

Privacy Notice for Recruitment

As a prospective employer, Superbike Factory Limited and Superbike Loans Limited (hereafter known as “SBF, the Firm, We and Our”) must meet our statutory and administrative obligations.

We are committed to ensuring that the personal data of our candidates applying for roles within the Firm is handled in accordance with the principles set out in data protection laws. This notice reflects the requirements of the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 (DPA) and other applicable national implementing legislation and is the Controller of your personal data.

You may contact SBF to make requests, for example to exercise your data protection rights, to provide positive feedback or to make complaints by writing to us at the address below.

Our contact details

Name: Superbike Factory Limited, company number 08037214

and

Superbike Loans Limited, company number 08512842 (“SBF”)

Address: Snape Road, Macclesfield, SK10 2NZ

Phone Number: 01625 353 012

Data Protection Officer: Bev McGowan

Email: Dataprotection@superbikefactory.co.uk

The purposes of processing your personal information

SBF processes your personal data for the following purposes:

- For recruitment – to process applications from potential employees and consultants (this includes providing personal data directly to SBF or indirectly, through a recruitment agency)
- To assess your suitability for a role you have applied for
- To securely destroy unsolicited applications
- To shortlist
- To interview
- To make conditional offers

- To verify application details when an offer has been accepted
- CCTV in operation ensures the health and safety of our visitors, to reduce, detect, prevent the incidence of crime, to respond to all types of harassment and disorder, create a safe environment, reduce the fear of crime, for the defence of legal/insurance claims, assist with health & safety and provide emergency services with assistance.

When you apply for a role that has been advertised, we will use all the information you provide during the recruitment process to progress your application with a view to offering you an employment contract with us, or to fulfil legal or regulatory requirements if necessary.

We will not share any of the information you provide with any third parties for marketing purposes.

We'll use the contact details you give us to contact you to progress your application. We'll use the other information you provide to assess your suitability for the role.

The type of personal information we collect

SBF will not collect more information than is necessary to fulfil its stated purpose and will not keep it any longer than is necessary. With respect to advertised roles, the information asked for is used to assess your suitability for employment. You do not have to provide what SBF asks for, but it may affect your application if you don't.

Unsolicited Applications

SBF does not normally consider unsolicited applications. Where unsolicited CVs are received from agencies, these will normally be securely destroyed upon receipt.

Where unsolicited CVs are received directly from an individual, SBF will consider if there is a current and suitable role, or if the CV looks suitable for the future, and if so, will seek agreement and permission from the individual to keep the CV on file for any future vacancies. In the absence of such permission being forthcoming in a timely manner, the CV will be securely destroyed within 12 months.

Applications

SBF may receive your personal data and special categories of personal data either directly or, more usually, from a third party (e.g. a recruitment agency) for the recruitment purposes set out above. The categories of personal data may include:

- Name and contact details
- Previous experience

- Education
- Referees
- Answers to questions relevant to the role
- Medical history
- Salary information
- CCTV footage

Our recruitment and HR team will have access to all this information.

Conditional Offer

If we make a conditional offer of employment, we'll ask you for information so that we can carry out pre-employment checks. You must successfully complete pre-employment checks before commencing employment with us. We must confirm the identity of our employees and their right to work in the United Kingdom, and seek assurance as to their trustworthiness, integrity and reliability.

You must therefore provide upon request:

- proof of your identity
- Details of employment and/or academic referees, who we will contact directly to obtain references using the details given by you following our conditional offer
- A medical questionnaire which will be sent to you with our conditional offer, to confirm your fitness to undertake the role you have been offered
- proof of your qualifications (if requested)
- a criminal records declaration to declare any unspent convictions (if requested)
- your email address
- your address

How we get your personal information and why we have it

Most of the personal information SBF process is provided directly by you or indirectly, from recruitment agencies or SBF Employee referrals. SBF use your personal information for the purposes listed in this Privacy Notice.

What is the lawful basis to process your personal information

SBF collect and use this information under provisions contained in the UK GDPR. Specifically, we collect the information referred to above under the requirements of a contractual obligation or to take steps at your request, before entering a contract. (Article 6 (1) (b)) and necessary for our legitimate interests of visitor safety, fraud and prevention of crime (Article 6 (1) (c)).

