



## Marine Stewardship Council

### Privacy Notice for Job Applicants

The MSC is committed to protecting the privacy and security of a job applicant's personal information. This Privacy Notice describes how the MSC collects and uses personal information about job applicants during, and after, the period that their applications are being considered, in accordance with the General Data Protection Regulation (GDPR). This policy applies to all companies within the MSC Group.

<b>Data Controller</b>	Marine Stewardship Council (MSC)	1 Snow Hill London EC1A 2DH Tel: +44 (0) 20 7246 8900
<b>Data Protection Adviser</b>	Karolina Walkowicz, Governance Secretary	<a href="mailto:Karolina.Walkowicz@MSC.org">Karolina.Walkowicz@MSC.org</a> Tel: +44 (0)20 7246 8904

The MSC is a "data controller". This means that the MSC is responsible for deciding how it holds and uses personal information about job applicants. The MSC is required, under data protection legislation, to notify job applicants of the information contained in this Privacy Notice.

This notice applies to those who apply for jobs at the MSC. The MSC may update this notice at any time.

As part of any recruitment process, the MSC collects and processes personal data relating to job applicants. The MSC is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

#### What information does the MSC collect?

The MSC collects a range of information about job applicants. This includes:

- their name, address and contact details, including email address and telephone number;
- details of their qualifications, skills, experience and employment history, including start and end dates with previous employers;
- information about their current level of remuneration, including benefit entitlements;
- employer references, if the applicant is successful and offered a role;
- whether they have a disability for which the MSC needs to make reasonable adjustments during the recruitment process; and
- information about their entitlement to work in the country where the role will be based, which could include copies of passports with visas, birth or marriage certificates, ID cards, driving licences or other government-issued identity documentation.

The MSC may also collect, store and use the following “special categories” of more sensitive personal information, including:

- about medical or health conditions, and information about whether an applicant has a disability for which the MSC needs to make reasonable adjustments;
- medical reports which could include information on fitness to work and/or suggested changes to workstations;
- biometric data;
- Emotional Support Animal documentation (USA);
- other special categories, as required by statute.

The MSC may collect this information in a variety of ways e.g. data might be contained in CVs or resumes, covering letters, obtained from passports or other identity documents such as a driving licence or ID card, or collected through interviews or other forms of assessment (including online or other tests in some situations).

The MSC may also collect personal data about job applicants from third parties, such as references supplied by former employers or recruitment agencies, and information from criminal records checks. The MSC will seek information from third parties only once it has made a job offer.

Data will be stored in a range of different places, including with application records, in HR management systems, in locked cupboards and on other IT systems (including email).

### **Why does the MSC process personal data?**

The MSC needs to process data to take steps, at the job applicant’s request, to consider their job application, prior to entering into an employment contract. It may also need to process data to enter into a contract with job applicants.

In some cases, the MSC needs to process data to ensure that it is complying with its legal obligations. For example, it may be required to check a successful applicant's eligibility to work in the location of the role before employment starts.

In other cases, the MSC has a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. Processing data from job applicants allows the MSC to:

- manage the recruitment process,
- assess and confirm a candidate's suitability for employment;
- decide to whom to offer a job; and
- respond to, and defend against, legal claims.

The MSC may process special categories of data, such as information about ethnic origin, sexual orientation or religion or belief, to monitor recruitment statistics. (In some jurisdictions it is mandatory that the MSC collects information around ethnic origin or religion for tax purposes e.g. Singapore.) The MSC may also collect information about whether or not applicants are disabled, to enable it to make reasonable adjustments for candidates who have a disability. The MSC processes such information to carry out its obligations and exercise specific rights in relation to employment.

For some roles, and in certain jurisdictions, the MSC is obliged to seek information about criminal convictions and offences. Where the MSC seeks this information, it does so because it is necessary for it to carry out its obligations and exercise specific rights in relation to employment.

If an application is unsuccessful, the MSC may keep personal data on file in case there are future employment opportunities for which an applicant may be suited. The MSC will ask for consent before it keeps personal data for this purpose and an applicant is free to withdraw their consent at any time.

### **Who has access to data?**

Applicant information may be shared internally for the purposes of the recruitment process. This includes members of the HR team, interviewers involved in the recruitment process, managers in the business area with a vacancy, and IT staff if access to the data is necessary for the performance of IT operations.

