



# PRIVACY POLICY

## for Job Applicants

**This Privacy Policy tells you what data we collect, why we collect it and what we do with it.**

This privacy policy applies to AXA ART Europe Limited.

**Notice:** While all of the information in this Privacy Policy is important, certain details have been placed in a box to highlight them. The box contains information that the data protection legislation (known as the General Data Protection Regulation) specifies as being information that should be brought to your attention.

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## **1. General**

The AXA ART Group is committed to ensuring your privacy and personal information is protected. AXA ART Europe Limited is the data controller of your personal information and is responsible for complying with data protection laws. For the purpose of this Privacy Policy, references to “we” or “us” or “our” shall refer to AXA ART Europe Limited.

It is important that you read this Privacy Policy. By providing your personal information you acknowledge that we may use it only in the ways set out in this Privacy Policy. We may provide you with further notices highlighting certain uses we wish to make of your personal information.

From time to time we may need to make changes to this Privacy Policy, for example as the result of government regulation, new technologies, or other developments in data protection laws or privacy generally.

### **Company information**

References to “AXA ART”, “us”, “our” and “we” mean AXA ART Europe Limited. AXA ART Europe Limited employees all staff working in the United Kingdom. More information about AXA ART can be found at [www.AXA-ART.com/uk](http://www.AXA-ART.com/uk)

### **Legislation**

All personal information we gather will be processed in accordance with all applicable data protection laws and principles, in particular the EU General Data Protection Regulation.

### **Queries and complaints**

If you are unhappy with the way we have handled your personal information and wish to complain or if you simply want further information about the way your personal information will be used, please contact us by any of the following options:

In writing: Data Protection Officer, AXA ART Europe Limited, Marlow House, 1A Lloyd’s Avenue  
London, EC3N 3AA

By email: [compliance@axa-art.co.uk](mailto:compliance@axa-art.co.uk)



You also have the right to lodge a complaint with the Information Commissioner's Officer (ICO). To contact the ICO, please use the following details:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Email: <https://ico.org.uk/global/contact-us/email/>

Website: <https://ico.org.uk/>

Tel: 0303 123 1113 (local rate)

Please note that we will take all appropriate steps to keep your personal information safe. In the unlikely event that we have a security breach, we will notify you without undue delay about the circumstances of the incident in accordance with our legal obligations.

## **2. Our Privacy Principles**

When we collect and process your personal information, we ensure we look after it properly and process it in accordance with our privacy principles set out below, keep it safe and will never sell it.

- a) Personal information you provide is processed fairly, lawfully and in a transparent manner.
- b) Personal information you provide is collected for a specific purpose and is not processed in a way which is incompatible with the purpose for which AXA ART collected it.
- c) Your personal information is adequate, relevant and limited to what is necessary in relation to the purpose for which it is processed.
- d) Your personal information is kept accurate and, where necessary, kept up to date.
- e) Your personal information is kept no longer than is necessary for the purpose for which the personal information is collected and processed.
- f) We will take appropriate steps to keep your personal information secure.



- g) Your personal information is processed in accordance with your rights.
- h) We will only transfer your personal information to another country or an international organisation outside the European Economic Area (EEA) where we have taken the required steps to ensure that your personal information is protected. Such steps may include placing the party we are transferring information to under contractual obligations to protect it to adequate standards.
- i) AXA ART does not sell your personal information and we also do not permit the selling of data by companies who provide a service to us.

### **3. How do we collect your personal information?**

The personal information we require about you will be gathered and stored as set out in this Privacy Policy. Whilst there are a number of ways we collect your personal information, the two main ways are things you tell us (which could include what you have written in your curriculum vitae or during interview) or things your representative, such as a recruitment agency, shares with us.

The categories of personal data that we gather are listed in Section 4 'What personal information do we collect?' below.

In order to gather the personal information we require about you, we may:

- a) obtain personal information directly from you (which could include what you have written in your curriculum vitae or during interview), your representative (such as a recruitment agency) or your referees. This includes where personal information is sent to us as part of speculative applications or queries;
- b) carry out searches, whether online (via websites with publicly available information and various industry websites), through various media outlets (including, without limitation, newspapers, television and radio) or otherwise (including, without limitation, government or industry registers);
- c) carry out tests, for example to assess your abilities against role competencies or to assess your personality type;
- d) carry out criminal record, credit, anti-money laundering and sanction list searches, usually through a third party. Such information is usually only obtained once a job offer to you has been made;

- e) collect personal information via cookies. You can find out more about this in Section 9 'Cookie Policy'.

