



## BERRY BROS & RUDD

3, ST. JAMES'S STREET, LONDON

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WINE & SPIRIT MERCHANTS

### **JOB APPLICANT PRIVACY NOTICE**

As part of any recruitment process, Berry Bros. & Rudd collects and processes personal data relating to job applicants. Berry Bros. & Rudd is committed to being transparent about how it collects and uses that data to meet its data protection obligations.

#### **Identity of the data controller**

Berry Bros & Rudd Ltd. of 3 St. James's Street, London, SW1A 1EG (**Berry Bros. & Rudd**) is responsible for deciding how it holds and uses personal data relating to job applicants. Berry Bros. & Rudd is therefore a 'data controller' as defined in the General Data Protection Regulation.

#### **What information does Berry Bros. & Rudd collect?**

Berry Bros. & Rudd collects a range of information about you. This is likely to include:

- your name, address and contact details, including email address and telephone number;
- details of your qualifications, skills, experience and employment history;
- information about your current level of remuneration, including benefit entitlements;
- whether or not you have a disability for which Berry Bros. & Rudd needs to make reasonable adjustments during the recruitment process;
- information about your entitlement to work in the UK; and
- equal opportunities monitoring information, including information about your ethnic origin.

Berry Bros. & Rudd collects this information in a variety of ways. For example, data might be contained in CVs or covering letters, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment.

Berry Bros. & Rudd will also collect personal data about you from third parties, such as references supplied by former employers. Berry Bros. & Rudd will seek information from third parties only once a job offer to you has been made and will inform you that it is doing so.

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

## **Why does Berry Bros. & Rudd process personal data?**

Berry Bros. & Rudd processes your data for the following purposes and on the following legal basis:

- for the purpose of recruitment (including for processing and assessing your application, obtaining and verifying references and conducting background checks). This allows Berry Bros. & Rudd to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. Berry Bros. & Rudd conducts this processing as part of the steps it takes at your request prior to entering into a contract with you. It also needs to process your data to enter into a contract with you;
- to keep records of our recruitment process as Berry Bros. & Rudd may need to process data from job applicants to respond to and defend against legal claims;
- for equal opportunities monitoring purposes. Berry Bros. & Rudd processes special categories of data, such as information about ethnic origin, sexual orientation, health or religion or belief for this purpose. To the extent it is required, we rely on your consent as the legal basis for this processing;
- to ensure that it is complying with its legal obligations. For example, it is required to check a successful applicant's eligibility to work in the UK before employment starts; and
- to make reasonable adjustments to the recruitment process for candidates who have a disability. Berry Bros. & Rudd may process special categories of personal data for this purpose, including health data. To the extent it is required, we rely on your consent as the legal basis for this processing.

Berry Bros. & Rudd may also process your data where the processing is strictly necessary for Berry Bros. & Rudd's legitimate interests. These legitimate interests include, without limitation, the following:

- enabling global collaboration and workforce planning;
- ensuring that the Group and its employees comply with laws, regulations and internal rules at any time;
- protecting the Group and/or its employees from harm, by preventing or detecting illegal activities, suspected fraud or situations involving potential threats to the safety of any person or violations of the Group's policies or terms; and
- enabling the Group to exercise and defend legal claims.

Where Berry Bros. & Rudd relies on legitimate interests as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of applicants and has concluded that they are not. For more information on how we balance our legitimate interests with the interests of our job applicants, please contact us using the contact details below.

## **Data retention**

If your application is unsuccessful, Berry Bros. & Rudd will keep your personal data on file for a period of six months in case there are future employment opportunities for which you may be suited. Berry Bros. & Rudd will ask for your consent before it keeps your data for this purpose and you are free to withdraw your consent at any time.

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

Your information will be shared internally for the purposes of the recruitment exercise. This includes members of the HR and recruitment 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.

Berry Bros. & Rudd will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment. With your consent, Berry Bros. & Rudd will then share your data with former employers to obtain references for you, and with our third party healthcare provider to process a questionnaire to identify any reasonable workplace adjustments that need to be made for you.

## **International Transfers**

Your data will not be transferred outside the European Economic Area (EEA) at any point before you accept an offer of employment. If you accept an offer, Berry Bros. & Rudd will supply you with a copy of our Global Employee Data Privacy Notice (via our onboarding portal for successful candidates, as well as our intranet), which applies to our processing of our employees' personal data.

## **How does Berry Bros. & Rudd protect data?**

We take the security of your data seriously. Berry Bros. & Rudd has internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties. When data is being processed through our internal HR system, specific permissions are assigned to relevant users, to ensure necessary parties only are able to view and process your data.

## **For how long does Berry Bros. & Rudd keep data?**

If your application for employment is unsuccessful, Berry Bros. & Rudd will hold your data on file for six months after the end of the relevant recruitment process. At the end of that period, or earlier if you withdraw your consent, your data is deleted or destroyed.

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your personnel file and retained during your employment. At this point Berry Bros. & Rudd will supply you with a copy of our Global Employee Data Privacy Notice which applies to our processing of our employees' personal data.

## **Your rights**

As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request;

- request that your personal data be transferred to another data controller or provided in a format that will permit this transfer;
- require Berry Bros. & Rudd to change incorrect or incomplete data;
- require Berry Bros. & Rudd to delete or stop processing your data;
- request that Berry Bros. & Rudd restrict the processing of your data;
- object to the processing of your data;
- withdraw your consent to Berry Bros. & Rudd processing your personal data, without affecting the lawfulness of any processing based on your consent before its withdrawal; and
- lodge a complaint with the Information Commissioner's Office.

### **What if you do not provide personal data?**

You are under no statutory or contractual obligation to provide data to Berry Bros. & Rudd during the recruitment process. However, if you do not provide the information, Berry Bros. & Rudd may not be able to process your application properly or at all.

You are under no obligation to provide information for equal opportunities monitoring purposes and there are no consequences for your application if you choose not to provide such information.

### **Automated decision-making**

Recruitment processes are not based solely on automated decision-making.

### **Contact details**

If you would like to exercise any of your rights please contact the data protection team at [privacy@bbr.com](mailto:privacy@bbr.com) or at:

Kevin Hanley  
 Data Protection Leader  
 Berry Bros. & Rudd  
 Hamilton Close  
 Houndmills  
 Basingstoke  
 Hampshire  
 RG21 6YB

You can make a subject access request by sending an email to [Helpdatarequest@bbr.com](mailto:Helpdatarequest@bbr.com).