In relation to those elements of personal data described above as ‘special category’ items of personal information, we also collect that information under Article 9 of the UK GDPR, The legal basis we rely on to process any information you provide as part of your application which is special category data, such as health, religious or ethnic information is Article 9(2)(b) of the UK GDPR, which also relates to our obligations in employment and the safeguarding of your fundamental rights and Article 9(2)(h) for assessing your work capacity as an employee. And Schedule 1 part 1(1) and (2)(a) and (b) of the Data Protection Act 2018 which relates to processing for employment, the assessment of your working capacity and preventative or occupational medicine.

CCTV is in operation at all SBF sites, including offices. We use substantial public interest, for the purposes of detecting and preventing crime, as our condition to process CCTV personal data (Article 9 (g) and Schedule 1 part 2 (10)).

Who do we share your personal information with

Within SBF, only those members of the workforce who have a valid business ‘need to know’ will be granted access to your personal data. Further, individual team members will only be given access to the part of your data that they need to perform their roles.

Our recruitment team will have access to your application. Your data will be used by the recruitment team to:

- provide human resources services to you related to recruitment
- decide whether to shortlist or reject your application
- prepare for and carry out the interview process
- to make a decision whether to employ you including contacting you to inform you about our decision
- where relevant, to make a conditional offer
- where relevant, to verify the details of your application
- where relevant, to provide a transition for you to become an employee.

NB: When you become an employee, the SBF Employment Privacy Notice will apply.

Externally, your data may be shared with the external organisations / individuals for the following purposes, as set out below:

- CCTV supplier
- CCTV monitoring company
- Website hosting, office 365, Teams, system administration, web developers, Azure etc.
- recruitment agencies - to inform them about the recruitment decision
- referees – to obtain references as part of the recruitment process
- to allow criminal records check and soft credit check (if applicable) or sanctions search to be performed.
- The DBS code of practice is published under Section 122 of the Police Act 1997. It aims to ensure that criminal record information is used fairly, and applicants are

protected from unfair discrimination due to non-relevant convictions. You can find it here:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/474742/Code of Practice for Disclosure and Barring Service Nov 15.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/474742/Code_of_Practice_for_Disclosure_and_Barring_Service_Nov_15.pdf)

You can find our Criminal Records Information Policy here:

[Policycriminalrecordsinformation \(003\).doc](#)

Wherever possible those data shared (as detailed above) are either anonymised and/or minimised and only those with a valid business 'need to know' in the receiving organisation are granted access.

Details of transfers of personal information to any third countries and safeguards

We currently do not transfer your personal information outside the United Kingdom / Europe, to a third country, that does not benefit from an adequacy decision.

If our position changes and to ensure a similar degree of protection, we will enter into the UK International Data Transfer Agreement or International Transfer Addendum to the European Commission Standard Contractual Clauses for International Data Transfers.

We ensure that our suppliers and partners who directly engage other companies, to support their own processing operations, also enter into appropriate transfer mechanisms, including UK International Data Transfer Agreement or International Transfer Addendum to the European Commission Standard Contractual Clauses for International Data Transfers.

In addition to the above, we may be required to obtain your specific and informed consent and provide you with the following information:

- the identity of the receiver, or the categories of receiver;
- the country or countries to which the data is to be transferred;
- details of why we need to make a restricted transfer;
- the type of data to be transferred;
- details of how you can choose to withdraw consent; and
- the possible risks involved in making a transfer to a country which does not provide adequate protection for your personal data and without any other appropriate safeguards in place.

If you have any queries regarding our transfers of personal information to third countries, please use the contact details in this Privacy Notice.

Retention period or criteria used to determine the retention period

Your personal data will be kept for as long as is necessary for SBF to meet its legal obligations with respect to all aspects of employment.

- **Unsolicited applications** will usually be destroyed immediately as a matter of best practice, unless, by agreement with the applicant their details can be kept on file for consideration for future roles
- **Successful recruitment candidate information** (including third party referee details provided by the applicant). If there is no activity on your candidate account for 12 months, it will be deleted. You can also request to withdraw your details at any time and thereafter your data will be fully anonymised for further protection.
- **Unsuccessful recruitment candidate information** (including third party referee details provided by the applicant) If there is no activity on your candidate account for 12 months, it will be deleted. You can also request to withdraw your details at any time and thereafter your data will be fully anonymised for further protection.