It is important that the information you give us is correct. You have a legal obligation to take reasonable care not to provide us with inaccurate, incorrect or incomplete information. If this happens we have certain legal rights which may include withdrawal of an offer of employment or termination of a contract of employment.

#### **4. What personal information do we collect?**

We need to collect different categories of personal information for the purposes set out in the Privacy Policy. The exact categories may change from time to time. However we feel that it is important that you know what types of information we gather and use. Therefore the category headings and types of data collected set out below are non-exhaustive and only indicative of the information we may hold about you and information listed in one heading may be used in relation to activities carried out under another heading.

<b>Category</b>	<b>Types of Personal Information Collected</b>
Information about you	Name, address, date of birth, contact details, email address, telephone number, identification information such as utility bills, national insurance number, passport or other identity documents and drivers licence, previous employment details, details of qualifications, skills, experience and employment history, information about your entitlement to work in the United Kingdom, details of any criminal convictions (where they are not spent under the Rehabilitation of Offenders Act 1974), information about your current level of remuneration, including benefits entitlements, information that you supply to us during the interview process, whether or not you have a disability for which the organisation needs to make reasonable adjustment during the recruitment process.



Information obtained from sources other than you or your representative

Information obtained from various media outlets, social media and other publicly available information, for example from Companies House or the Financial Services register. Criminals records, credit and anti-money laundering and sanctions checks through third party providers.

## 5. How do we use your personal information?

We mainly use your personal information so that we can assess your job application, process your job application and keep records of the process. However, there are a number of other reasons why we use your personal information; please see below for a more detailed list of how we use your personal information.

We may process your personal information for a number of different purposes. Under data protection laws we need a reason to use and process your personal information and this is called a legal ground. We have set out below the main reasons why we process your personal information and the applicable circumstances when we will do so. When the personal information we process about you is classed as sensitive personal information (known as 'Special Categories') (such as details about your health or criminal offences) we must have an additional legal ground for such processing.

- a) Processing is necessary in order to assess your job application, administering and managing the recruitment process, carrying out appropriate due diligence on the information you have provided us before an offer of employment is made and communicating with you. In these circumstances, if you do not provide such information, we may not be able to progress your application.

Legal grounds:

- the processing is necessary for the purpose of the legitimate interests pursued by us or by a third party. Our legitimate interest is to use your personal information to assess your job application and to manage and administer the recruitment process;
- the processing is necessary for compliance with a legal obligation to which we are subject;

- the processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract (i.e. a contract of employment, even if it is not taken up); and
- the processing of sensitive personal information is necessary for the purpose of carrying out its obligations and exercise specific rights in relation to employment.

b) To verify your identity in any interaction between us and you whether in person, on the telephone, online, or where necessary in any other circumstances

Legal ground:

- the processing is necessary for the purpose of the legitimate interests pursued by us or by a third party. Our legitimate interest is to use your personal information to assess your job application and to manage and administer the recruitment process; and
- the processing is necessary for compliance with a legal obligation to which we are subject.

c) Where we have a legal or regulatory obligation to use such personal information, for example with our regulators, the German Federal Financial Supervisory Authority (BaFin) and the Financial Conduct Authority (FCA), and our data protection regulator, the Information Commissioner's Office (ICO).

Legal grounds:

- the processing is necessary for compliance with a legal obligation to which we are subject.

d) Where we need to use your personal information to establish, exercise or defend our legal rights, for example when we are faced with any legal claims or where we want to pursue any legal claims ourselves.

Legal grounds:

- the processing is necessary for compliance with a legal obligation to which we are subject;
- the processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract; and
- processing is necessary in order to protect your vital interests.

- e) For the detection and prevention of fraud, money laundering and other offences and to assist the police or any other authorised investigatory body or authority with any inquiries or investigations.

Legal grounds:

- the processing is necessary for the purpose of the legitimate interests pursued by us or by a third party. Our legitimate interest is to investigate and prevent potential fraudulent and other illegal activity;
- the processing is necessary for compliance with a legal obligation to which we are subject; and
- the processing is necessary for the performance of a task carried out in the public interest.

- f) To manage and investigate any complaints.

Legal grounds:

- the processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract;
- the processing is necessary for compliance with a legal obligation to which we are subject; and
- the processing is necessary for the purpose of the legitimate interests pursued by us or by a third party. Our legitimate interest is to resolve complaints you may have at the earliest opportunity.

