

The Mercers' Company

PRIVACY STATEMENT FOR EMPLOYEE APPLICANTS OF THE MERCERS' COMPANY

WHO WE ARE

The Mercers' Company (the "Company") is one of the 110 Livery Companies of the City of London and is incorporated under Royal Charter. It is also trustee of a number of major charities which operate a number of almshouses.

The Company collects, uses and is responsible for certain personal information about you. When we do so we are regulated under the General Data Protection Regulation (GDPR) which applies across the European Union (including in the United Kingdom) from 25 May 2018 and we are responsible as 'controller' of that personal information.

THE PERSONAL INFORMATION WE COLLECT AND USE

Information collected by us

Personal information means any information about an individual from which that person can be identified. It does not include information where the identity has been removed (anonymous information).

In the course of considering applications to from people wishing to gain employment at The Mercers' Company, we may collect the following personal information which we have grouped together as follows:

- (a) Identity Data includes first name and last name.
- (b) Contact Data includes current residential address.
- (c) Special Category Data, such as health data including whether or not you have a disability for which the organisation needs to make reasonable adjustments
- (d) Family data, including contact details for your next of kin
- (e) Evidence of your nationality, right to work in the UK and any criminal convictions

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes.

Information collected from other sources

As well as obtaining personal information directly from you we may also obtain personal information from other sources. We may request, with your permission, references from previous employers. We may also receive the details of any medical conditions identified during our recruitment process to which we need to provide additional support.

How we use your personal information

We will use your personal information:

- In order to consider your application to become an employee of The Mercers' Company
- In order to perform any agreement we enter into with you in relation to you becoming an employee of The Mercers' Company.

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. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact our Data Compliance Manager (details below).

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.

Who we share your personal information with

We may have to share your personal information with the parties set out below for the purposes set out above:

- External third parties – service providers based in the UK who provide IT and system administration services
- The Mercers’ Company shares your data with third parties in order to obtain pre-employment references from other employers, obtain employment background checks from third-party providers and obtain necessary criminal records checks from the Disclosure and Barring Service.
- The organisation also shares your data with third parties that process data on its behalf, in connection with the processing of payroll, the provision of benefits and the provision of occupational health services.

We require all third parties to respect the security of your personal information and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal information for their own purposes and only permit them to process your personal information for specified purposes and in accordance with our instructions.

The Mercers’ Company does not transfer your information outside the European Economic Area (EEA)

How long your personal information will be kept

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, accounting, or reporting requirements.

To determine the appropriate retention period for personal information, we consider the amount, nature, and sensitivity of the personal information, the potential risk of harm from unauthorised use or disclosure, the purposes for which we process the personal information and whether we can achieve those purposes through other means and any applicable legal requirements.

Basis for collection and use of your personal information

The table below describes the types of personal information we will use in relation to progressing your application to become an employee of The Mercers’ Company and the legal basis we rely on to do so.

Purpose	Type of Data	Lawful Basis
Maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights;	(a) Identity (b) Contact (c) Family	(a) Legitimate interest to ensure we manage all employee data effectively. (b) To provide information to third parties such as HMRC to fulfil our legal obligations
Obtain occupational health advice, to ensure that it complies with duties in relation to	(c) Special category data	(a) Legitimate interest to support to effective

individuals with disabilities, meet its obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled		management of the business (b) provide support to employees (c) Fulfil our legal obligations under health and safety law
Ensure effective general HR and business administration;	(a-g) All data types	(a) Legitimate interest for the effective running of our business
Provide references on request for current or former employees;	(f) Performance data	(a) Legitimate interest to ensure we recruit the best possible candidate for employment (b) Consent – Consent will be requested from a candidate to contact a previous employer for reference purposes

Note: we may process your personal information for more than one lawful ground depending on the specific purpose for which we are using your information.

YOUR RIGHTS

You have the following rights in relation to your personal information:

- Right of access – you have the right to request a copy of the information that we hold about you. Under the GDPR, there is no longer a charge for a Subject Access Request.
- Right of rectification – you have a right to correct information that we hold about you that is inaccurate or incomplete.
- Right to be forgotten – in certain circumstances you can ask for the information we hold about you to be erased from our records.
- Right to restriction of processing – where certain conditions apply to have a right to restrict the processing.
- Right of portability – you have the right to have the information we hold about you transferred to another organisation.
- Right to object – you have the right to object to certain types of processing such as direct marketing.
- Right to object to automated processing, including profiling – you also have the right to be subject to the legal effects of automated processing or profiling.
- Right to judicial review: in the event that the Company refuses your request for access. We will provide you with a reason why and you have the right to complain as outlined below.

For further information on each of those rights, including the circumstances in which they apply, see the Guidance from the UK Information Commissioner’s Office (‘ICO’) on individuals’ rights under GDPR.

If you would like to exercise any of those rights, please:

- Email, call or write to us. All requests should be addressed to our Data Compliance Manager (details below)
- let us have enough information to identify you
- let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill), and
- let us know the information to which your request relates.

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

KEEPING YOUR PERSONAL INFORMATION 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.

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

HOW TO CONTACT US AND COMPLAINTS

The Mercers' Company is the controller and responsible for collecting your personal information. Our Data Compliance Manager can be contacted directly here:

- Chris Whyte, Principal Staff Officer, The Mercers Company
- Email: chrisw@mercercs.co.uk
- Telephone: 0207 726 4991

We hope that we can resolve any query or concern you raise about our use of your information so please contact us in the first instance.

In the event that you wish to make a complaint about how your personal information is being processed by the Company, or how any query or concern has been handled, you have the right to lodge a complaint directly with the Information Commissioner's Office ('ICO'), the supervisory authority in the United Kingdom (available at www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO.

08/2021