



Introduction

MacPhee & Partners respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data and tell you about your privacy rights and how the law protects you. It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them. This notice applies to individuals applying to work with us, including prospective directors, employees, trainees, apprentices, work experience students, workers, consultants and contractors. It applies whether the work applied for is part time or full time; or permanent, temporary or for a fixed term.

1. Controller

MacPhee & Partners LLP is the controller and is responsible for your personal data (collectively referred to as "we", "us" or "our" in this privacy notice). We have appointed a Data Protection Partner, Claire Bamber, who is responsible for overseeing our data protection policies. However, if you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact Billie Smith (Email: billiesmith@macphee.co.uk; Tel: 01631 562308), one of our Associates, who handles the day-to-day management of data protection related matters.

2. Your personal information

In this privacy notice, 'your personal information' means your personal data i.e. information about you from which you can be identified. Sections 5 and 6 below set out your personal information that we may process. Your 'personal information' does not include data where the identity has been removed (anonymous data). It is important that your personal information is accurate and up to date. Please inform us if your personal information changes during the recruitment process.

3. Special categories of personal information

'Special categories of personal information' means information about your racial or ethnic origin; political opinions; religious or philosophical beliefs; trade union membership; health; sex life or sexual orientation; criminal convictions, offences or alleged offences; genetic data; or biometric data for the purpose of uniquely identifying you. Data marked * in the table at section 5 below, and data described at section 6, falls within these 'special categories' or might disclose special categories of personal information. We must have additional legal grounds for processing special categories of personal information, and these grounds are set out at sections 5 and 6 below.

4. Where does your personal information come from?

Your personal information will come from you or us, and may also come from the following sources:

- Recruitment agencies and apprenticeship providers may provide us with the following personal information: personal contact details, qualifications, schools attended, details of previous employment(s), skills and experience, hobbies and interests, and interview notes.
- Credit reference agencies may provide us with the following personal information: personal contact details, date of birth, details of credit accounts and usage and an overall credit score.
- Former employers or other referees, whom you have given us permission to contact, may provide us with the following personal information: role(s) held, dates of employment, details of skills and capabilities and any other information that helps to assess your suitability for the position applied for.
- Our staff may provide us with: personal information about you if they are referring you for recruitment.
- Medical professionals may provide us with the following personal information: information relating to any disability that you may have, the effects of that disability, and adjustments that may need to be made to the recruitment process as a result of that disability.
- Professional bodies such as the Law Society of Scotland, the Law Society of England and Wales, and / or the Solicitors Regulation Authority may provide us with the following personal information: qualifications, registrations, practising certificates, accreditation details and membership details.
- Google and social networking accounts (such as LinkedIn): as part of the recruitment process we may source personal information relating to roles you have held, details of skills and capabilities and any other information that helps us to assess your suitability for the position applied for.
- Disclosure Scotland: as described at section 6 below.

Some of the sources above will only be relevant in certain circumstances, or if you have applied for a particular role. If you would like more information on the source of your personal information please contact the HR department.

5. Processing your personal information

We may process your personal information during and after the recruitment process. This may include collecting your personal information, recording it, storing it, using it, amending it, destroying it and, in some circumstances, disclosing it.

In general, we process your personal information for the reasons, and on the legal grounds set out in the following table, and also to:

- Retain records relating to the recruitment process;
- Establish, exercise or defend legal claims;
- Comply with the law or requirements of any regulator; and
- Protect your vital interests or those of another person (in exceptional circumstances, such as a medical emergency).

