

Nippon Gases UK Limited

Privacy Statement for job applicants

February 2019

Key points:

- **Our use of your personal data:** We use your personal information to consider your application for employment with Nippon Gases.
- **Special categories of personal data:** During the application process, we use information about your health, racial and ethnic origin, sexual orientation and religion.
- **Sharing your data:** We may share your data with third parties, including third-party service providers and other entities in the group.
- **Security:** We respect the security of your data and treat it in accordance with the law.
- **International transfer:** We may transfer your personal information outside the EU and, if we do, you can expect a similar degree of protection in respect of your personal information.

1 WHAT IS THE PURPOSE OF THIS PRIVACY STATEMENT?

- 1.1 Under data protection legislation Nippon Gases UK Limited (**Nippon**) are required to explain to our job applicants why we collect information about you, how we intend to use that information and whether we will share your information with anyone else.
- 1.2 This statement applies to all job applicants and prospective employees. We have a separate privacy statement which describes our use of employees' personal data.
- 1.3 We may update this statement at any time.
- 1.4 It is important that you read this statement so that you know how and why we use information about you. It is also important that you inform us of any changes to your personal information during your application process so that the information which we hold is accurate and current.

2 WHO ARE WE?

- 2.1 We are Nippon Gases UK Limited (**Nippon**), a company registered in England and Wales under company number 09938383 and with our registered office at Gresley Way, Immingham Docks, Immingham, North East Lincolnshire, DN40 2NT, a wholly owned subsidiary of Nippon Deutschland Holding GmbH.

- 2.2 Nippon is a "data controller" in respect of the information we hold about you. This means that we are responsible for deciding how we use that personal information about you.

3 OUR DATA PROTECTION CHAMPION

- 3.1 We have appointed a data protection champion (DPC) who is responsible for overseeing what we do with your information and monitoring our compliance with data protection laws. This person is not a Data Protection Officer as defined by the GDPR.
- 3.2 If you have any concerns or questions about our use of your personal data, you can contact our DPC by writing to June Wass, HR Manager, Nippon Gases UK Limited, Gresley Way, Immingham Docks, Immingham, North East Lincolnshire, DN40 2NT or by e-mail to june.wass@nippongases.com.

4 WHY ARE WE COLLECTING YOUR INFORMATION?

- 4.1 The information that you provide to us as part of your application will be used by us to assess your suitability for the job for which you are applying. Without this information, we may not be able to consider your suitability for a job with us.

5 TYPES OF PERSONAL INFORMATION WE USE

- 5.1 We are collecting information about you which is relevant to our consideration of your application for employment. This includes:
- 5.1.1 **personal details** (such as name, date of birth, gender, marital status, national insurance number);
 - 5.1.2 **contact details** (such as your address, personal telephone number and personal email address);
 - 5.1.3 **confirmation of your identity** (such as a copy of your driving licence);
 - 5.1.4 **recruitment information** (such as copies of right to work documents, references and other information included in a CV or cover letter or as part of the application process);
 - 5.1.5 **information about your previous employment** (such as job titles, work history, working hours, training records, professional memberships, disciplinary information / compensation history); and
 - 5.1.6 any other information you provide to us during an interview.

Special categories of personal data

- 5.2 Some of the information which we collect may be "special categories of personal data". Special categories of personal data require a greater level of protection. The special categories of personal data about you which we may collect include:

- 5.2.1 information about your **race or ethnicity, religious beliefs, sexual orientation and political opinions** (for equal opportunity purposes);
- 5.2.2 information about your **health**, including any disability or medical condition; and
- 5.2.3 information about **criminal convictions and offences**.

6 SOURCE OF YOUR PERSONAL INFORMATION

- 6.1 The above information which we collect about you will be obtained through a variety of sources which include:
 - 6.1.1 from you directly as part of the recruitment process;
 - 6.1.2 employment agencies;
 - 6.1.3 background check providers;
 - 6.1.4 former employers / referees;
 - 6.1.5 credit reference agencies (where relevant and necessary);
 - 6.1.6 social media and other publications such as Facebook and LinkedIn.

7 HOW AND WHY WE USE YOUR PERSONAL DATA

7.1 We use the types of personal data listed above for a number of purposes, each of which has a "lawful basis". In accordance with the data protection laws, we need a "lawful basis" for collecting and using information about you. There are a variety of different lawful bases for using personal data which are set out in the data protection laws.

7.2 We have set out below the different purposes for which we collect and use your personal data, along with the lawful bases we rely on to do so.

Why we use your information	Our lawful basis for using your information
Assessment: to assess your skills, qualifications and suitability for the role you have applied for.	<p>Contract: It is necessary in order for us to take steps to enter into a contract with you.</p> <p>Legal obligations: It is necessary to meet legal / regulatory obligations.</p> <p>Employment: It is necessary for us to carry out our rights and obligations as your potential employer.*</p>
Communication: to communicate with you during the recruitment process.	Contract: It is necessary in order for us to take steps to enter into a contract with you.
Records: to keep records of our hiring processes.	Contract: It is necessary in order for us to take steps to enter into a contract with you.
Monitoring: to comply with our legal obligations such as to prevent fraud and equal opportunities monitoring.	<p>Legal obligations: It is necessary to meet legal / regulatory obligations.</p> <p>Employment: It is necessary for us to carry out our rights and obligations as your potential employer.*</p>
Adjustments: to consider whether we need to provide appropriate disability adjustments during the recruitment process, for example whether adjustments need to be made during a test or interview, to comply with our legal obligations as an employer and where it is needed in the public interest (such as equal opportunities monitoring).	<p>Contract: It is necessary in order for us to take steps to enter into a contract with you.</p> <p>Legal obligations: It is necessary to meet legal / regulatory obligations.</p> <p>Employment: It is necessary for us to carry out our rights and obligations as your potential employer.*</p> <p>Health: It is necessary to assess the working capacity of potential employees*.</p>
Equality: We will use information about your	Legal obligations: It is necessary to meet

