

## APPLICANT DATA PRIVACY NOTICE

### 1. WHAT IS THIS?

- 1.1. At STARK Group we take privacy seriously and we are committed to protecting your data.
- 1.2. In our commitment to protecting your privacy, we aim to always comply with the retained EU (European Union) law version of the General Data Protection Regulation (EU 2016/679) (“UK GDPR”), the General Data Protection Regulation (EU 2016/67) GDPR and all relevant and applicable data protection laws. If you are an applicant located in (i) the UK, the UK Data Protection Act 2018, (ii) Jersey, the Data Protection (Jersey) Law 2018 and (iii) the Isle of Man, the Data Protection Act 2018.
- 1.3. This privacy notice is designed to provide information on how each of the STARK Group companies (each a “**Company**” and referred to as “we”, “us”, “our”) processes personal data of job applicants (referred to as “you”, “your”) who apply to us for a job. A list of each of the STARK Group companies and trading names represented by this Privacy Notice are set out in [Schedule 1](#).
- 1.4. For the purposes of data protection, the Company to whom you are applying for a job is the controller of your personal data. As a “controller”, the Company is responsible for deciding how personal data about you is processed. We take your privacy seriously and we are fully committed to always protecting your personal data. We will only process your personal data in accordance with applicable local data protection laws, adhering to the principles (as applicable).
- 1.5. This privacy notice may be amended from time to time to reflect any changes in the way in which we process your personal data. Please check this page occasionally to ensure you are happy with any changes.
- 1.6. This privacy notice was last updated on 1 March 2023.

### 2. THE KIND OF INFORMATION WE MAY COLLECT ABOUT YOU

- 2.1. “Personal data” is any information about a living individual from which they can be identified such as name, ID number, location data, any online identifier, or any factor specific to the physical, physiological, genetic, mental, economic or social identity of a person. It does not include data where any potential identifiers have been removed (anonymous data) or data held in an unstructured file.
- 2.2. There are “special categories” of more sensitive personal data which are more private in nature and therefore require a higher level of protection, such as genetic data, biometric data for identification purposes, information about sex life or sexual orientation, race or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership and health.
- 2.3. When we refer to “processing”, this means anything from collecting, using, storing, transferring, disclosing, altering or destroying personal data.

### 3. HOW WE USE YOUR PERSONAL DATA

- 3.1. We process your personal data for several reasons, relying on a variety of different bases for lawful processing under data protection law, as set out below.

3.1.1. **To comply with our legal obligations.** This may include:

- checks for eligibility to work in either the UK or Ireland (as appropriate) as required by immigration laws, such as passport and visa documentation;
- formal identification documentation relating to you, such as a passport or driving licence, to verify your identity (including your date of birth);
- information in relation to legal claims made by you or against you, to comply with court processes and court orders;
- information relating to the occurrence, investigation or prevention of fraud;
- information relating to the occurrence, investigation or prevention of an accident or incident;

- validating driving licence information including the number of points on your licence if the job role you apply for involves you driving company vehicles; and
- any other qualifications or documents we may request relevant to the role you have applied for.

**3.1.2. To pursue our legitimate interests as a business.** This may include:

- your contact details such as your name, address, telephone number and personal email address which will be used to communicate with you in relation to the recruitment process;
- your CV or education or employment history, professional qualifications and certifications in order for us to consider your suitability for a job vacancy you are applying for;
- psychometric and other testing;
- details of the job role for which you are applying and any notes made by us during the recruitment process, to assess your suitability for the role;
- pay and benefit discussions with you to help determine whether a job offer may be made to you;
- to the extent permitted by local law, pre-employment checks such as a Disclosure and Barring Service (DBS) checks (including criminal conviction personal data) to comply with social security and social protection requirements;
- voicemails, emails, correspondence and other communications created, stored or transmitted on or to our computer or communications equipment to progress the application through the recruitment process;
- monitoring of the recruitment process;
- with your permission contacting third parties in relation to external references or references from recruitment agencies from information you have provided to us;
- undertaking any survey to gather feedback about our recruitment process; and
- network and information security data in order for us to take steps to protect your information against loss, theft or unauthorised access.

**3.1.3. To take steps at your request before entering a contract.** This may include any adjustments you require for the purposes of furthering the application.

**3.1.4.** To the extent permitted by local law, where you have consented for us to do so.

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

3.3. We will only use your personal data for the purposes for which we collected it, unless we reasonably consider we need to use it for another reason and the reason is compatible with the original purpose. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

## **4. HOW WE USE YOUR SPECIAL CATEGORY PERSONAL DATA**

4.1. We also collect, store and use your special category personal data for a range of reasons, relying on a variety of different bases for lawful processing, as set out below.

