

**Data Privacy Management  
DPM0210**

**Candidate Privacy Notice**

## Version History

Version	Date	Author	Comments
1.00	23-May-2018	Sabiha Ali	Initial Candidate Privacy Notice document

## Release Control

The following personnel must formally approve the document prior to assigning a non-draft version number.

Prepared by (Name & Title)	Authorised by (Name & Title)	Date Approved for Release
Sabiha Ali, HR Business Partner	Michelle Burningham, Resourcing Manager	

## Distribution

Version	Distributed to	Date distributed

## Document Review

This Data Privacy Management document will be reviewed each year by the document owner/author following the initial publication. Document to be ratified for publication by the Trenitalia c2c Executive Team.

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## 1. Introduction

At Trenitalia c2c Ltd we take your privacy seriously. We are committed to being transparent about how we collect and use your data and in meeting our data protection obligations in accordance with the General Data Protection Regulation (GDPR). This Privacy Notice describes our privacy practices and approach regarding the collection and use of any personal data we collect about you.

We will process your personal data in accordance with this Privacy Notice, unless such processing conflicts with the requirements of applicable law, in which case, applicable law will prevail.

By submitting your personal data to us, you acknowledge that:

- you have read and understood this Privacy Notice and agree to the use of your personal data as set out
- your personal data may be transferred and processed, for the purposes and in the manner specified in this Privacy Notice
- you are not required to provide any requested information to us, but failing to do so may result in you not being able to continue your candidacy for the job for which you have applied
- all of your representations are true and correct to the best of your knowledge and belief, and you have not knowingly omitted any related information of an adverse nature. Providing any inaccurate information may make you ineligible for employment

Trenitalia c2c Ltd reserves the right to modify this Notice by posting changes to our website. If you submit additional Candidate Data or request to be considered for a Trenitalia c2c Ltd position following the effective date of a modified Notice, your Candidate Data will be handled in accordance with the Notice in effect at that time.

## 2. Data Protection Principles

c2c complies with its obligations under GDPR in relation to your personal data. This includes:

- processing your data fairly, lawfully and in a clear, transparent way
- collecting your data only for specified, explicit purposes during and after your employment in ways that have been explained to you
- only using your data in the way that we have told you about
- ensuring your data is correct and up to date
- keeping your data for only as long as we need it
- protecting your data from loss, misuse, unauthorised access and disclosure
- storing and destroying it securely

## 3. Your rights in relation to your personal data

We take reasonable steps that are designed to keep your personal data accurate, complete, and up-to-date for the purposes for which it is collected and used. We also have implemented measures that are designed to ensure that our processing of your personal data complies with this Privacy Notice and applicable law. You have the right to:

- be informed on how we use your data, and this is the purpose of this Privacy Notice
- access the data that we hold on you
- have any inaccuracies be corrected
- have information deleted from our systems where you believe there is no reason for us to continue processing it

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- restrict the processing of the data. For example, if you believe the data we hold is incorrect, we will stop processing the data (whilst still holding it) until we have ensured that the data is correct
  - portability for the transfer of the data we hold for your own purposes
  - object to the way we use your data where we are using it for our legitimate interests
  - regulate any automated decision-making and profiling of personal data

Where you have provided consent to our use of your data, you also have the unrestricted right to withdraw that consent at any time. There will be no consequences for withdrawing your consent. However, in some cases, we may continue to use the data were so permitted by having a legitimate or legal reasons.

If you wish to exercise any of the rights explained above, please contact c2c's Data Protection Officer.

#### 4. Personal data we collect

We collect a range of personal data about you. This includes:

- your name, address, email address, telephone number and other contact information
- your application form or CV, cover letter, previous and/or relevant work experience or other experience, education, transcripts, or other information you provide to us in support of an application and/or the application and recruitment process
- information from interviews and phone-screenings and assessment you may have
- details of the type of employment you are or may be looking for, current and/or desired salary and other terms relating to compensation and benefits packages, willingness to relocate, or other job preferences
- details of how you heard about the position you are applying for
- information relating to any previous applications you may have made to Trenitalia c2c Ltd

Additional personal data we may collect only once a job offer has been made and accepted include:

- references supplied by former employers or other referees including details of sick leave, disciplinary and performance
- unspent criminal convictions records checks from the Disclosure Barring Service (DBS, Disclosure Scotland)
- financial details including bank details, NI, tax codes
- next of kin details
- right to work documentation such as passport

If you are a self-employed as a contractor you will need to provide some additional information which could include:

- Company corporation details from Companies House
- Public Liability insurance
- VAT registration

We also collect special categories of personal data for for purposes including equality monitoring and reasonable adjustment purposes. This will be sensitive and/or demographic information obtained during the application or recruitment process such as information about your gender, citizenship or nationality, racial or ethnic origin, sexual orientation and health.

