

# FLATSHARE RECRUITMENT PRIVACY POLICY

## Introduction

Welcome to the Flatshare Limited trading as SpareRoom ("**SpareRoom**") recruitment privacy policy.

SpareRoom respects your privacy and is committed to protecting your personal data. This privacy policy will inform you about how we look after your personal data for the purposes of the recruitment process and tell you about your privacy rights and how the law protects you.

This privacy policy is provided in a layered format so you can click through to the specific areas set out below. Please also use the Glossary to understand the meaning of some of the terms used in this privacy policy.

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## 1. Important information and who we are

1.1 **Purpose of this privacy policy.** This privacy policy aims to give you information on how SpareRoom collects and processes your personal data, particularly through the recruitment process, and how long it will usually be retained for. This privacy policy will apply to you if you are applying for work with us (whether as an employee, worker or contractor).

1.2 **Please read.** It is important that you read this privacy policy together with any other privacy policy or fair processing policy we may provide on specific occasions 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 policy supplements other notices and privacy policies and is not intended to override them.

1.3 **Controller – who we are.** Flatshare Limited trading as SpareRoom (Company Registration: 4407847) with a registered office address of Suite 2.06, One Silk Street, Manchester, M4 6AG, United Kingdom is the controller and responsible for your personal data (collectively referred to as "SpareRoom", "we", "us" or "our" in this privacy policy).

- 1.4 **Data Privacy Manager.** We have appointed a data privacy manager who is responsible for overseeing questions in relation to this privacy policy. If you have any questions about this privacy policy or how we handle your personal data, including any requests to exercise Your legal rights, please contact the data privacy manager using the details set out below.
- 1.5 **Contact details.** If you have any questions about this privacy policy or our privacy practices, please contact our data privacy manager in the following ways:
- 1.5.1 Full name of legal entity: Flatshare Limited trading as SpareRoom;
  - 1.5.2 Email address: [dpo@spareroom.co.uk](mailto:dpo@spareroom.co.uk);
  - 1.5.3 Postal address: Flatshare Limited trading as SpareRoom, Suite 2.06, Colony One Silk Street, Ancoats Urban Village, Manchester, M4 6AG, United Kingdom
- 1.6 **Right to complain.** If you have a complaint about any aspect of our privacy policy, how we are handling your data or if you feel your privacy has been breached by us, we would like to hear from you. To help us investigate and resolve your concerns as quickly as possible, please contact us using the contact details set out above. You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK regulator for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)) or other competent supervisory authority if you are applying from outside the UK. We would, however, appreciate the chance to deal with your concerns before you approach the ICO or other competent supervisory authority, so please contact us in the first instance.
- 1.7 **Changes to the privacy policy and your duty to inform us of changes.** We keep our privacy policy under regular review. Any new policy may be displayed on-screen in the jobs section of our website or, if we consider it to be appropriate, sent to you by email and you may be required to read and acknowledge the changes to continue in the recruitment process. It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during the recruitment process.

## 2. The data we collect about you

- 2.1 **Personal Data.** Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).
- 2.2 **Categories of Data.** In connection with your application for work with us, we may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:
- 2.2.1 **Identity Data** - this includes first name, last name, username or similar identifier, marital status, title, date of birth, age and gender;
  - 2.2.2 **Contact Data** – this includes home address, email address and telephone numbers;
  - 2.2.3 **Financial Data** – this includes bank account details;
  - 2.2.4 **Profile Data** - this includes your username and password, your interests, education, qualifications and employment history, and feedback; and
  - 2.2.5 **Special Category Data** – race or ethnicity, religious or philosophical beliefs, sexual orientation, political opinions, trade union membership, health (including any medical conditions, health and sickness records), criminal convictions and offences.
- 2.3 **Aggregated data.** We also collect, use and share aggregated data such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will **not** directly or indirectly reveal your identity. For example, we may aggregate your

Identity Data to calculate the percentage of candidates within specified age ranges for a particular role advertised or aggregate your Profile Data to calculate the percentage of candidates with a certain level of education. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

- 2.4 **If you fail to provide personal data.** If you fail to provide information when requested, which is necessary for us to consider your application (such as evidence of qualifications or employment history), we will not be able to process your application successfully. For example, if we require a credit check or references for a particular role and you fail to provide us with relevant details, we will not be able to take your application further.