Why we use your information	Our lawful basis for using your information
<p>race or national or ethnic origin, religious, philosophical or moral beliefs, or your sex life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.</p>	<p>legal / regulatory obligations.</p> <p>Employment: It is necessary for us to carry out our rights and obligations as your employer.*</p>
<p>* This is an additional lawful basis which we need to rely on in order to use special categories of data such as information about your health</p>	

8 HOW WE USE INFORMATION ABOUT CRIMINAL CONVICTIONS

- 8.1 We will only collect information about criminal convictions if it is appropriate given the nature of the role for which you are applying and where we are legally able to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.
- 8.2 Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where you have already made the information public or in the course of legitimate business activities with the appropriate safeguards.

9 WHAT MAY HAPPEN IF YOU DO NOT PROVIDE YOUR PERSONAL INFORMATION?

- 9.1 If you refuse to provide certain information when requested, we may not be able to process your application successfully, or we may be prevented from complying with our legal obligations (such as the requirement to ensure the health and safety in our workplace).

10 COMPLYING WITH DATA PROTECTION LAW

- 10.1 We will comply with data protection law. At the heart of data protection laws are the "data protection principles" which say that the personal information we hold about you must be:
- 10.1.1 used lawfully, fairly and in a transparent way;
 - 10.1.2 collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
 - 10.1.3 relevant to the purposes we have told you about and limited only to those purposes;
 - 10.1.4 accurate and kept up to date;
 - 10.1.5 kept only as long as necessary for the purposes we have told you about; and
 - 10.1.6 kept securely.

11 SHARING YOUR INFORMATION

- 11.1 We will share your personal information with third parties where required by law, where it is necessary to administer the prospective working relationship with you or where we have another legitimate interest in doing so.

- 11.2 Some "third parties" are service providers (including contractors and designated agents) carrying out activities on our behalf. Other third parties will be data controllers in their own right. This means that they are not required to act on our instructions and they are solely responsible for ensuring that they comply with the law when using your personal data. We are not responsible for their use of your data if we are acting lawfully whenever we share your data with them.
- 11.3 The following activities are carried out by third-party service providers:
- 11.3.1 IT services including on-boarding communications;
 - 11.3.2 e-recruitment and job applicant tracking;
 - 11.3.3 apprentice providers including schools and colleges;
- 11.4 Other organisations with whom we may share your personal information include:
- 11.4.1 apprentice providers (if relevant); and
 - 11.4.2 the Police and other law enforcement agencies (in limited circumstances we may share your personal data with the police if required for the purposes of criminal investigations and law enforcement).

12 TRANSFERRING INFORMATION OUTSIDE THE EU

- 12.1 We may transfer the information which you provide to us to Japan. We may transfer that information to Japan because our parent company, Taiyo Nippon Sanso Corporation (**TNSC**), is based in Japan.
- 12.2 We shall only share your personal data with **TNSC** where it is necessary to do so in order to enter into a contract of employment with you.

13 SECURITY OF YOUR INFORMATION

- 13.1 We have put in place measures to protect the security of your information. Details of these measures are available upon request.
- 13.2 Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.
- 13.3 We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality. Details of these measures may be obtained from the DPC (contact details above) in writing.

14 CAN WE USE YOUR INFORMATION FOR ANY OTHER PURPOSE?

- 14.1 We typically will only use your personal information for the purposes for which we collect it. It is possible that we will use your information for other purposes as long as those other purposes are compatible with those set out in this policy. If we intend to do so, we will provide you with information relating to that other purpose before using it for the new purpose.
- 14.2 We may use your personal information without your knowledge or consent where such use is required or permitted by law.

15 STORING YOUR INFORMATION - RETENTION PERIODS

- 15.1 We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are available in our retention policy which is available on request from the DPC (contact details above) in writing.
- 15.2 To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.
- 15.3 In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.
- 15.4 Once you are no longer an employee, worker or contractor we will retain and securely destroy your personal information in accordance with our data retention policy.

16 YOUR RIGHTS

- 16.1 Under certain circumstances, by law you have the right to:
- 16.1.1 **Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- 16.1.2 **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.

- 16.1.3 **Request erasure** of your personal information in certain circumstances. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- 16.1.4 **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) or public interest as our lawful basis for processing and there is something about your particular situation which leads you to object to processing on this ground. You also have the right to object if we are processing your personal information for direct marketing purposes.
- 16.1.5 **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- 16.1.6 **Request the transfer** of your personal information to another party in certain circumstances.

16.2 If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the DPC (contact details above) in writing.

17 RIGHT TO WITHDRAW CONSENT

17.1 In the limited circumstances where we are relying on your consent as our lawful basis to process your data for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact DPC (contact details above) in writing. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

18 RIGHT TO COMPLAIN TO THE INFORMATION COMMISSIONER'S OFFICE

18.1 You also have the right to complain to the Information Commissioner's Office (the "ICO") if you are not satisfied with the way we use your information. You can contact the ICO by writing to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

19 CHANGES TO THIS PRIVACY STATEMENT

- 19.1 We reserve the right to update this privacy statement at any time, and we will provide you with a new privacy statement when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.