## 5. How we collect your personal data

We typically collect your personal data directly from you or through our website. We may sometimes collect additional information from third parties such as recruitment agencies or other publicly available sources such as LinkedIn, business Facebook, jobs boards, corporate websites or personal recommendations. We will inform you if we collect your personal information from a third party.

## 6. Why we process your personal data

We collect and process your personal data for legitimate human resources and business management reasons including:

- to manage the recruitment process
- to assess your skills, qualifications to confirm your suitability for employment and to whom to offer a job
- to take steps at your request prior to entering into a contract with you
- to put forward your details to our hiring managers for you to be considered for vacancies
- for equal opportunities monitoring purposes
- making improvements to Trenitalia c2c Ltd's application and/or recruitment process including improving diversity in recruitment practices
- to improve our customer service and make our services more valuable to you

We also need to process your data to ensure that we are complying with our legal obligations. For example:

- checking your eligibility to work in the UK before employment starts if successful
- medical information for making reasonable adjustments at interviews and assessments
- monitoring of our recruitment and hiring process for diversity and equality

In some cases we may also need to process data from candidates/job applicants to respond to and defend against legal claims.

We will not use your data for any purpose other than the recruitment exercise for which you have applied, onboarding if you are successful and for equality monitoring purposes.

## 7. If you do not provide your data

You are under no statutory or contractual obligation to provide data to us during the recruitment process. However, if you do not provide the information, we may not be able to process your application properly, or at all. Neither are you under any obligation to provide information for equal opportunities monitoring purposes,

## 8. Sharing your personal data

Your information will be shared internally with 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 their roles. These individuals will be in the the European Economic Area ("EEA").

We will only share your data with external third party providers within the EEA solely for the purposes of performing the services consistent with the protections specified in this Notice. For example, The OPC for assessments.

## 9. Protecting your data

We take the security of your data very seriously and are aware of the requirement to ensure your data is protected against accidental loss, destruction, disclosure or abuse and is not accessed except by those authorised to do so to carry out their duties. All personal data we collect is stored on our HR management systems and IT systems inside the EEA. By submitting your personal data, you agree to this transfer, storing or processing.

We have implemented and use appropriate technologies and procedures to protect your data against such data breaches. However, we cannot guarantee the security of any data you disclose online. You accept the inherent security implications of sending information over the internet and will not hold us responsible for any breach of security unless we have been negligent.

## 10. Retention of your personal data

In line with data protection principles we will retain your personal information for as long as necessary to fulfil the purposes we collected it for, including any legal, accounting, reporting and legitimate requirements.

If your application for employment is unsuccessful we will hold your application for six months, after which it will be securely destroyed unless you request its destruction beforehand.

If your application is successful, personal data gathered during the recruitment process will be transferred to your personnel file and retained during your employment in compliance with c2c retention periods.

## 11. Automated decision-making

We do not make recruiting or hiring decisions based solely on automated decision-making within the meaning of the EU Data Protection Directive. We will provide you an opportunity to express your views and will provide any other safeguards required by law.

## 12. Data Protection Officer

c2c has appointed a Data Protection Officer to ensure we protect your personal data and comply with data protection legislation.

If you have any questions, concerns or complaints about how c2c uses your personal data, or if you want to exercise your rights regarding your personal data, please contact our Data Protection Officer by any of the following:

- **Email:** [dpo@c2craile.net](mailto:dpo@c2craile.net)
- **Phone:** 0330 109 8130
- **Write to:** Data Protection Officer, Trenitalia c2c Limited, 2nd Floor, Cutlers Court, 115 Houndsditch, London EC3A 7BR

You have the right to lodge a complaint with the Information Commissioner's Office. Further information, including contact details, is available at <https://ico.org.uk> or call 033 123 1113.

## Document end

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