

Data controller: **Cooke & Mellor Recruitment Limited t/a Cummins Mellor**

As part of any recruitment process, the organisation collects and processes personal data relating to job applicants. The organisation is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

Our legal basis for processing your information

Although wherever applicable we will seek your consent to process your personal information, in some instances we may process your information without consent when we are legally allowed to do so. This will only be where it is in our legitimate interests to do so and where we are confident that such processing is not likely to prejudice your legitimate interests or rights and freedoms.

The legal bases we rely on to offer our services to you are as follows:

- Processing is based on consent from yourself, where applicable, or
- Processing is necessary in relation to the contract entered into between you and ourselves, or
- Processing is necessary because of a legal obligation that applies to us, or
- Processing is necessary to protect your vital interests, or
- Processing is necessary for the purpose of the legitimate interests pursued by us or a third party (e.g. we need to check your identity, right to work, qualifications and potentially process pay and manage certain statutory rights – therefore it is in the legitimate interest of all parties involved – us, you as the work seeker and our client – that we can process personal data, or
- Processing is necessary for administering justice, for exercising statutory, governmental or other public functions.

Where we process your information on the basis of consent that you have given us, you are entitled to withdraw that consent at any time such that we can no longer rely on it as a basis for continuing to process your personal information.

What information does our organisation collect?

In order to fulfil its obligations to you, our organisation collects a range of information about you. This includes:

- your name, address and contact details, including email address and telephone number;
- details of your qualifications, skills, experience and employment history, including contact details of past employers in order to obtain references;
- information about your current level of remuneration, including benefit entitlements;
- whether or not you have a disability for which the organisation needs to make reasonable adjustments during the recruitment process;
- information about your entitlement to work in the UK;
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- bank information in order to make wages payments should you undertake temporary assignments through ourselves, including National Insurance, Date of Birth and PAYE/HMRC information;

The organisation may collect this information in a variety of ways. For example, data might be contained in application forms, CVs submitted directly to ourselves or uploaded onto job boards, obtained from your passport or other identity documents, submitted by yourself via online website forms, emails or text messages, collected through telephone or face to face interviews or other forms of assessment, including online profiling assessments.

The organisation may also collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers and information from criminal records checks, if applicable.

We may collect information about you whenever you interact with us, for example when you:

- Enquire about our services or visit our website
- Sign up to receive updates from us
- Post content to our social media sites (including Twitter, Facebook and LinkedIn)
- Attend a meeting with us and provide us with information about you
- Meet through networking events or exhibitions
- We may also receive information from you from third parties – but only if you've given them permission to share your information.

Data will be stored in a range of different places including on our recruitment management system, on secure internal IT and email systems and within secure filing cabinets.

Why does our organisation process personal data?

The organisation needs to process data to take steps at your request prior to entering into a contract with you. It may also need to process your data to enter into a contract with you.

In some cases, the organisation needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check an applicant's eligibility to work in the UK prior to starting employment.

The organisation has a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. Processing data from job applicants allows the organisation to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer an assignment.

The organisation may also need to process data from job applicants to respond to and defend against legal claims.

The organisation may process special categories of data, such as information about ethnic origin, sexual orientation or religion or belief, to monitor recruitment statistics. It may also collect information about whether or not applicants are disabled to make reasonable adjustments for candidates who have a disability. The organisation processes such information to carry out its obligations and exercise specific rights in relation to employment.

The organisation is obliged to seek information about criminal convictions and offences. Where the organisation seeks this information, it does so because it is necessary for it to carry out its obligations and exercise specific rights in relation to employment.

If your application is unsuccessful, the organisation may keep your personal data on file in case there are future employment opportunities for which you may be suited. The organisation will ask for your consent before it keeps your data for this purpose and you are free to withdraw your consent at any time.

The organisation may also process your personal data in order to:

- Inform you of employment opportunities;
- Update you about any changes to our services;
- Update you on industry or market news;
- Maintain our records and ensure we have your most up to date marketing preferences;
- To help us improve our services, campaigns and information offering;
- To analyse and improve the operation of our website;
- To invite you to participate in marketing reviews and meetings;
- To contact you where you have been identified as a contact person for a business or organisation (if we obtain your contact details in this way, we will only use them to contact you in the ways in which you have agreed to be contacted).

Who has access to data?

