a responsibility to ensure that changes in Personal Information are notified to the Company so

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that we can ensure that your data is up-to-date. You can see and update most of this data yourself via Workday.

- You have the right to request access to any of your Personal Information that the Company may hold, and to request correction of any inaccurate data relating to you. You furthermore have the right to request deletion of any irrelevant data we hold about you.

Additional rights (from 25 May 2018):

- **Data portability** - where we are relying upon the fact that the processing is necessary for the performance of a contract to which you are party as the legal basis for processing, and that Personal Information is processed by automatic means, you have the right to receive all such Personal Information which you have provided to the Company in a structured, commonly used and machine-readable format, and also to require us to transmit it to another controller where this is technically feasible.
- **Right to restriction of processing** - you have the right to restrict our processing of your Personal Information where:
 - you contest the accuracy of the Personal Information;
 - where the processing is unlawful but you do not want us to erase the data;
 - where we no longer need the Personal Information for the purposes of the processing, but you require them for the establishment, exercise or defence of legal claims; or
 - where you have objected to processing justified on legitimate interest grounds (see below) pending verification as to whether the Company has compelling legitimate grounds to continue processing.

Where Personal Information is subjected to restriction in this way we will only process it with your consent or for the establishment, exercise or defence of legal claims.

- **Right to object to processing justified on legitimate interest grounds** - where we are relying upon legitimate interest to process data, then you have the right to object to that processing. If you object, we must stop that processing unless we can either demonstrate compelling legitimate grounds for the processing that override your interests, rights and freedoms or where we need to process the data for the establishment, exercise or defence of legal claims.
- **Right to withdraw consent.** Where we have relied on your consent to process particular information and you have provided us with your consent to process data, you have the right to withdraw such consent at any time. In some cases, deleting the relevant data from Workday (although note that in this case it may remain in back-ups and linked systems until it is deleted in accordance with our data retention policy) may be sufficient to end this processing activity. Do note that it will only however be rarely that we rely on your consent to process personal data for your employment or engagement.

For further information regarding your rights, or to exercise any of your rights, please contact hr@hyperiongrp.com

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12. QUERIES

We try to meet the highest standards when collecting and using your personal information. If you have a query or want to make a complaint about the way we have collected or use your personal information, please contact hr@hyperiongrp.com.

If you are not satisfied with our use of your personal information or if you think that we have breached the GDPR, then you have the right to complain to the ICO at the below:

England	Scotland	Wales	Northern Ireland
Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF	Information Commissioner's Office 45 Melville Street Edinburgh EH3 7HL	Information Commissioner's Office 2nd floor Churchill House Churchill way Cardiff CF10 2HH	Information Commissioner's Office 3rd Floor 14 Cromac Place Belfast BT7 2JB
Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)	Tel: 0131 244 9001	Tel:029 2067 8400	Tel: 0303 123 1114 (local rate) or 028 9027 8757 (national rate)
Email: casework@ico.org.uk	Email: scotland@ico.org.uk	Email: wales@ico.org.uk	Email: ni@ico.org.uk

VERSION HISTORY

DATE	VERSION	AUTHOR	DESCRIPTION
APRIL 2018	V1	AM	FINAL