Reason for processing your personal information	Legal ground(s) for processing, and legitimate interest (where applicable)	Your personal information
<ul style="list-style-type: none"> Contact you regarding the recruitment process and any offer of work 	<ul style="list-style-type: none"> To enter a contract 	<ul style="list-style-type: none"> Personal contact details (including name, address, email, telephone number)
<ul style="list-style-type: none"> Make a decision about your recruitment or appointment, including assessing your skills, qualifications and suitability for the work 	<ul style="list-style-type: none"> To enter a contract For our legitimate interests: to select suitable employees, workers and contractors 	<ul style="list-style-type: none"> Information provided in your application form, CV, any covering letter or email, and interview notes Information sourced from google and social networking accounts (such as LinkedIn) relating to roles you have held, details of skills and capabilities and other information that helps us to assess your suitability for the work
<ul style="list-style-type: none"> If you have accepted an offer of work from us that is subject to such checks: Take up references (from referees whom you have given us permission to contact); Carry out credit checks; and / or Confirm your professional memberships, registrations and / or qualifications. 	<ul style="list-style-type: none"> To enter a contract For our legitimate interests: to select suitable employees, workers and contractors 	<ul style="list-style-type: none"> References and details of previous employers (including role(s) held, dates of previous employment, details of skills and capabilities and other information that helps to assess your suitability for the position applied for) Results of credit check: personal contact details, date of birth, details of credit accounts and usage and credit score Professional qualifications, registrations, practising certificates, accreditation details, and membership details
<ul style="list-style-type: none"> Determine the terms of any potential contract between you and us 	<ul style="list-style-type: none"> To enter a contract To comply with a legal obligation 	<ul style="list-style-type: none"> Offer letter, and proposed contract between you and us
<ul style="list-style-type: none"> If you have accepted an offer of work, check you are legally entitled to work in the UK 	<ul style="list-style-type: none"> To enter a contract To comply with a legal obligation 	<ul style="list-style-type: none"> Documentation confirming your right to work in the UK
<ul style="list-style-type: none"> Consider reasonable adjustments to the recruitment process for disabled applicants 	<ul style="list-style-type: none"> To enter a contract To comply with a legal obligation For our legitimate interests: to select suitable employees, workers and contractors *For special categories of information: To exercise or perform employment law rights or obligations 	<ul style="list-style-type: none"> Information about a disability, the effects of that disability, and adjustments that may need to be made to the recruitment process as a result of that disability*
<ul style="list-style-type: none"> Carry out equal opportunities monitoring. 	<ul style="list-style-type: none"> For our legitimate interests: To review equality of opportunity or treatment *For special categories of information: To review equality of opportunity or treatment To exercise or perform employment law rights or obligations 	<p>The following information you have provided via our equal opportunities monitoring from:</p> <ul style="list-style-type: none"> The following information you have provided via our equal opportunities monitoring form: Health data, including disability information* Information regarding pregnancy and maternity* Age and date of birth Marriage or civil partnership status* Gender Information on gender reassignment* Data revealing race, religious beliefs or sexual orientation*
<ul style="list-style-type: none"> To register you as a visitor to our premises to assist NHS Test & Protect (Scotland) Service To assist the Test and Protect (Scotland) strategy in relation to the coronavirus public health epidemic; and In the interest of enabling our staff and visitors to our premises to be made aware of any potential risk of infection. 	<ul style="list-style-type: none"> Legitimate interests Legal claims Vital Interests 	<ul style="list-style-type: none"> Personal contact details (including name, address, email, telephone number)

How we use your information

The table below outlines how we use your personal information and our reasons. Where these reasons include legitimate interests, we explain what these legitimate interests are.

