



Data Protection Policy – Recruitment Portal

Policy Reference: DP Recruitment

Policy Owner: HR

Last Reviewed: December 2022

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1. Introduction

We Buy Any Car is committed to conducting its business in accordance with all applicable Data Protection laws and regulations as well as being transparent about how it collects and uses personal data.

This policy sets out We Buy Any Car's commitment to data protection and the rights of data subjects in respect of their data. This policy applies to the personal data supplied by individuals applying for roles via We Buy Any Car's recruitment portal. We Buy Any Car is responsible for ensuring compliance with the Data protection requirements outlined in this Policy.

To aid understanding of this policy:

- **Personal data:** is any information that relates to a living individual who can be identified from that information. Processing is any use made of this data, including collecting, storing, amending, disclosing, or destroying it. This data can be in electronic or physical form.
- **Special Category:** means any data set which includes details or reveals race or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, generic data, biometric data, data concerning health, sex or sexual orientation.
- **Criminal records data:** means information about an individual's criminal convictions and offences, and information relating to criminal allegations and proceedings.

2. Data Protection Principles

We Buy Any Car processes personal data in accordance with the following data protection principles:

- Processing personal data lawfully, fairly and in a transparent manner.
- Collecting personal data only for specified, explicit and legitimate purposes.
- Processing personal data only where it is adequate, relevant, and limited to what is necessary for the purposes of processing.
- Keeping accurate personal data and taking all reasonable steps to ensure that inaccurate personal data is rectified or deleted without delay.
- Keeping personal data only for the period necessary for processing.
- Adopting appropriate measures to make sure that personal data is secure, and protected against unauthorised or unlawful processing, accidental loss, destruction, or damage.

This policy outlines the reasons We Buy Any Car process personal data, how such data is used and the legal basis for processing. Some personal data will be processed by an authorised third party on behalf of We Buy Any Car, which is detailed in this policy.

An assessment process has been undertaken for each reason personal data is processed, to ensure a justified valid basis for the processing exists. No personal data is subject to automated decision making or profiling. Some personal data will be processed on the basis of We Buy Any Car's legitimate interests, where this applies an assessment has been conducted to ensure that those interests do not override the rights and freedoms of individuals.

The Company keeps a record of its processing activities in respect of personal data in accordance with the requirements of the UK General Data Protection Regulation (UK GDPR), and The Data Protection Act 2018.

3. Data Subject Consent

For the purpose of this policy. We Buy Any Car obtains personal data from applicants only with their consent.

Should applications proceed to interview or a contract of employment is offered, some of the data collected and processed will be on the basis of legitimate interest, to enable We Buy Any Car to fulfil lawful obligations or to satisfy the employment contract.

During the recruitment process, the following information will be processed for applicants;

- Name, address, telephone number, email address, next of kin details
- current and former occupations, qualifications
- communications with candidates concerning applications
- information concerning applicants "right to work" in the UK
- information submitted by applicants as part of their application (for example career history, education, CV)
- information that may qualify as sensitive data voluntarily submitted as part of an equal opportunities questionnaire, including declared disabilities for the purpose of making reasonable adjustments to support an application
- information supplied by our background check partner Experian, following your consent to them for this purpose

If we make an offer of employment to you, we will provide some of your personal data to our background checking partner Experian for the purpose of background, right to work and CRB checks.

Individual Rights

4. Subject Access Requests

Applicants who wish to submit a data subject access request should write to WBAC-UK-HR@webuyanycar.com. We Buy Any Car may need to ask for proof of identification before the request can be processed.

We Buy Any Car will conduct reasonable searches for personal identifiable information relating to the data subject, and provide copies of the personal data if requested. This will normally be in electronic form unless agreed otherwise.

We Buy Any Car will normally respond to a request within a period of one month from the date it is received. In some cases, such as where the request is complex, it may respond within three months of the date the request is received.

4.1 Other Rights

Individuals have a number of other rights in relation to their personal data.

1. *rectify inaccurate data.*

It is important We Buy Any Car are informed of any data inaccuracies so records can be updated.

2. *stop processing or erase data that is no longer necessary for the purposes of processing.*

There are a number of scenarios where an individual may request this. Any objection or deletion requests will be considered, balancing the rights of the individual against We Buy Any Car's interests or obligations. Where the rights of an individual outweigh We Buy Any Car's rights, processing will be restricted or data deleted.

