



## **ARTICLE 13 PRIVACY NOTICE**

### **Data Protection Act 2018/General Data Protection Regulations UK (GDPR UK)**

#### **THE LANDING HOTEL RECRUITMENT PRIVACY NOTICE**

This notice applies to all job applicants (including temporary staff, agency staff) and to all recruitment activities undertaken, including those undertaken on behalf of third-party business partners.

The Landing Hotel is collecting your personal data. When we collect personal data, we are obliged legally to provide you with certain information, it is called the "Right to be Informed". That information is contained in the below Notice. If any of the information we provide is not clear please do not hesitate to contact the Information Governance Manager at the bottom of this notice.

#### **WHY WE NEED IT – THE PURPOSE OF PROCESSING**

We are collecting your data as part of the recruitment process. This is to ensure that we have the information required to assess the suitability of your application for the role in which you are applying for.

We may also use your personal data to produce any feedback you might request.

We may use your personal data for any necessary background checks, as required by the Civil Aviation Authority Regulations.

#### **WHY WE ARE ALLOWED TO PROCESS YOUR PERSONAL INFORMATION IN THIS WAY – THE LAWFUL BASIS**

Under the General Data Protection Regulation UK (GDPR), the lawful basis we rely on for processing this information is:-

Article 6 – for the establishment or performance of a contract (Employment Contract)

Article 6 – Processing is necessary for compliance with a legal obligation to which we are subject (i.e to check a successful applicant's eligibility to work in the UK, to make reasonable adjustments as per the equality act, to comply with regulations as per the Single Consolidated Direction (Aviation)

Article 9 condition – processing is necessary for the purposes of preventative or occupational medicine, for the assessment of the working capacity of the employee.

Article 9 – carrying out the obligations and exercising specific rights of the controller or the data subject in the field of employment and social security and social protection law

#### **HOW DO WE RECEIVE YOUR PERSONAL DATA**

- By you applying for a job role via our online application
- By you sending us your CV/Resume
- Collected through interviews or other forms of assessment.
- Online tests
- Paper tests

- Via third parties, such as references supplied by former employers, HMRC employment data
- Via a recruitment agency that you have registered with. These companies include:-  
Goldhawk Associates [Privacy Policy - GDPR - Goldhawk Associates](#)  
Oaklands Global [Privacy Policy \(oaklandsglobal.com\)](#)  
JMF Associates [Jennings Morton Friel Associates: Finance & Accountancy Recruitment \(jmfassociates.co.uk\)](#)

## **WHAT PERSONAL DATA DO WE COLLECT**

- Name
- E-mail address
- Address
- Contact telephone numbers
- Qualifications
- Skills
- Experience
- Employment History
- Medical/Health data
- Whether or not you have a disability for which the company needs to make reasonable adjustments during the recruitment process
- Information about your entitlement to work in the UK
- Equal opportunities monitoring information

## **WHERE IS YOUR DATA STORED**

Data will be stored in a range of different places:-

- Online application record
- E-mail
- Hard copy application copies

Online applications are stored within our Applicant Tracking System on Access People HR. Data is stored within Rackspace's state-of-the-art data centre in London, UK.

E-mail data is stored within the airports MS365 tenant.

Hard copy applications will be printed and used at interview stage and then destroyed.

## **WHO HAS ACCESS TO YOUR DATA**

- HR Team
- Hiring Manager
- Interview Panel Members

## **WHO WILL YOUR DATA BE SHARED WITH INTERNALLY**

Some of your personal data will be shared internally for the purposes of the recruitment exercise. This includes members of the HR team, interviewers involved in the recruitment process, managers in the business area with a vacancy.

We will not share your data with third parties, unless your application for employment is successful and we make you an offer of employment.

## **WILL YOUR DATA BE SHARED EXTERNALLY**

On occasions and depending on your job role Red Sky Referencing Ltd will act as a Data Processor and shall process your personal data only on documented instructions of London Biggin Hill Airport the Data Controller.

Red Sky Referencing will carry out pre-employment vetting and airport ID referencing services in line with applicable airport security requirements and regulatory standards as per the Single Consolidated Direction (Aviation). Referencing will cover employment, education and any gaps during at least the preceding 5 years.

We will be required to share the following categories of personal data in order for Red Sky Referencing to carry out these services:-

- Full legal name
- Date of birth
- E-mail address
- Telephone number
- Job role
- Work location
- Provisional start date

Red Sky Referencing will maintain appropriate technical and organisational measures including but not limited to role-based access controls, secure UK-based hosting, controlled system access, audit trails and secure transmission of data via Sharepoint.