What we use your information for	Our reasons	Our legitimate interests
<ul style="list-style-type: none"> To provide you with legal services and fulfil our contractual obligations To provide you with other products or services that you may acquire from us To provide advice or guidance about our products or services 	<ul style="list-style-type: none"> Contractual performance Legitimate interests Consent 	<ul style="list-style-type: none"> To exercise our rights under contract To exercise our rights under contract and provide you with our products and services To keep our records up to date, including your client file
<ul style="list-style-type: none"> To carry out identity verification, background checks and anti-money laundering procedures 	<ul style="list-style-type: none"> Legal obligation Legitimate interests 	<ul style="list-style-type: none"> To engage you as a client and allow us to provide you with legal services To protect our reputation
<ul style="list-style-type: none"> To carry out credit checks 	<ul style="list-style-type: none"> Legitimate interests 	<ul style="list-style-type: none"> To assess the financial worthiness of those to whom we may provide services to assess their ability to pay any sums due for those services
<ul style="list-style-type: none"> To run our business in an efficient and proper way. This includes managing financial administration, business capability, planning, communications, corporate governance and audit To improve our products and services and develop new ones 	<ul style="list-style-type: none"> Legal obligation Consent Contractual performance Legitimate interests 	<ul style="list-style-type: none"> To manage credit control and debt recovery To bill for the services we provide and deal with funds transfers For financial reporting To manage complaints and claims To be efficient about how we manage our relationship with you and fulfil our responsibilities generally To improve our efficiency and provide clients with new or improved products and services
<ul style="list-style-type: none"> To prevent crime and for public safety, including through the use of CCTV 	<ul style="list-style-type: none"> Legal obligation Legitimate interests 	<ul style="list-style-type: none"> To manage the risk of crime and safety for us, our employees and our clients To develop and improve how we deal with crime To report criminality or the suspicion of criminality for the wider benefit of society To be efficient about how we fulfil our responsibilities generally
<ul style="list-style-type: none"> For marketing and business development activities, including seeking new business, promoting our business and events management 	<ul style="list-style-type: none"> Consent Legitimate interests 	<ul style="list-style-type: none"> To develop our relationship with you and others To attract new business To promote our business To hold events, such as seminars or corporate hospitality to promote our business and its services To seek your consent if we need it to contact you

6. Information about criminal convictions

To enable us to make recruitment decisions and assess suitability for particular work, we will process information about criminal convictions and offences (including alleged offences) as described in this section 6.

We will process this information to enter a contract with you, to comply with a legal obligation, for our legitimate interests (in selecting suitable employees, workers and contractors), and to exercise or perform employment law rights or obligations.

If you have accepted an offer of work from us that is subject to a criminal record check, we will ask you to obtain a basic disclosure check from Disclosure Scotland, and provide us with a copy of this.

7. Data necessary for the contract

Sections 5 and 6 above identify personal information that we may need to enter a contract with you. You are not obliged to provide this information, but if you don't provide it, we may not be able to proceed with the recruitment process or enter into the contract.

8. Statutory requirement to provide your personal information

In some circumstances, the provision of your personal information relates to a statutory requirement. This includes:

- Documentation confirming your right to work in the UK – you are not obliged to provide this information, but if you don't provide it, we will not be able to enter into a contract with you.

9. Sharing your personal information with third parties

We may share your personal information with the following third parties if this is required by law; necessary to enter a contract with you; where there is another legitimate interest in doing so; or where it is necessary to protect your vital interests or those of another person:

- Health professionals and occupational health providers involved in your care, in order to consider reasonable adjustments to the recruitment process for disabled applicants.
- Relevant regulators such as the Law Society of Scotland, The Law Society of England and Wales and the Solicitors Regulation Authority.
- Our professional advisors.
- Other third parties as necessary to comply with the law.

10. Automated decision-making

We do not envisage taking any decisions about you based solely on automated processing (i.e. without human involvement), which have a legal or similarly significant effect on you.

11. Transferring your personal information outside the EU

We do not intend to transfer your personal information to any country outside of the EU, or to any international organisation.

12. Data retention

If you don't start work with us following the recruitment process, we will retain your personal information for six months thereafter:

- to allow us to establish, exercise or defend legal claims; and
- for our legitimate interests – to enable us to reconsider your application and (if appropriate) contact you, if the position you applied for becomes available again.

If you ask us to retain your personal information so that we can contact you to discuss future work opportunities, we will write to you separately, to obtain your explicit consent to retain your personal information for a fixed period of two years on that basis.

If you start work with us following the recruitment process, we will give you a copy of our Employee Privacy Notice, and will retain your personal information as detailed in the Employee Privacy Notice. CCTV footage is erased on a monthly basis unless it reveals any activity that needs to be reported for the prevention or detection of crime or other legal reasons in which case the relevant footage will be kept for so long as is necessary for those purposes. Contact data gathered for Test and Protect purposes will be destroyed after 21 days.

Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice 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.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk, Tel 0303 123 1113). We would, however, appreciate the opportunity to deal with your concerns before you approach the ICO so please contact us in the first instance.