

This notice explains how Biffa collects and uses personal data during the recruitment and selection process.

The Table at the end of this notice provides an overview of the personal data that we collect, the purposes for which we use that data, the legal basis which permits us to use it and the rights that you have in relation to your personal data.

We may update this notice from time to time.

1. Who is responsible for your personal data?

Biffa is responsible for your personal data. "Biffa" or "the Biffa group of companies" comprises Biffa plc and its respective subsidiary companies from time to time including, but not limited to, Biffa Waste Services Ltd, Biffa Municipal Ltd, Biffa Environmental Municipal Services Ltd, Biffa Polymers Ltd, Biffa Leicester Ltd, Biffa West Sussex Ltd, O'Brien Waste Recycling Solutions Ltd, Amber Engineering Ltd and Cressex Insurance Services Ltd. The expression "Biffa Entity" means any one of these companies who act as your employer or who have otherwise engaged you.

In this policy when we use the expressions "**we**", "**us**" or "**our**" this means the relevant Biffa Entity.

2. Person with responsibility for Data Protection

The Company Secretary of Biffa plc is the person with primary responsibility for data protection compliance within the Biffa group of companies.

If you would like to contact us with any queries or comments regarding this notice please send an email to GDPR@biffa.co.uk or send a letter to The Company Secretary, Biffa plc, Coronation Road, Cressex, High Wycombe, Buckinghamshire HP12 3TZ

3. What is personal data?

Personal data is any information that tells us something about you. This could include information such as your name, contact details, date of birth, nationality, educational background and qualifications, skills, hobbies, personal interests, past employers and references.

4. Which personal data do we collect?

We collect the following categories of personal data about you:

- Personal contact details such as name, title, address, telephone number and personal email addresses

- Recruitment information (including copies of right to work documentation, qualifications, references and other information in your CV or cover letter or otherwise provided as part of the application process)
- Information about criminal convictions and offences committed by you

5. How do we collect your personal data?

We collect personal data about you from various sources including:

- from you when you contact us directly through the application and recruitment process;
- from third parties when you apply for a position with Biffa through a recruitment agency or external website; and
- from other people when we check references or carry out background checks – if we do this we will inform you during the recruitment process of the exact checks that are carried out.

6. How do we use personal data?

We use your personal data for the following purposes:

- To make decisions about your recruitment and appointment
- To check you are legally entitled to work in the UK
- To assess your qualifications for a particular job or task
- To conduct data analytics studies to review and better understand job application rates
- To carry out equal opportunities monitoring
- To communicate with you about the recruitment process

Automated decision-making

We do not take automated decisions about you using your personal data or use profiling in relation to you.

7. What is the legal basis that permits us to use your personal data?

Under data protection legislation we are only permitted to use your personal data if we have a legal basis for doing so as set out in the data protection legislation. We rely on the following legal bases to use your personal data for employment/engagement related purposes:

- Where we need your personal data to enter into a contract with you
- Where we need to comply with a legal obligation

- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests

The Table at the end of this notice provides more detail about the personal data that we use, the legal basis that we rely on in each case and your rights.

Some personal data is classified as "special" data under data protection legislation. This includes information relating to health, racial or ethnic origin, religious or philosophical beliefs or political opinions, sexual orientation and trade union membership. This personal data is more sensitive and we need to have further justifications for collecting, storing and using this type of personal data. There are also additional restrictions on the circumstances in which we are permitted to collect and use criminal conviction data. We may process special categories of personal data and criminal conviction information in limited circumstances with your explicit consent, in which case we will explain the purpose for which the personal data will be used at the point where we ask for your consent.

8. What if you do not provide personal data?

We need some of your personal data in order to conduct the recruitment and selection process. If you do not provide such personal data, we may not be able to continue with the recruitment process or offer you employment/engagement. We explain when this is the case at the point where we collect personal data from you.

9. With whom will we share your personal data?

We share your personal data in the following ways:

- Where we use third party services providers who process personal data on our behalf in order to provide services to us. This includes recruitment agents and IT systems providers.
- We will share your personal data with third parties where we are required to do so by law or to comply with our regulatory obligations.
- With other entities in our group as part of our regular reporting activities and in the context of a business reorganisation or group restructuring exercise.
- If we sell any part of our business and/or integrate it with another organisation your details may be disclosed to our advisers and to prospective purchasers or joint venture partners and their advisers.

Where we share your personal data with third parties we ensure that we have appropriate measures in place to safeguard your personal data and to ensure that it is solely used for legitimate purposes in line with this privacy notice.

10. Transferring your personal data abroad

Personal Data may be transferred to countries outside the EEA as some Biffa business systems which hold Personal Data are stored in 'the cloud' where the physical data centres are not located in the EEA. Such Personal Data is transferred outside the EEA on the basis of model contractual clauses, supplier certification schemes and voluntary codes of conduct.

11. Keeping personal data about you secure

Personal data is stored on local drives/shared folders/locked cabinets/other platforms and the security measures in place to secure such data includes firewalls, virus-checking, security updates, encryption and password protection, regular back-ups, secure removal before disposing of old computers and anti-spyware tools

We will ensure access to personal data is restricted to employees working within our group on a need to know basis. Training will be provided to any employees working within the group who need access to your personal data to ensure it is secured at all times.