**4.1.1. To enable us to perform our legal obligations in respect of employment, social security, social protection law, or needed in the public interest.** This may include:

- health information to assess and/or to comply with our obligations under employment, equal opportunities and health and safety legislation (for example a requirement to make reasonable adjustments to your working conditions).
- Any additional information you may volunteer to us.

**4.1.2. For occupational health reasons or where we are assessing your working capability,** subject to appropriate confidentiality safeguards. This may include information about your physical or mental health, or disability status, to assess whether any reasonable adjustments are required for you during the recruitment process, carrying out any medical assessment required for your role, pension and any insurance benefits.

4.1.3. To establish, defend or exercise legal claims in an employment tribunal or any other court of law.

4.1.4. To the extent you apply for a role with a Company in the UK, for equal opportunities monitoring purposes (for example the collection of information about race, ethnic origin, sex or religion). Any such information shall only be used in an anonymised form for statistical purposes and will not be used in relation to your application for employment with us.

## **5. AUTOMATED DECISION MAKING / PROFILING**

5.1. You will not be subject to decisions, having any significant impact on you based solely on automated decision-making, unless we have a lawful basis to do so, and we have notified you.

5.2. Automated decision-making takes place when an electronic system uses information to decide without human intervention. We can use automated decision-making in the following circumstances:

5.2.1. Where we have notified you of the decision and given you 21 days to request a reconsideration; and

5.2.2. In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

5.3. If we make an automated decision based on any special category of personal data, 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.

5.4. "Profiling" means any form of automated processing to evaluate certain personal aspects relating to you, to analyse or predict aspects concerning performance at work, financial situation, health, personal preferences, interests, reliability, behaviour, location, or movements.

## **6. DATA SHARING**

6.1. We may share your personal data and special category personal data internally. In particular, it may be shared with: HR (Human Resources) employees involved in the recruitment process, employee relations and/or administration of any offer of employment; line managers for the role in question; consultants; advisers; and/or other appropriate persons who may be involved in the recruitment process for the job(s) you are applying for.

6.2. We may share your personal data and special category personal data with companies within the STARK Group. They may use your personal data:

6.2.1 as part of our regular reporting activities on performance;

6.2.2 in the context of a business reorganisation or group restructuring exercise; and

6.2.3 for systems maintenance support and hosting of data.

6.3. We may share your personal data and special category personal data with third parties, agents, subcontractors, and other organisations (as listed below) where it is necessary to administer a prospective working relationship with you or where we have a lawful basis for doing so. These may include:

- occupational health providers;
- financial product/services providers
- auditors;
- payroll and pension providers;
- insurance providers;
- employee benefits providers;

- training providers;
- testing and assessment organisations
- recruitment agencies;
- providers of IT (Information Technology) services; and
- providers of legal services.

- 6.4. When we disclose your personal data to third parties, we only disclose to them any personal data necessary for them to provide their service and where we are sure they have adequate policies/procedures in place in relation to data security. We have contracts in place with these third parties in receipt of your personal data requiring them to keep your personal data secure and not to use it other than in accordance with our specific instructions.
- 6.5. We may also share your personal data and special category personal data with other third parties for other reasons. For example, to provide information to a local regulator; or to otherwise comply with applicable local law.
- 6.6. We may obtain personal data and/or special category personal data about you from third party sources, such as recruitment agencies, job boards, recruitment assessment centres, social media, occupational health professionals and background check providers. Where we receive such information from these third parties, we will only use it in accordance with this notice.
- 6.7. In some cases, they will also be acting as a controller of your personal data and therefore we advise you to read their privacy notice and/or data protection policy.

## **7. TRANSFERRING INFORMATION OUTSIDE THE EEA**

- 7.1. Your personal data may be used, stored, or accessed by staff operating outside the EEA (European Economic Area) working for us, other members of our group or suppliers.
- 7.2. If we provide any personal data about you to such non-EEA members of our group or suppliers, we will act appropriately to ensure the recipient protects your personal data adequately. These measures may include (in the case of entities based in other countries outside the EEA) entering approved standard contractual arrangements with them. If you require further information about these protective measures, you can [request](#) it from our Privacy Contact.

## **8. DATA STORAGE AND SECURITY**

- 8.1. Your personal data and special category personal data is stored in a variety of locations, including: electronically on our secure servers/in hardcopy in access-restricted, locked filing cabinets.
- 8.2. We take appropriate technical and organisational security measures and have rules and procedures in place to guard against unauthorised access, improper use, alteration, disclosure and destruction and accidental loss of your personal data.
- 8.3. In addition, we limit access to your personal data to those who have a business need to know and they will only process your personal data on our instructions and subject to a duty of confidentiality.
- 8.4. We have put in place procedures to deal with any suspected or actual data security breach and will notify you and the appropriate supervisory authority in the event of a suspected breach where we are legally required to do so.
- 8.5. Whenever we propose using new technologies, or where processing is construed as 'high risk', we are obliged to carry out a Data Protection Impact Assessment which allows us to make sure appropriate security measures are always in place in relation to the processing of your personal data.