- g) AXA Group human resource reporting purposes (where necessary).

Legal grounds:

- the processing is necessary for the purpose of legitimate interests pursued by us or by a third party. AXA's legitimate interests is the proper running of its business.

- h) To review and improve performance of our recruitment process. Where possible we will anonymise the information we analyse.

Legal grounds:

- the processing is necessary for the purpose of legitimate interests pursued by us or a third party. Our legitimate interest is to engage in activities to improve the

recruitment process and to monitor that systems and processes are effective and efficient.

- i) For staff training, performance and discipline.

Legal grounds:

- the processing is necessary for compliance with a legal obligation to which we are subject; and
- the processing is necessary for the purpose of legitimate interests pursued by us or by a third party. Our legitimate interests is the proper running of the business and to provide good quality service during the recruitment process.

- j) In order to store personal information and make back-ups of that information in case of emergencies and for disaster recovery purposes.

Legal grounds:

- the processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract; and
- the processing is necessary for compliance with a legal obligation to which we are subject.

- k) For compliance with all relevant laws and regulations; and/or

Legal grounds:

- the processing is necessary for compliance with a legal obligation to which we are subject.

- l) As otherwise set out in any other documentation provided to you.

## **6. Who do we share your personal information with?**

There are various circumstances where we may share your personal information with other parties. Generally this includes members of Human Resources, the recruitment team, interviewers involved in the recruitment process, managers in the business, your representatives, and our representatives.

While the exact list of third parties changes from time to time, we feel that it is important that you have an idea of the types of third party that we share information with. The category headings and types of third party set out below are a non-exhaustive list and are only indicative of the companies and individuals with whom we share information where we need to do so.

- i. Our representatives:  
Members of Human Resources, the recruitment team, interviewers involved in the recruitment process, managers involved in the business.
- ii. Your representatives:  
Other people or companies associated with you (for example your recruitment agent, including the software providers that facilitate the transfer of data to and from them), any party you have given us permission to speak to (such as a referee).
- iii. Other third parties:  
Other AXA Group companies, third parties who may provide due diligences services during the recruitment process, such as criminal records, credit and anti-money laundering and sanctions checking. Companies used to carry out tests, for example to assess your abilities against role competencies or to assess your personality type. Companies that provide services in relation to telecommunications and postage, data storage, document management and deletion.

Disclosure of personal information to a third party outside the AXA Group will only be made where the third party has agreed to keep your information strictly confidential and shall only be used for the specific purpose for which we provide it to them.

We may also disclose your personal information to other third parties where:

- i. We are required or permitted to do so by law or by regulatory bodies such as where there is a court order, statutory or regulatory obligation or Information Commissioner's Office request; or
- ii. We believe that such disclosure is necessary in order to assist in the prevention or detection of any criminal action (including fraud) or is otherwise in the overriding public interest.

Some of the recipients set out above may be in countries outside the EEA notably in India where checks against sanctions databases is carried out. Where we make a transfer of your personal information outside the EEA we will take the required steps to ensure that your personal information is protected. Such steps may include placing the party we are transferring personal information to under contractual obligations to protect it to adequate standards, Binding Corporate Rules or similarly approved arrangements. Sharing personal information with companies in certain countries, including Switzerland, is allowed under adequacy decisions of the European Commission that establish the countries as ensuring an adequate level of data protection.

## 7. How long do we keep records for?

We have a comprehensive record retention schedule. The retention periods differ depending on the purpose of the processing and the nature of the information. How long we keep personal information is primarily determined by how long we need it for the purpose we told you we were going to use it for, time periods set out by the regulator or in law and the period we need to keep it to defend ourselves against legal action.

Generally we keep information for the period set out in the table below:

Type of Information	Retention Period
Job application not progressed by us	6 months
Unsuccessful job application	6 months
Successful job applications	Personal information gathered during the recruitment process will be transferred to your personnel file and we shall issue a new Privacy Policy which sets down the periods for which employee data will be held.

However, in some cases we may need to keep personal information longer than the above periods. An example of such a situation includes to exercise or defend any legal claim.

After the periods set out above we will de-personalise or delete the personal information. De-personalisation means that we will delete certain aspects of the information we hold (such as name and address) so that we can no longer determine who it relates to. This results in the data no longer being considered personal information.