Your information may 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, managers in the business area with a vacancy, the finance and payroll team and IT staff if access to the data is necessary for the performance of their roles.

Your information may be passed to prospective or intended employers (or third parties assisting them in the recruitment process), or customers for the purpose of recruitment.

In order to meet statutory obligations, your information will be shared with organisations such as HMRC and our workplace pension provider when you are automatically enrolled.

We may legally be required to disclose your details if required to by the police or for regulatory reasons.

We will only ever share your data in other circumstances if we have your consent to do so.

The organisation will not transfer your data outside the European Economic Area.

How does the organisation protect data?

The organisation takes the security of your data seriously and will always try to take appropriate precautions to protect it.

We ensure there are appropriate technical controls in place, for example SSL website security, secure and monitored internal security features including passwords protected networks and restricted access to our management systems for authorised personnel only.

We have internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties.

We do use external third party software to process personal data and distribute marketing materials. Before implementing third party software we ensure they meet all relevant regulations and legislation and that only we can access your data within these systems. Should a third party need to access a system to resolve an error or provide technical support this could only be carried out with our approval and supervision. Access is controlled through secure logins. We seek to provide maximum protection to your personal details.

For how long does the organisation keep data?

Employment businesses and employment agencies must retain records of their workers and candidates. Record keeping is not only for operational reasons but because records are required by various pieces of legislation, including the Conduct of Employment Agencies and Employment Businesses Regulations 2003 (Conduct Regulations), the Working Time Regulations 1998 and the National Minimum Wage Act 1998.

We will retain your personal information for as long as is necessary for the relevant activity. Different laws require us to keep data for different periods of time.

Should an application for employment made by yourself be unsuccessful, we will retain your submitted data (usually in the form of a CV or covering email) for a period of 6 months after the end of the relevant recruitment process, for consideration for future employment opportunities. At the end of that period, we will seek to obtain your consent to retain your data for a further 2 years.

Should an application for employment made by yourself be successful or should during the pre-screening process you request the organisation to retain your personal details on file, then the personal data gathered during the recruitment/pre-screening process will be transferred to your personnel file, and retained while you permit the organisation to do so.

Should the organisation cease to provide work finding services to you, or be unable to make any form of regular contact with you, then on expiry of your consent agreement with us, your personnel record will be archived and data deleted subject to statutory retention requirements.

Should the organisation receive an erasure request from you then unless there are other legal grounds and obligations that require us to keep your personal data it shall be deleted.

Keeping your information up to date

Where possible, we try to keep your records up to date; for example we aim to contact you at least once every 2 years by telephone to ensure your information on our database is correct. However, we really appreciate it if you let us know if your contact details change.

Automated decision-making

Recruitment processes are not based on automated decision-making.

Your rights

You retain control of how we use your data and you have a number of rights. You can:

- Request the organisation to change incorrect or incomplete data;
- Request the organisation to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- Object to the processing of your data where the organisation is relying on its legitimate interests as the legal ground for processing;
- The "right to be forgotten" if we are processing your data on the basis of consent, unless there are other legal grounds and obligations that require us to keep your personal data. In this case any personal data we hold would be erased and we would be unable to fulfil any requests about the information we had held retrospectively;
- The right to access and obtain a copy of your data on request. The right to data portability; and
- Rights in relation to automated decision making and profiling.

In some circumstances we may legally be required to retain your personal information. However this will be discussed with you depending on your requirements and does not apply if we are processing your data to contact you regarding, or sending you, marketing materials.

For more information of your rights under GDPR please read the relevant guidance issued by the ICO [here](#).

If you would like to exercise any of these rights, please contact Michelle Mellor, One Cathedral Square, Cathedral Quarter, Blackburn, Lancashire, BB1 1FB;

If you believe that the organisation has not complied with your data protection rights, you can complain to the Information Commissioner.

What if you do not provide personal data?

You are under no statutory or contractual obligation to provide data to the organisation during the recruitment process. However, if you do not provide the information, the organisation may not be able to provide work finding services to you.

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Other Websites

This privacy policy only relates to information that we obtain from you or via third parties if you've given them permission to share your information. If you visit a website operated by a third party through a link included on our website your information may be used differently by the operator of the linked website. We would advise that you read their privacy policy/statement for further information.

Complaints

If you would like to raise a concern or make a complaint about how we process your personal data, please refer to our Complaints Policy and Procedure [here](#).