### 3. How is your personal data collected?

- 3.1 **Different methods.** We use different methods to collect data from and about you including through:

3.1.1 **Direct interactions.** You may give us your Identity, Contact, Financial, Profile and Special Category Data by filling in forms, or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:

- (i) provide us with your curriculum vitae;
- (ii) complete an application form;
- (iii) attend an interview;
- (iv) correspond or speak with us about a role; and
- (v) give us feedback or contact us.

3.1.2 **Third parties or publicly available sources.** We will receive personal data about you from various third parties and public sources such as set out below:

- (i) Identity, Contact, Profile and Special Category Data from your recruitment agency;
- (ii) Identity, Contact, and Profile Data from a background check provider and/or social media;
- (iii) Identity and Contact Data from a credit reference agency;
- (iv) (where required) Identity, Contact and Special Category Data from providers of criminal convictions checks; and
- (v) Identity, Contact and Profile Data from your named referees.

### 4. How we use your personal data

- 4.1 **How we use your personal data.** We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- 4.1.1 where we need to process your personal data to decide whether to enter into a contract of employment with you.
- 4.1.2 where it is necessary for our legitimate interests, namely to decide whether to appoint you to a role since it would be beneficial to our business to appoint someone to that role, and your interests and fundamental rights do not override those interests.
- 4.1.3 where we need to comply with a legal obligation.

Click [Glossary](#) to find out more about the types of lawful basis that we will rely on to process your personal data.

4.2 **Consent.** Generally, we do not rely on consent as a legal basis for processing your personal data. Where we have relied on consent, you have the right to withdraw consent at any time by contacting us.

## 5. Purposes for which we will use your personal data

5.1 **Purposes.** We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate. Please note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
Assess your skills, qualifications and suitability for the role	(a) Identity (b) Contact (c) Profile	(a) Necessary for entering into a contract with you (Performance of a Contract)  (b) Necessary for our legitimate interests (to decide whether to appoint you to a role since it would be beneficial to our business to appoint someone to that role)
Carry out background and reference checks, where applicable	(a) Identity (b) Contact (c) Profile	(a) Necessary for entering into a contract with you (Performance of a Contract)  (b) Necessary for our legitimate interests (to decide whether to appoint you to a role since it would be beneficial to our business to appoint someone to that role)
Communicate with you about the recruitment process	(a) Identity (b) Contact (c) Profile	(a) Necessary for entering into a contract with you (Performance of a Contract)  (b) Necessary for our legitimate interests (to decide whether to appoint you to a role since it would be beneficial to our business to appoint someone to that role)
Keep records related to our hiring process	(a) Identity (b) Contact (c) Profile (d) Special Category	(a) Necessary for entering into a contract with you (Performance of a Contract)  (b) Necessary for our legitimate interests (to decide whether to appoint you to a role since it would be beneficial to our business to appoint someone to that role)
Comply with legal or regulatory requirements	(a) Identity (b) Contact (c) Profile (d) Special Category	(a) Necessary for entering into a contract with you (Performance of a Contract)  (b) Necessary for our legitimate interests (to decide whether to appoint you to a role since it would be beneficial to our business to appoint someone to that role)

		(c) Necessary to comply with a legal obligation
Assess whether any appropriate adjustments need to be provided during the recruitment process to take account of any disabilities.	(a) Identity (b) Contact (c) Special Category	(a) Necessary for entering into a contract with you (Performance of a Contract)  (b) Necessary for our legitimate interests (to decide whether to appoint you to a role since it would be beneficial to our business to appoint someone to that role)  (c) Necessary to comply with a legal obligation
Equal opportunity monitoring and reporting	(a) Special Category	Necessary to comply with a legal obligation
Criminal records check (depending upon the role applied for). We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data.	(a) Identity (b) Contact (c) Special Category	(a) Necessary for entering into a contract with you (Performance of a Contract)  (b) Necessary for our legitimate interests (to decide whether to appoint you to a role since it would be beneficial to our business to appoint someone to that role)  (c) Necessary to comply with a legal obligation

5.2 **Change of purpose.** We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so. Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

5.3 **Automated decision making.** You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

## 6. Disclosures of your personal data

6.1 **Sharing your personal data.** Other than as expressly set out in this privacy policy or as otherwise required or permitted by law, we will not share, sell or distribute any of the information you provide to us without your consent. We may share your personal data with the parties set out below for the purposes set out in the table *Purposes for which we will use your personal data* above:

6.1.1 **Internal Third Parties** as set out in the *Glossary*;

6.1.2 **External Third Parties** as set out in the *Glossary*;

6.1.3 **Third parties** to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

6.2 **Protection.** We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## 7. International transfers

7.1 **Transfers outside the UK.** We share your personal data with other companies within the same group as SpareRoom and many of our External Third Parties are also based outside the UK, so the processing of your personal data will involve a transfer of data outside the UK.