## **8. Your Rights**

You have the following rights in relation to our use of your personal information. However, certain restrictions may apply in some cases.

Please send all requests in writing to the Data Protection Officer, contact details set out in Section 1 'General' above, together with enough information to allow us to deal with your request.

Please note that the time limit to respond to requests is one month, with the possibility of another two months under certain circumstances. If we need the extra time to deal with your request, we will notify you of the fact that there will be a delay and the reason for it within a month of your request being made. Likewise, if we have reason to refuse your request, we will notify you within a month of the refusal and the reason for it. If we refuse your request you are entitled to make a complaint to the ICO.

We need to be certain who you are when you make a request. As a result, we may require you to provide identification in order to deal with your request, for verification purposes.

### **i) Right to access your personal information**

You have the right to be given details about the personal information concerning you that we hold and why and how we use it.

You also have the right to obtain a copy of the personal data we hold about you. This is known as a data access request. When you make a request, we would ask that you provide us with as much information as possible to assist us in identifying you (such as your name and address) and the information you want access to. If you do not provide us with enough information, we may need to contact you for clarification.

Your personal information will usually be provided to you in writing, unless otherwise requested, or where you have made the request by electronic means, in which case the information will be provided to you by electronic means where possible. It may take up to one month to process your request. If we refuse your request you are entitled to make a complaint to the ICO (details in Section 1 'General' above).

**ii) Right to rectification**

We take reasonable steps to ensure that the personal information we hold about you is accurate and complete. However, if you do not believe this is the case, please contact us and ask us to update or amend it.

**iii) Right to erasure / Right to be forgotten**

In certain circumstances, you have the right to ask us to erase your personal information, for example where the personal information we collected is no longer necessary for the original purpose or, where you withdraw your consent (where the legal grounds for processing was consent). However, this will need to be balanced against other factors. For example, according to the type of personal information we hold about you and why we have collected it, there may be some legal and regulatory obligations which mean we cannot comply with your request.

Where you request the erasure of personal information, we will need to keep a record of your request so we know that the deletion has happened and why. However, we will keep the record in such a way as to remove as much of the information you have asked us to delete as possible, while accurately reflecting the activity.

In certain circumstances we may need to retain some information to ensure all of your preferences are properly respected.

**iv) Right to restriction of processing**

In certain circumstances, you are entitled to ask us to stop using your personal information, for example where you think that the personal information we hold about you may be inaccurate or where you think that we no longer need to process your personal information.



**v) Right to data portability**

In certain circumstances, you have the right to ask that we transfer any personal information that you have provided to us to another third party of your choice. Once transferred, the other party will be responsible for looking after your personal information.

**vi) Right to object**

Where we stated in this document that we process your personal information on the basis of a legitimate interest, you are entitled to object to the processing in question on grounds relating to your particular situation (see the legal grounds for processing set out in Section 5 ‘How do we use your personal information?’). We will then stop processing the personal information in question unless we can demonstrate compelling legitimate grounds for the processing that override your interests, rights and freedoms or unless we need to use it in relation to legal claims.

Therefore, if you want to exercise this right, please contact the Data Protection Officer (details in Section 1 ‘General’ above) setting out the reasons why you want us to stop processing your data based on your particular situation. We will then evaluate whether your rights outweigh the necessity of our purpose(s).

However, please note that if you object to us processing your data we may not be able to process your job application.

**vii) Right to object to direct marketing**

You can ask us to stop sending you marketing messages at any time. However, it is not our practice to provide direct marketing to job applicants.

**viii) Right not to be subject to automated individual decision making, including profiling**

You have the right not to be subjected to decisions based solely on automated processing, including profiling, which produce legal effects concerning you or similarly significantly affect you.

However, it is not our practice to make employment decisions based solely on automated decision-making.



#### **ix) Right to withdraw consent**

For certain uses of your personal information, we may ask for your consent. Where we do this, you have the right to withdraw your consent to further use of your personal information. Withdrawal of consent would not invalidate any processing we carried out prior to your withdrawal of consent. Please note that in some cases we may not be able to process your job application if you withdraw your consent.

We do not general rely on consent for processing personal information in relation to job applications; we generally rely on other legal grounds, such as the basis that processing is a legitimate interest. More details on the legal grounds on which we rely are set out in Section 5 'How do we use your personal information?'

#### **9. Cookie Policy**

For information on the cookies we use and how to manage them, please see our Cookie Policy at <https://www.axa-art.com/uk/en/privacy>