The MSC will not share a job applicant's data with third parties, unless their application for employment is successful and it makes the applicant an offer of employment. The MSC will then share data with former employers to obtain references for the successful applicant. In some jurisdictions, where required, the MSC may carry out employment background checks through third-parties, for instance in the UK the MSC may carry out criminal record checks through the Disclosure and Barring Service, where these are necessary.

The MSC may need to transfer applicant data outside the European Economic Area (EEA) e.g. if the applicant has applied for a role in another jurisdiction. If this is necessary, a similar degree of protection is provided in respect of personal data. Job applicants will be informed of this when they apply for a specific vacancy.

### **How does the organisation protect data?**

The MSC takes the security of personal data seriously. It has internal policies and controls in place to ensure that personal data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the proper performance of their duties. Access to CVs and other application information is limited to those people who need access in the performance of their duties e.g. with regards to recruitment.

### **For how long does the MSC keep data?**

If an application for employment is unsuccessful, the MSC will hold personal data on file for 12 months after the end of the relevant recruitment process. In some circumstances, the MSC may want to keep data for longer than 12 months. In these instances, the MSC will ask for the applicant's consent, and if given the MSC will hold personal data on file for a further 6 months, but only for consideration for future employment opportunities. At the end of that period, or if the applicant withdraws their consent, the data will be deleted or destroyed.

If an application for employment is successful, personal data gathered during the recruitment process will be transferred to the applicant's personnel file and retained during their employment. The periods for which an applicant's data will be held will be provided to successful candidates in a new privacy notice.

## **An applicant's rights of access, correction, erasure and restriction**

### *The applicant's duty to inform the MSC of changes*

It is important that the personal information the MSC holds about an applicant is accurate and current. Job applicants should keep the MSC informed if their personal information changes during the recruitment process. This should be done by contacting [Recruitment@msc.org](mailto:Recruitment@msc.org).

### *An applicant's rights in connection with personal information*

As a data subject, job applicants have a number of rights. They can:

- Request access to their personal information, known as a Subject Access Request (SAR). This enables the job applicant to receive a copy of the personal information that the MSC holds about them and to check that the MSC is lawfully processing it;
- Request correction of the personal information that the MSC holds about them. This enables the applicant to have any incomplete or inaccurate information that the MSC holds about them corrected;
- Request erasure of personal information. This enables the applicant to ask us to delete or remove personal information where this is no good reason for the MSC continuing to process it. They also have the right to ask us to delete or remove their personal information where they have exercised their right to object to processing;
- Object to processing of their personal information where the MSC is relying on a legitimate interest (or those of a third party) and there is something about the applicant's particular situation which makes them want to object to processing on this ground. The applicant also has the right to object where the MSC is processing their personal information for direct marketing purposes;
- Request the restriction of processing of their personal information. This enables an applicant to ask the MSC to suspend the processing of personal information about them, for example if they want the MSC to establish its accuracy or the reason for processing it; and
- Request the transfer of their personal information to another party.

If an applicant would like to exercise any of these rights, please contact MSC's Governance Secretary, Karolina Walkowicz: [Karolina.walkowicz@msc.org](mailto:Karolina.walkowicz@msc.org).

If an applicant believes that the MSC has not complied with their data protection rights, they can contact the Information Commissioner's Office (ICO). They can be contacted on: 0303 123 1113. Further information can be found at [www.ico.org.uk](http://www.ico.org.uk). If based outside the UK, the applicant should contact the Information / Data Commissioner in the relevant jurisdiction.

## **What if a job applicant does not provide personal data?**

Job applicants are under no statutory or contractual obligation to provide data to the MSC during the recruitment process. If, however, an applicant does not provide the information, the MSC may not be able to process their application properly or at all.

**Automated decision-making**

Employment decisions are not based solely on automated decision-making.

**Changes to this privacy notice**

The MSC reserves the right to update this privacy notice at any time.

\*This Privacy Notice is primarily for those who apply for a job at the MSC, but to the extent that the MSC collects personal data about them, it also covers those who apply for internships or consultancy / contractor work.

Any questions about this privacy notice should be sent to: [Recruitment@msc.org](mailto:Recruitment@msc.org).