If We Buy Any Car no longer requires data for any defined purpose, it will be deleted.

3. *stop processing or erase data if processing is unlawful.*

It is important that We Buy Any Car are informed as soon as possible if it is believed data is being processed unlawfully.

To ask We Buy Any Car regarding any of these rights, send a request to WBAC-UK-HR@webuyanycar.com

4.2 Law enforcement requests and disclosures

In certain circumstances, it is permitted that personal data is shared without the knowledge or consent of a data subject. This is the case where the disclosure of the personal data is necessary for any of the following purposes:

- The prevention or detection of crime.
- The apprehension or prosecution of offenders.
- The assessment or collection of a tax or duty.
- By the order of a Court, by any rule of law, or in connection with legal proceedings.

5. Complaints Handling

Any complaints or concerns regarding this policy, an applicant's data, or suspected data breaches should be made to WBAC-UK-HR@webuyanycar.com.

6. How we use your data & lawful basis for processing

The data provided to We Buy Any Car by applicants will be used as follows;

- 1) *Reviewing candidate applications*

An application submitted to us will be reviewed by appropriate colleagues in We Buy Any Car. The legal basis for the processing of data is that it has been supplied with the applicants consent.

2) *For the purpose of right to work and pre-employment checks*

Should an offer of employment be made to an applicant, background checks, CRB and right to work checks appropriate for the role will need to be conducted.

The legal basis for the processing of this data will be in accordance with We Buy Any Car's employment contract, and to fulfil legal obligations.

3) *Assessing applicants who have declared disabilities for the purpose of making reasonable adjustments*

Applicants may advise of disabilities, requesting reasonable adjustments, in these instances We Buy Any Car will process data for the purpose of fulfilling legal obligations.

4) *To review any complaint made by an applicant about the recruitment process*

Data will be processed by We Buy Any Car for the purpose of assessing any complaint made by a candidate, fulfilling our obligations under employment laws.

5) *To enable us to periodically review the effectiveness of our recruitment process*

To ensure We Buy Any Car's recruitment processes are working fairly and efficiently, previous and current applications will be periodically reviewed by our HR team. This will involve processing personal data provided by applicants, which will be in our legitimate interest.

Where applicants are not successful or withdraw applications, We Buy Any Car will retain their data for 6 months before it is deleted.

Where an application progresses and the applicant is successful in starting a role, personal data will be processed in accordance with other We Buy Any Car policies.

7. Retention periods & recipients of personal data

Personal data provided by applicants may be held;

- 1) in We Buy Any Car's recruitment portal maintained by our provider, Eploy. Eploy stores your data in EEA based datacentres. Your data will be retained in our portal database for a maximum period of 6 months.
- 2) In secure We Buy Any Car systems, including our email archive, subject to company retention periods.
- 3) Where we make an offer of employment, we will provide some of your personal data to our background checking partner, Experian. Experian will contact you to obtain details to enable them to process your checks; Experian will retain records for up to 12 months before deleting them.
- 4) Where an applicant starts employment with We Buy Any Car, data supplied at application stage will be retained in accordance with company retention policies for existing and former staff.

Government agencies, regulatory bodies and law enforcement agencies may request personal information, which can be provided in accordance with provisions in the GDPR and Data Protection Act.

8. Data Controller & Data Protection Regulator

The Data Controller is We Buy Any Car Limited, registered with the Information Commissioners Office in the UK.

In the event an individual wishes to complain regarding use of their personal data, We Buy Any Car would like to resolve the complaint directly. However, individuals have the right to complain to the UK data protection regulator, the ICO.

The ICO website includes information about data subject rights, and ways a data subject can raise a complaint;

<https://ico.org.uk>

Data Protection queries can also be raised with We Buy Any Car's Compliance Team as follows;

The Compliance Team
Pennine House
White Moss View
Greenside Way
Manchester
M24 1UN

E: complianceadvice@webuyanycar.com

We Buy Any Car is part of Constellation Automotive Group Limited. You can also raise a data protection query or concern with the Group Privacy Team here;

DPO-Office@bca.com