7.2 **Protections.** Save where an exception may apply, whenever we transfer your personal data out of the UK, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

7.2.1 **Adequacy** - We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data. For further details, see the guidance provided on the Information Commissioner's Office website ([ico.org.uk](https://ico.org.uk)) relating to International transfers and UK "adequacy regulations";

7.2.2 **Model Contracts/Standard Contractual Clauses** - Where we use certain service providers, we may use specific contracts or standard contractual clauses approved for use in the UK which give personal data the same protection it has in the UK. For further details, see the guidance on the Information Commissioner's Office website ([ico.org.uk](https://ico.org.uk)) relating to Model Contracts/Standard Contractual Clauses.

## 8. Data security.

8.1 **Security measures.** We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

8.2 **Personal data breach.** We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## 9. Data retention

9.1 **How long will you use my personal data for?** We will retain your personal data for a period of up to twelve (12) months from the date that the role that you have applied for is either filled or the vacancy withdrawn. We retain your personal data for that period so that we can show, in the event of a legal claim, that we have not discriminated against candidates on prohibited grounds and that we have conducted the recruitment process in a fair and transparent way. After this period, we will securely destroy your personal data in accordance with applicable laws and regulations.

9.2 **Extension to retention period.** If we wish to retain your personal data on file, on the basis that a further opportunity may arise in the future and we may wish to consider you for that, we will write to you separately seeking your explicit consent to retain your personal data for a fixed period on that basis.

9.3 **Deletion.** In some circumstances you can ask us to delete your data: see [\*Your legal rights\*](#) below for further information.

9.4 **Anonymisation.** In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

## 10. Your legal rights

10.1 **Your legal rights.** Under certain circumstances, you have rights under data protection laws in relation to your personal data. You have the right to:

10.1.1 **Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

10.1.2 **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

10.1.3 **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data 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 data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Please note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

10.1.4 **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

10.1.5 **Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- (i) if you want us to establish the data's accuracy;
- (ii) where our use of the data is unlawful but you do not want us to erase it;
- (iii) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims;
- (iv) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

10.1.6 **Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

10.1.7 **Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. Once we have received notification that you have withdrawn your consent, we will no

longer process your application and, subject to our retention policy, we will dispose of your personal data securely.

- 10.2 **Exercise your legal rights.** If you wish to exercise any of the rights set out above, please contact us using the contact details set out at the beginning of this privacy policy.
- 10.3 **No fee usually required.** You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.
- 10.4 **What we may need from you.** We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.
- 10.5 **Time limit to respond.** We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

## 11. Glossary

### 11.1 LAWFUL BASIS

- 11.1.1 **Comply with a legal obligation** means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.
- 11.1.2 **Consent** means processing your personal data where you have signified your agreement by a statement or clear opt-in to processing for a specific purpose. Consent will only be valid if it is a freely given, specific, informed and unambiguous indication of what you want. You can withdraw your consent at any time by contacting us.
- 11.1.3 **Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us using the contact details set out at the beginning of this privacy policy.
- 11.1.4 **Performance of a Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.
- 11.1.5 **Vital Interest** means processing your data where it is necessary in order to protect your vital interests or the vital interests of another natural person.

### 11.2 THIRD PARTIES

- 11.2.1 **Internal Third Parties.** Other companies in the same group as SpareRoom acting as joint controllers or processors and who are based in the United Kingdom and United States of America and provide fraud prevention, IT and system administration services and undertake leadership reporting.



### 11.2.2 External Third Parties

- (i) Service providers acting as processors based in the United Kingdom, European Union and United States of America who provide IT and system administration services, analytics services, hosting services and any other services necessary to enable us to provide and manage the recruitment process;
- (ii) Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based in the United Kingdom and European Union who provide consultancy, banking, legal, insurance and accounting services.
- (iii) HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances.
- (iv) Any person to whom disclosure is necessary to enable us to enforce our legal rights, or to protect the rights, property or safety of SpareRoom.