Red Sky Referencing will store your 5 year background checks for the duration of your employment with the Company.

The Company will store your 5 year background checks received from Red Sky Referencing for employment plus 6 years.

Red Sky Referencing may use sub-processors for the delivery of services. These may include Employment Background Check System, Sharepoint where files are shared with the Company and UK based hosting providers. Red Sky Referencing will inform the Company of any intended material changes to sub-processors.

Red Sky Referencing will not transfer data outside the UK except where it is necessary to contact overseas referees identified by you. In such cases only the minimum information required to obtain a reference is shared.

## **HOW LONG WILL WE RETAIN YOUR PERSONAL INFORMATION**

Successful candidates' data will be stored for employment plus 6 years and a further privacy notice will be provided.

Unsuccessful candidates' data will be stored for 6 months and then deleted from all airport systems.

The data of candidates entered in a talent pool will be stored for 12 months and then deleted from all airport systems.

## **DATA SUBJECT RIGHTS**

Please see below a full list of data subject rights below but please remember that depending on the legal basis for processing they may not be absolute rights. If you require further information, please do not hesitate to contact us.

## **THE RIGHT TO BE INFORMED**

As a data controller, we are obliged to provide clear and transparent information about our data processing activities. This is provided by this privacy notice and any related communications we may send you.

## **THE RIGHT OF ACCESS**

You may request a copy of the personal data we hold about you free of charge. Once we have verified your identity and, if relevant, the authority of any third-party requestor, we will provide access to the personal data we hold about you as well as the following information:

- a) The purposes of the processing
- b) The categories of personal data concerned
- c) The recipients to whom the personal data has been disclosed
- d) The retention period or envisioned retention period for that personal data
- e) When personal data has been collected from a third party, the source of the personal data

If there are exceptional circumstances that mean we can refuse to provide the information, we will explain them. If answering requests is likely to exceed one calendar month, where we require additional time or (extended by 2 calendar months), or, in the case of repetitive requests, we reserve the right to request payment (for reasonable administrative costs) before processing the request, we will inform you.'

## **THE RIGHT TO RECTIFICATION**

When you believe we hold inaccurate or incomplete personal information about you, you may exercise your right to correct or complete this data. This may be used with the right to restrict processing to make sure that incorrect/incomplete information is not processed until it is corrected.

## **THE RIGHT TO ERASURE ('THE RIGHT TO BE FORGOTTEN')**

Where no overriding legal basis or legitimate reason continues to exist for processing personal data, you may request that we delete the personal data. This includes personal data that may have been unlawfully processed. We will take all reasonable steps to ensure erasure.

Due to the complex nature of Consent and legal exemption, we are not always able to fulfil deletion ("Right to be Forgotten") requests, and it is essential you understand this before accessing the service.

## **THE RIGHT TO RESTRICT PROCESSING**

You may ask us to stop processing your personal data. We will still hold the data but will not process it any further. This right is an alternative to the right to erasure. If one of the following conditions applies, you may exercise the right to restrict processing:

- a) The accuracy of personal data is contested.
- b) Processing of personal data is unlawful.
- c) We no longer need personal data for processing, but the personal data is required for part of a legal process.
- d) The right to object has been exercised, and processing is restricted pending a decision on the status of the processing.

## **THE RIGHT TO DATA PORTABILITY**

You may request your set of personal data be transferred to another controller or processor, provided in a commonly used and machine-readable format. This right is only available if the original processing was on the basis of Consent, the processing is by automated means and if the processing is based on the fulfilment of a contractual obligation.

## **THE RIGHT TO OBJECT**

You have the right to object to our processing of your data where;

- a) Processing is based on legitimate interest (\*note this is not an absolute right)

- b) Processing is for the purpose of direct marketing;
- c) Processing is for the purposes of scientific or historic research; or
- d) Processing involves automated decision-making and profiling.

## **HOW TO COMPLAIN**

If you have any concerns about our use of your personal information, you can make a complaint to us at:-

The Landing Hotel  
General Manager  
Churchill Way  
Biggin Hill  
Westerham  
TN16 3BN  
01959 584750  
[gm@thelandinghotel.co.uk](mailto:gm@thelandinghotel.co.uk)  
[datamanager@thelandinghotel.co.uk](mailto:datamanager@thelandinghotel.co.uk)

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

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Live chat via [ico.org.uk/live chat](https://ico.org.uk/live-chat)  
Helpline number: 0303 123 1113ICO website:  
[www.ico.org.uk](https://www.ico.org.uk)