12. For how long do we keep your personal data?

As a general rule we keep personal data about candidates for the duration of the recruitment and selection process and for a period of 24 months after candidates have been notified whether their application has been successful. However, where we have statutory obligations to keep personal data for a longer period or where we may need your personal data for a longer period in case of a legal claim, then the retention period may be longer. Full details of the retention periods that apply to your personal data are set out in our Data Retention Policy.

13. Your rights

You have a number of rights in relation to your personal data, these include the right to:

- be informed about how we use your personal data;
- obtain access to your personal data that we hold;
- request that your personal data is corrected if you believe it is incorrect, incomplete or inaccurate;
- request that we erase your personal data in the following circumstances:
 - if we are continuing to process personal data beyond the period when it is necessary to do so for the purpose for which it was originally collected;
 - if we are relying on consent as the legal basis for processing and you withdraw consent;
 - if we are relying on legitimate interest as the legal basis for processing and you object to this processing and there is no overriding compelling ground which enables us to continue with the processing;
 - if the personal data has been processed unlawfully (i.e. in breach of the requirements of the data protection legislation);
 - if it is necessary to delete the personal data to comply with a legal obligation.
- ask us to restrict our data processing activities where you consider that:

- personal data is inaccurate;
- our processing of your personal data is unlawful ;
- where we no longer need the personal data but you require us to keep it to enable you to establish, exercise or defend a legal claim;
- where you have raised an objection to our use of your personal data;
- request a copy of certain personal data that you have provided to us in a commonly used electronic format. This right relates to personal data that you have provided to us that we need in order to take steps to enter into a contract with you and personal data where we are relying on consent to process your personal data;
- object to our processing of your personal data where we are relying on legitimate interests or exercise of a public interest task to make the processing lawful. If you raise an objection we will carry out an assessment to determine whether we have an overriding legitimate ground which entitles us to continue to process your personal data;
- not be subject to automated decisions which produce legal effects or which could have a similarly significant effect on you.

This is called a Subject Access Request (“SAR”). If you wish to do any of the above please send an email to employeeSAR@biffa.co.uk

In some cases, we may need to ask for proof of identification before the request can be processed. We will inform you if you need to verify your identity and the documents we require.

We will normally respond to a request within one month from the date it is received. In some cases, such as where we process large amounts of your data, we may respond within three months of the date the request is received. We will write to you within one month of receiving the original request to tell you if this is the case.

If a SAR is manifestly unfounded or excessive, we are not obliged to comply with it. Alternatively, we can agree to respond but will charge a fee, which will be based on the administrative cost of responding to the request. A SAR is likely to be manifestly unfounded or excessive where it repeats a request to which we have already responded. If an individual submits a request that is unfounded or excessive, we will notify them that this is the case and whether or not it will respond to it.

The Table at the end of this notice provides more detail about the personal data that we use, the legal basis that we rely on in each case and your rights.

14. Review of this Notice

This Recruitment & Selection Privacy Notice was last updated in May 2018. We reserve the right to update and change this Recruitment & Selection Privacy Notice from time to time in order to reflect any changes to the way in which we process your personal data or changing legal requirements.

15. Further Information and Support

In the event of further queries about this notice please contact Biffa's Head of recruitment on 01494 556432 or recruitment@biffa.co.uk

You may also send any queries or comments regarding this privacy notice to GDPR@biffa.co.uk or send a letter to The Company Secretary, Biffa plc, Coronation Road, Cressex, High Wycombe, Buckinghamshire HP12 3TZ

16. Complaints

We will consider any requests or complaints which we receive and provide you with a response in a timely manner.

If you have any complaints are not satisfied with our response about the way we use your personal data please contact the Company Secretary of Biffa plc, who will try to resolve the issue. If you believe that Biffa has not complied with your data protection rights and we cannot resolve your complaint, you can complain to the Information Commissioner.

Table: quick check of how we use your personal data

Purpose	Personal data used	Legal basis	Which rights apply?*
Recruitment decisions	Personal contact details, national insurance number, recruitment information, employment/engagement records, and compensation history.	Legitimate interests. It is in our legitimate interests to evaluate whether you have the necessary skills and qualities to perform the relevant role.	The generally applicable rights <i>plus the right to object</i> .
Right to work checks	Information relating to your right to work status, national insurance number, passport number, nationality, tax status information, and personal contact details.	Legitimate interest. It is in our interests to ensure that those who work for us have the right to work in the UK as well as to establish the statutory excuse to avoid liability for the civil penalty for employing someone without the right to undertake the work for which they are employed.	The generally applicable rights plus the right to object.
Fraud and crime prevention	Information about criminal convictions and offences committed by you. Identity verification information.	Public interest and legitimate interest. It is in our interests as well as the interest of our candidates/ employees/ workers/ contractors to ensure the prevention of fraud and crime is monitored. This will ensure a safe workplace for all.	The generally applicable rights plus the right to object.
To deal with legal disputes	Personal contact details, references, information submitted as part of the selection process and interview notes.	Legitimate interest. It is in our interests to process personal data to make and defend legal claims to ensure that our legal rights are protected.	The generally applicable rights plus the right to object.

*The following generally applicable rights always apply: right to be informed, right of access, right to rectification, right to erasure, right to restriction and rights in relation to automated decision making.