## **9. DATA RETENTION**

- 9.1. We keep your personal data and special category personal data for as long as is necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirement. Unless required by law, we retain such personal data for 12 months, unless

following an unsuccessful application you specifically consent to us holding it for longer for the purpose of contacting you in the event any similar jobs / roles become available from time to time.

- 9.2. When applying for a job with us, we compile and keep a file containing information about you which relates to your application for a job with us. Your information will be kept secure and will be used for the purposes of your job application.
- 9.3. If you are offered and you accept a job with us, your personal data will be transferred to a personnel file. Any hard copy personnel file will be kept securely and access controlled. The retention period varies according to the personal data we hold about you and the role(s) for which you are applying, and your personal data will be permanently and securely deleted at the end of this retention period.
- 9.4. In some circumstances we may anonymise your personal data so it can no longer be associated with you, in which case we may use and retain such information without further notice to you, as it falls outside of the definition of personal data under the relevant data protection laws.

## **10. YOUR RIGHTS**

- 10.1. You may make a request for access to personal data and/or special category data we hold about you at any time. This is known as a Subject Access Request. Such a request may be made verbally or in writing and we must respond within 1 month. We may ask you for further information to enable us to process your request. Please note we are permitted to extend the period for responding by an additional 2 months where in our view your request is complex or numerous in nature. We may also charge a reasonable fee based on administrative costs where in our view your request is manifestly unfounded, excessive or a request for further copies. Alternatively, we may refuse to comply with the request in such circumstances.
- 10.2. Under certain circumstances, by law you also have the right to request to:
  - 10.2.1. have your personal data corrected where it is inaccurate;
  - 10.2.2. have your personal data erased where it is no longer required. Provided we do not have any continuing lawful reason to continue processing your personal data, we will make reasonable efforts to comply with your request;
  - 10.2.3. have your personal data be transferred to another person;
  - 10.2.4. restrict the processing of your personal data where you believe it is unlawful for us to do so, you have objected to its use and our investigation is pending, or you require us to keep it in connection with legal proceedings; and
  - 10.2.5. object to the processing of your personal data, where we rely on legitimate business interests as a lawful reason for the processing of your data. You also have the right to object where we are processing your personal data for direct marketing purposes. We have a duty to investigate the matter within a reasonable time and act where it is deemed necessary. Except for the purposes for which we are sure we can continue to process your personal data, we will temporarily stop processing your personal data in line with your objection until we have investigated the matter. If we agree your objection is justified in accordance with your rights, we will permanently stop using your data for those purposes. Otherwise, we will provide you with our justification as to why we need to continue using your data.
- 10.3. The way we process your personal data and the legal basis on which we rely on to process it may affect the extent to which these rights apply. If you would like to exercise any of these rights, please [request](#) them via our Privacy Contact.
- 10.4. We may need to request specific information from you to help us to confirm your identity, ensuring your right to access the information (or to exercise any of your other rights). This is an appropriate security measure to ensure personal data is not disclosed to any person who has no right to receive it.

- 10.5. In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal data for a specific purpose, you have the right to withdraw your consent for specific processing at any time. To withdraw your consent, please make the [request](#) through our Privacy Contact. Once we have received notification 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. If you withdraw your consent, our use of your personal data before your withdrawal is still lawful.
- 10.6. If you feel that your data has not been handled correctly, or you are unhappy with our response to any requests you have made to us regarding the use of your personal data, you have the right to complain to the relevant supervisory authority.

## 11. QUESTIONS

- 11.1. We hope this Applicant Data Privacy Notice has been helpful in setting out the way we handle your personal data and your rights to control it. If you have any questions about any matter relating to data protection or the personal data and/or special category personal data we process about you, please email our Privacy Contact at [dataprotection@sgbd.co.uk](mailto:dataprotection@sgbd.co.uk).

### SCHEDULE 1

Company	Trading Name
STARK Building Materials UK Limited	Benchmark Building Supplies Blackpool Power Tools Build Aviator Chadwicks George Boyd Gibbs & Dandy International Timber Jewson Jewson Civils Frazer Jewson Partnership Solutions Jewson Tool Hire JP Corry Matthew Charlton Minster Roger W Jones
Norman Limited	Normans