



## **Applicant Privacy Statement**

### **What's new?**

Lemongrass Marketing is aware of its obligations under the General Data Protection Regulation (GDPR) and is committed to protecting your privacy. This privacy notice sets out, in line with GDPR, how and why we collect your personal data, how long we keep it for and how it is used.

This notice applies to all applicants for permanent or contract roles with Lemongrass Marketing as well as applicants applying for internships.

### **Personal data we collect**

Lemongrass Marketing may collect personal data from you in the form of:

- your personal details including your name, address, date of birth, email address, phone numbers,
- gender
- whether or not you have a disability for which the organisation needs to make reasonable adjustments during the recruitment process.
- information included on your CV including references, education history and employment history
- Information about your current remuneration, including benefit entitlements
- documentation relating to your right to work in the UK

### **How we collect your data**

We collect data about you in a variety of ways including the information you would normally include in a CV or a job application cover letter or notes made by our managers during the recruitment interview. Details may be collected directly from you in the form of official documentation such as your passport or other right to work evidence.

In some cases, we will collect data about you from third parties, such as employment agencies, former employers. References from previous employers will only be taken up at the point that we make a job offer and you will be made aware that we are doing this.

Personal data held for the purpose of recruitment, is in Recruitment files or within the Company's HR and IT systems.

### **How we process your data**

The law on data protection allows us to process your data for certain reasons only:

- in order to perform the contract that we are party to
- in order to carry out legally required duties
- in order for us to carry out our legitimate interests
- to protect your interests and
- where something is done in the public interest.

All of the processing carried out by us falls into one of the permitted reasons. Generally, we will rely on the first three reasons set out above to process your data. For example, we need to collect your personal data in order to:

- Check a successful applicants eligibility to work in the UK before employment starts
- making reasonable adjustments for disabled employees.

We also collect data so that we can carry out activities which are in the legitimate interests of the Company. We have set these out below:

- making decisions about who to offer initial employment to
- making decisions about salary and other benefits
- assessing training needs
- respond to and deal with legal claims against us

If you are unsuccessful in obtaining employment, we will seek your consent to retain your data in case other suitable job vacancies arise in the Company for which we think you may wish to apply. You are free to withhold your consent to this and there will be no consequences for withholding consent.

### **Special categories of data**

Special categories of data are data relating to your:

- health
- Ethnicity

We must process special categories of data in accordance with more stringent guidelines. Most commonly, we will process special categories of data when the following applies:

- you have given explicit consent to the processing
- we must process the data in order to carry out our legal obligations
- we must process data for reasons of substantial public interest
- you have already placed the data in the public domain.

We will use your special category data:

- for the purposes of equal opportunities monitoring
- to determine reasonable adjustments during the recruitment process

We do not need your consent if we use special categories of personal data in order to carry out our legal obligations or exercise specific rights under employment law. However, we may ask for your consent to allow us to process certain particularly sensitive data. If this occurs, you will be made fully aware of the reasons for the processing. As with all cases of seeking consent from you, you will have full control over your decision to give or withhold consent and there will be no consequences where consent is withheld. Consent, once given, may be withdrawn at any time. There will be no consequences where consent is withdrawn.

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## **If you do not provide your data to us**

One of the reasons for processing your data is to allow us to carry out an effective recruitment process. Whilst you are under no obligation to provide us with your data, we may not be able to process, or continue with (as appropriate) your application.

## **Who we share your data with and why**

Your data will be shared with colleagues within the Company where it is necessary for them to undertake their duties with regard to recruitment. This includes, HR, those in the department where the vacancy is who are responsible for screening your application and interviewing you, the IT Team where you require access to our systems to undertake any assessments requiring IT equipment.

In some cases we will collect data about you from third parties such as employment agencies.

Your data will not be shared with third parties unless you are successful in your job application and we make you an offer of employment. In these circumstances, we will share your data with former employers to secure employment references.

We do not share your data with bodies outside of the European Economic Area.

## **Protecting your data**

We are aware of the requirement to ensure your data is protected against accidental loss or disclosure, destruction and abuse. We have implemented processes to guard against such. Where we share your data with third parties, we provide written instructions to them to ensure that your data is held securely and in line with GDPR requirements. Third parties must also implement appropriate technical and organisational measures to ensure the security of your data

## **How long we keep your data for**

In line with data protection principles, we only keep your data for as long as we need it for and this will depend on whether or not you are successful in obtaining employment with us.

If your application is not successful and we have not sought consent or you have not provided consent upon our request to your data for the purpose of future suitable job vacancies, we will keep your data for 6 months after the recruitment exercise ends.

If we have sought your consent to keep your data on file for future job vacancies and you have provided consent we will keep your data for an additional 1 year after the recruitment exercise ends. At the end of this period, we will delete or destroy your data, unless you have already withdrawn your consent to our processing of your data in which case it will be deleted or destroyed upon your withdrawal of consent.

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If your application is successful, your data will be kept and transferred to the systems we administer for employees. We have a separate privacy policy for employees which will be provided to you.

### **Your rights in relation to your data**

The law on data protection gives you certain rights in relation to the data we hold on you. These are:

- **the right to be informed** - This means that we must tell you how we use your data, and this is the purpose of this privacy notice
- **the right of access** - You have the right to access the data that we hold on you. To do so, you should make a subject access request. You can read more about this in our Subject Access Request policy which is available to view [here](#)
- **the right to rectification** - If any data that we hold about you is incomplete or inaccurate, you have the right to ask us to amend it
- **the right to have information deleted** - If you would like us to stop processing your data, you have the right to ask us to delete it from our systems where you believe there is no lawful reason for us to continue to process it
- **the right to restrict the processing of the data** - For example, if you believe the data we hold is incorrect, we can stop processing the data (whilst still holding it) until we have ensured that the data is correct
- **the right to portability** - You may transfer the data that we hold on you for your own purposes
- **the right to object** - You have the right to object to the way we use your data where we are using it for our legitimate interests
- **the right to regulate any automated decision-making and profiling** - You have a right not to be subject to automated decision making in any way that adversely affects your legal rights.

**Please note:** If you would like to exercise any of your rights outlined above please contact us at [privacy@lemongrassmarketing.com](mailto:privacy@lemongrassmarketing.com) outlining your request or concerns.

### **How to withdraw your consent for us to use your data**

Where you have provided us with consent to use your data, you have the unrestricted right to withdraw that consent at any time. Withdrawing your consent means that we will stop processing the data that you had previously given us consent to use. There will be no consequences for withdrawing your consent. However, in some cases, we may continue to use the data where we are permitted by having a lawful reason to do so.

If you wish to exercise any of the rights explained above, please email [privacy@lemongrassmarketing.com](mailto:privacy@lemongrassmarketing.com).

### **Making a complaint**

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

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