How we store your personal information

Your information is securely stored.

We keep all your personal information, detailed in this Privacy Notice, for employment purposes, for a period specified in our retention policy.

We will then dispose your information by deletion.

Your data protection rights

Under data protection law, you may have data subject rights that we need to make you aware of, regarding the processing of your personal data. The rights available to you depend on the lawful basis for processing your information.

Please contact us using the contact details set out above if you wish to exercise any of these rights.

- **Transparency** – we must provide you with all the information set out in this privacy notice in a concise, transparent, intelligible, and easily accessible form, using clear and plain language, so that you may understand how and why we process your data and what your rights are. We must keep you informed in timely manner about our progress in responding to requests from you to access your rights under data protection law.

- **Right of access (Subject Access Request)** – you have the right to ask us for copies of your personal data. This right always applies. There are some exemptions, which means you may not always receive all the information we process.
- **Right to rectification** – you have the right to ask us to rectify information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete. This right always applies.
- **Right to erasure ('right to be forgotten')** – you may have the right to ask us to erase your personal information in certain circumstances.

In some limited circumstances, you may have the right to obtain from us the erasure of your personal data without undue delay, when and if:

- Processing your personal data is no longer necessary in relation to the purposes for which your data were collected
 - Where you withdraw consent for processing, but only if consent was the legal basis relied upon for that processing
 - You object to processing and there are no overriding legitimate grounds for the processing or where you withdraw your consent to marketing. NB This does not apply to employees or former employees or applicants where we have a legal obligation to retain your data
 - Your personal data has been unlawfully processed
 - Your personal data has to be erased to comply with a legal obligation to which the Controller is subject
 - Your personal data has been collected in relation to the offer of information society services to children
- **Right to restriction of processing** – you have the right to ask us to restrict the processing of your information in certain circumstances.

In some limited circumstances you have the right to request that the processing of your personal data is restricted, in some cases for a limited time only, specifically when:

You are contesting the accuracy of your personal data while we verify its accuracy or correct it

The processing is unlawful, and you oppose the erasure of your data;

Where we no longer need your personal data for the purposes for which it was obtained but where you require the data for the establishment, exercise or defence of legal claims

Where you have objected to the processing of your data pending the verification whether legitimate grounds of the Controller override your interests.

You have the right to be informed by the Controller before the restriction of processing is lifted.

- **Right to data portability** - this data subject right only applies to information you have given us. You have the right to ask that we transfer the information you gave us from one organisation to another or give it to you. The right only applies if we are processing information based on your consent or under, or in talks about entering into a contract and the processing is by automated means.
- **Right to object** – you may have the right to object to our processing of your personal data. When certain conditions are met, we as Controller will no longer process your personal data. This right can be exercised only when:
 - Either the processing is necessary for the performance of a task carried out in the public interest or processing is necessary for the purposes of our legitimate interests (including profiling), but where we cannot demonstrate compelling legitimate grounds for the processing which override your interests, rights, and freedoms or where processing is necessary for the establishments, exercise, or defense of legal claims
 - Processing for direct marketing purposes, including profiling
 - When personal data are processed for scientific or historical research purposes or statistic purposes unless the processing is necessary for the performance of a task carried out for reasons of public interest
- **Automated decision-making, including profiling** – you have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significant effects. At the current time SBF does not perform automated decision making or profiling, relating to recruitment processing.

Details of whether you are under a statutory or contractual obligation to provide the personal data – SBF has a legal obligation to perform checks for employment purposes for some roles. Failing to do so would be a breach of the law.

How to complain

If you have any concerns about our use of your personal information, you can make a complaint to us, by using the contact details provided above, in this Privacy Notice.

You can also complain to the ICO if you are unhappy with how we have used your data.

The ICO's address:

Information Commissioner's Office
Wycliffe House



Water Lane
Wilmslow
Cheshire
SK9 5AF

Helpline number: 0303 123 1113

ICO website: <https://www.ico.org.uk>

Superbike Factory Limited ICO Registration: Z3193267

Superbike Loans Limited ICO Registration: ZA260050