

PROPRIETARY & CONFIDENTIAL INFORMATION – DO NOT DISTRIBUTE OUTSIDE THE COMPANY WITHOUT SENIOR
MANAGEMENT APPROVAL



PRIVACY NOTICE – JOB APPLICANTS

Version 3.0

January 2024



PROPRIETARY & CONFIDENTIAL INFORMATION – DO NOT DISTRIBUTE OUTSIDE THE COMPANY WITHOUT SENIOR MANAGEMENT APPROVAL

Contents

1. ABOUT THIS POLICY.....	3
2. DATA PROTECTION PRINCIPLES	3
3. THE KIND OF INFORMATION WE HOLD ABOUT YOU.....	4
4. HOW IS YOUR PERSONAL INFORMATION COLLECTED?	5
5. HOW WE WILL USE INFORMATION ABOUT YOU	6
6. HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION	7
7. AUTOMATED DECISION-MAKING	10
8. DATA SHARING	10
9. DATA SECURITY	12
10. DATA RETENTION	12
11. RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION.....	13
12. RIGHT TO WITHDRAW CONSENT.....	14
13. DATA PROTECTION OFFICER.....	15
14. CHANGES TO THIS PRIVACY NOTICE.....	15
APPENDIX	16
15. Document Control.....	19

Data controller/Organisation:

Peppermint Technology Ltd

Oaktree House

2 Phoenix Place

Phoenix Park

Nottingham

NG8 6BA

Tel: 0115 838 9300



1. ABOUT THIS POLICY

What is the purpose of this document?

Peppermint Technology Limited (the Company) is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you during the application and recruitment processes, in accordance with the UK General Data Protection Regulation (aka GDPR).

It applies to all applicants.

The Company is a "controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to applicants and those in pre-employment stages.

It is important that you read and retain this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information and what your rights are under the data protection legislation.

2. DATA PROTECTION PRINCIPLES

We will comply with data protection law. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
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.



3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

3. THE KIND OF INFORMATION WE HOLD ABOUT YOU

Personal data, or personal information, means any information about an individual from which that person can be identified.

It does not include data where the identity has been removed (anonymous data).

There are certain types of more sensitive personal data (aka special category data) which require a higher level of protection, such as information about a person's health or sexual orientation. Information about criminal convictions also warrants this higher level of protection.

We will collect, store, and use the following categories of personal information about you during the application and, for successful candidates, during the pre-employment process:

Application stages

- Personal contact details such as name, title, addresses (residential and email), telephone numbers
- CV and cover letter
- Interview notes
- Qualifications

Pre-employment (post offer)

- Date of birth
- Gender
- Marital status and dependants



- Next of kin and emergency contact information
- National Insurance number
- Bank account details, payroll records and tax status information
- Start date if successful in securing employment
- Employment references
- Details of any secondary employment or conflict of interest declarations
- Location of employment or workplace
- Copy of driving licence and/or passport and insurance documentation
- Copy of car insurance, MOT and licence details, including DVLA checks
- Information about your identity
- Photographs
- Social Media profiles and information
- Clothing sizes
- Dietary requirements
- Remuneration details

We may also collect, store and use the following more sensitive types of personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation, trade union membership and political opinions.
- Information about your health, including any medical condition, or disability
- Information about criminal convictions and offences, including a Basic DBS check
- Adverse financial record checks
- Global Sanctions checks

4. HOW IS YOUR PERSONAL INFORMATION COLLECTED?

We collect personal information about applicants through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers, survey companies, credit reference agencies or other background check agencies.



5. HOW WE WILL USE INFORMATION ABOUT YOU

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. Where we enter into a contract with a successful candidate, the need to perform the contract we have entered into with you (for example, to pay you and provide benefits to you) and to exercise our legal rights.
2. Where we need to comply with a legal obligation.
3. Where it is necessary for legitimate interests pursued by us or a third party and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations, which are likely to be rare:

1. Where we need to protect your interests (or someone else's interests).
2. Where it is needed in the public interest or for official purposes.

Situations in which we will use your personal information

We need all the categories of information in the list above primarily to allow us to make decisions regarding an offer of employment, enter into a contract and comply with legal obligations. In some cases, we may use your personal information to pursue legitimate interests, provided your interests and fundamental rights do not override those interests.

For more information about how we use your personal information, as well as the categories of personal data and legal bases we rely on to do so, please see the Appendix.

If you fail to provide personal information

If you fail to provide certain information when requested, we may not be able to make a decision regarding an offer of employment or enter into a contract with you.



Change of purpose

We will only use your personal information for the purposes for which we collected it, 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 notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

6. HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION

"Special categories" of particularly sensitive personal information, such as information about your health, racial or ethnic origin, sexual orientation or trade union membership, require higher levels of protection.

We need to have further justification for collecting, storing and using this type of personal information. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data.

We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with your explicit written consent.
2. Where we need to carry out our legal obligations or exercise rights in connection with employment.
3. Where it is needed in the public interest, such as for equal opportunities monitoring.
4. Where it is necessary to protect you or another person from harm.



Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

Situations in which we will use your sensitive personal information

In general, we will not process particularly sensitive personal information about you unless it is necessary for performing or exercising obligations or rights in connection with a formal offer of employment. On rare occasions, there may be other reasons for processing, such as it is in the public interest to do so. The situations in which we will process your particularly sensitive personal information are listed below.

We have indicated the purpose or purposes for which we are processing or will process your more sensitive personal information. **Processing of this type of data will only occur where a formal offer of employment has been made, accepted and a legal contract signed by both parties.**

- We will use information about your physical or mental health, or disability status, to ensure your health and safety at work including work related events and activities (including social events, team-building activities and similar) and to assess your fitness to work, to provide appropriate workplace adjustments, to comply with the Equality Act 2010, to monitor and manage sickness absence and to administer benefits including statutory maternity pay, statutory sick pay, pensions and private medical insurance. We need to process this information to exercise rights and perform obligations in connection with your forthcoming employment.
- If we reasonably believe that you or another person are at risk of harm and the processing is necessary to protect you or them from physical, mental or emotional harm or to protect physical, mental or emotional well-being.
- 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.
- We will use trade union membership information to pay trade union premiums, register the status of a protected employee and to comply with employment law obligations.
- Where we have a legal obligation to our customers to demonstrate employment screening checks have been performed

Do we need your consent?



PROPRIETARY & CONFIDENTIAL INFORMATION – DO NOT DISTRIBUTE OUTSIDE THE COMPANY WITHOUT SENIOR MANAGEMENT APPROVAL

We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law.

In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

We do not need your consent where the purpose of the processing is to protect you or another person from harm or to protect your well-being and if we reasonably believe that you need care and support, are at risk of harm and are unable to protect yourself.

Information about criminal convictions

We may only use information relating to criminal convictions where the law allows us to do so.

This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.

We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. This can arise when it is necessary for us to comply with the law, a legal agreement, or for another reason where there is a substantial public interest in us doing so.

Where appropriate, we will collect information about criminal convictions as part of the recruitment process.

We will use information about criminal convictions and offences during the recruitment process in the following ways:

- making decisions about your offer of employment
- demonstrate our legal compliance under a customer contract where audits are performed in respect of pre-employment propriety screening

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



7. AUTOMATED DECISION-MAKING

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

1. Where we have notified you of the decision and given you 21 days to request a reconsideration.
2. Where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights.
3. In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

If we make an automated decision on the basis of any particularly sensitive personal information, 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.

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.

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

8. DATA SHARING

We may have to share your data with third parties, including third-party service providers and other entities in the group.

We require third parties to respect the security of your data and to treat it in accordance with the law.

We may transfer your personal information outside the UK.

If we do, you can expect a similar degree of protection in respect of your personal information.



Why might you share my personal information with third parties?

We will share your personal information with third parties where required by law, where it is necessary to administer the initiation of a working relationship with you or where we have another legitimate interest in doing so.

Which third-party service providers process my personal information?

"Third parties" includes third-party service providers (including contractors and designated agents) and other entities within our group. The following activities are carried out during the recruitment process by third-party service providers: HR information system record management, pre-employment screening checks including right to work, DBS, adverse finance checks and global sanctions checks.

The providers and the services they provide can be made available upon request.

How secure is my information with third-party service providers?

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.

Transferring information outside the UK

We will transfer the personal information we collect about you to the following countries outside the UK in order to perform our recruitment with you: EEA, US/North America. There are adequacy regulations in place with EEA countries. There are not adequacy regulations in respect of each of these countries however as some fall outside the EEA. This means that the countries in the EEA to which we transfer your data are deemed to provide an adequate level of protection for your personal information but not those outside the EEA.

Therefore to ensure that your personal information does receive an adequate level of protection for those without adequacy regulations we have put in place the following appropriate measures to ensure that your personal information is treated by those third parties outside the EEA in a way that is consistent with and which respects UK law on data protection: Standard Contractual Clauses, Data Protection Impact Assessments and/or International Data Transfer Agreements and International Data Transfer Addendum. Digital data safeguards are reviewed by our IT Operations in accordance with our IT Security protocol and policies. Evidence is obtained to ensure adequacy



of these safeguards. If you require further information about these protective measures, you can request it from the Quality Manager or CTO.

9. DATA SECURITY

We have put in place measures to protect the security of your information. Details of these measures are available upon request.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality. Details of these measures may be obtained from the CTO.

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

10. DATA RETENTION

How long will you use my information for?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal or reporting requirements. Details of retention periods for different aspects of your personal information are available in our retention policy which is available to view on request.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure



PROPRIETARY & CONFIDENTIAL INFORMATION – DO NOT DISTRIBUTE OUTSIDE THE COMPANY WITHOUT SENIOR MANAGEMENT APPROVAL

of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

We will retain and securely destroy your personal information in accordance with applicable laws and regulations.

11. RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during the application and any pre-employment stages.

Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- Request access to your personal information (commonly known as a "data subject access request"). *This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.*
- Request correction of the personal information that we hold about you. *This enables you to have any incomplete or inaccurate information we 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 us 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 we are 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. You also have the right to object where we are processing your personal information for direct marketing purposes.



PROPRIETARY & CONFIDENTIAL INFORMATION – DO NOT DISTRIBUTE OUTSIDE THE COMPANY WITHOUT SENIOR MANAGEMENT APPROVAL

- Request the restriction of processing of your personal information. *This enables you to ask us 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.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact us in writing.

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive or as otherwise permitted by law. Alternatively, we may refuse to comply with the request in such circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

12. RIGHT TO WITHDRAW CONSENT

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information 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 Peppermint in writing. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Peppermint maintain a data retention policy, which can be requested in writing.



13. DATA PROTECTION OFFICER

If you have any questions about this privacy notice or how we handle your personal information, please contact the Quality Manager, CTO or Director of People Performance.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO) with respect to data protection issues.

14. CHANGES TO THIS PRIVACY NOTICE

We reserve the right to update this privacy notice at any time.

We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this privacy notice, please contact, the Quality Manager using the following details:

Peppermint Technology Limited
Oaktree House
2 Phoenix Place
Phoenix Park
Nottingham
NG8 6BA



APPENDIX

The situations in which we will process your personal information are listed below. This list is not exhaustive.

We have indicated the purpose or purposes for which we are processing or will process your personal information, as well as providing a description of which categories of data are involved and the grounds that we rely on to do so. Where a legitimate interest is involved, we state what the legitimate interest is.

Some of the below grounds for processing will overlap and there may be several grounds which justify our use and processing of your personal information.

Purposes of Processing	Categories of Personal Data	Legal Basis
Making a decision about your recruitment or appointment	CV, employment records and background checks, full name, date of birth, residential address, email address, telephone number, right to work status, references, psychometric tests, DBS check and national insurance number.	Pursuance of our legitimate interests as a business seeking individuals to fill roles, to fully understand and assess your suitability for a role and verify the information provided to us.
Checking you are legally entitled to work in the UK	Full name, date of birth, passport number or additional documents proving you have permission to live and work in the UK.	Compliance with legal obligations.



Purposes of Processing	Categories of Personal Data	Legal Basis
Determining the terms on which you work for us	Qualifications, certification, skills, experience, previous terms of employment (including salary and benefits), location.	Pursuance of our legitimate interests as a business to provide market equivalent/competitive terms, compliance with legal obligations and to perform the contract we have entered into with you.
Determining whether your engagement is deemed employment for the purposes of Chapter 10 of Part 2 of the Income Tax Earnings and Pensions Act 2003 (ITEPA 2003) and providing you with a status determination statement in accordance with the applicable provisions of ITEPA 2003	Your other clients and work commitments, skill levels, qualifications, experience, relationship with any intermediary through which your services are provided.	To comply with a legal obligation.
Administering the contract we have entered into with you	Full name, date of birth, job title, residential address, email address, telephone number, national insurance number, bank account information.	Performance of a contract and in performance of our obligations and exercise of our rights as your employer.
Complying with health and safety obligations	Full name, health information (as is relevant to the specific incident,	Compliance with legal obligations, pursuance of our legitimate



Purposes of Processing	Categories of Personal Data	Legal Basis
	such as injury sustained or any underlying health conditions)	interests, and as necessary to exercise our rights as your employer.
Equal opportunities monitoring	Information about your race or ethnicity, religious beliefs, sexual orientation, political opinions.	To comply with legal obligations to monitor and measure equal opportunities.
Assessing qualifications for a particular job or task	Qualifications, skills, experience, performance data, and psychometric test results.	To pursue our legitimate interests including ensuring the clients' needs are met, the business' needs are met
Dealing with legal disputes involving	Name, address, email address, telephone number, data relevant to dispute e.g. emails, recruitment records, notes	To comply with our legal obligations.
Ascertaining your fitness to commence work	Medical questionnaire, Occupational health reports, GP reports	To comply with our legal obligations and to pursue our legitimate interests of having a stable workforce with a good level of attendance, meeting the business and client needs and supporting



Purposes of Processing	Categories of Personal Data	Legal Basis
		employees with ill health or disability
To conduct data analytics studies to review and better understand recruitment trends	Your application, duration of recruitment exercise, notes and/or observations of recruitment process	To pursue the legitimate interest of retaining a stable workforce and attracting a talented workforce.

15. Document Control

Review Period

This policy shall be reviewed against ICO guidance annually.

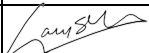
Version Control

Version No	Date	Updated By	Summary of Changes
V1.0	10 th May 2018	Emily Farrow	Circulated to internal Legal Counsel and Cloud Product Manager
V1.1	27 th May 2020	James Carter	Update format, correct contact details
V2	August 2023	Emily Farrow	Law365 review
V3	January 2024	Helen Williams	Reviewed in line with annual Jan review No changes



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Approval

Name	Position	Version Approved	Signature	Date (dd/mmm/yyyy)
E Farrow	Head of People Performance	1.1		27/05/20
G Young	CEO	2.0		August 2023
G Young	CEO	3.0		January 2024