



# RECRUITMENT PRIVACY NOTICE

<b>Version</b>	1.0
<b>Issue date</b>	03/10/2021
<b>Date of next review</b>	03/10/2022
<b>Responsible Officer</b>	Gerard Bouic

## Contents

1	Introduction.....	3
2	Collecting your personal data.....	3
3	Using your personal data .....	4
4	Voluntary disclosure of your personal data.....	5
5	Who has access to your personal data? .....	5
6	Security of your personal data.....	6
7	Your data protection rights.....	6
8	Retention of your personal data.....	8
9	Your responsibilities .....	9
10	Dispute resolution.....	9
11	General .....	9

## 1 Introduction

- 1.1 Your privacy is important to us and we are committed to safeguarding the privacy of our job candidates.
- 1.2 This Recruitment Privacy Notice lets you know how we, BDO Financial Services Ltd (hereafter “**BDO FS**”, “**we**”, “**us**” and “**our**”) collect and use your personal data during our recruitment process in accordance with data protection laws, including the Data Protection Act 2017 (hereafter referred to as the “**DPA**”) and the European Union General Data Protection Regulation 2016 (hereafter referred to as the “**GDPR**”).
- 1.3 This notice describes the broadest potential use of personal data; we may make less use of your personal data than is described here.

## 2 Collecting your personal data

- 2.1 The type of personal data we collect and process will depend on the purpose for which it is collected. We will only collect and process data that we need for that purpose.
- 2.2 We may collect your personal data in connection with your recruitment in the following ways:
  - Your personal data is provided to us directly by you for e.g. when you give us your CV, information you provide to us via emails and phone calls, information contained in your identity documents, or collected through interviews;
  - Your personal data is provided to us by a third party, for e.g. BDO &CO Ltd being our Human Resources Service Provider and/or professional recruiting platforms such as Myjob.mu and references and/or testimonials supplied by your previous employers; and
  - Your personal data is gathered automatically through technologies which give us information about you, for instance via closed-circuit televisions (“**CCTV**”) and through Physical Access Control procedures.
- 2.3 We are likely to collect, process and maintain your personal data including:

Categories of personal data	Details
<b>Contact details</b>	First name, surname, postal address, email address, telephone number
<b>Individual details</b>	Sex (male/female), date of birth, age, language, photograph
<b>Educational and professional background</b>	CV/ resumé, academic and professional qualifications, employment history and past employers’ references and/or testimonials, working conditions, job skills and study leaves entitlement

<b>National identification details</b>	Identity card number
<b>Financial information</b>	Information about your current level of remuneration, including benefit entitlements, study allowances and health insurance allowances
<b>Physical security information</b>	Closed-circuit televisions (“CCTV”) footage and visitor’s logbook
<b>Special categories of personal data</b>	Certificate of character containing information about criminal convictions/ allegations and offences (only for vetting purposes, where permissible and in accordance with applicable law) Information you choose to share with us such as data concerning any disability
<b>Other</b>	Information you choose to share with us such as your hobbies and social preferences and/or any medical disability which you may have.

2.4 Sensitive data that are collected by **BDO FS** qualify as special categories of personal data. This information, when collected, is generally done so on a voluntary, consensual basis, and job candidates are not required to provide this information, unless it is necessary for us to collect such information to comply with our legal obligations or exercising our specific rights in relation to the recruitment process.

2.5 For instance, we may request or require your certificate of character in connection with our recruiting efforts, for the purposes elaborated in Section 3. You may also choose to provide us with information on whether you have a disability and would like us to consider any accommodation.

### 3 Using your personal data

3.1 **BDO FS** will only use your personal data for the purpose for which it was collected or agreed with you. If you are hired by **BDO FS**, we may collect other necessary personal data in connection with your employment as described in our Employee Privacy Notice.

3.2 We will not use your personal data for any automated individual decision making which will have a significant impact on you.

3.3 We have set out below the legal basis of processing for each purpose. 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 personal data.

Purpose of processing	Legal basis of processing
As required for the recruitment process at <b>BDO FS</b> : - for communicating with you,	- Consent for collecting past employment references.

<ul style="list-style-type: none"> <li>- to analyse your qualifications and references and assess your suitability for the job,</li> <li>- to conduct candidate screening and assess candidate credibility,</li> <li>- to set out your job conditions,</li> <li>- to know whether there are previous criminal convictions recorded against you, and</li> <li>- to cater for special accommodations in case you provide us with additional data about your health condition</li> </ul>	<ul style="list-style-type: none"> <li>- The processing is necessary to perform a contract or to take steps at your request, before entering a contract, namely your contract of employment.</li> <li>- For our legitimate interests namely for the proper administration of our business and to ensure appropriate job candidates are being recruited.</li> <li>- The processing is necessary for the purpose of carrying out our obligations and of exercising specific rights in relation to employment, for e.g. under the Worker’s Rights Act or the Equal Opportunities Act.</li> </ul>
<p>For corporate management, namely:</p> <ul style="list-style-type: none"> <li>- to identify disciplinary infringements and any misconduct in BDO FS’s office compound and to assist in providing evidence where required, as detailed in the CCTV policy; and</li> <li>- for our internal management of visitors’ records.</li> </ul>	<ul style="list-style-type: none"> <li>- For our legitimate interests namely for promoting organisational accountability, protecting the business against risks and ensuring a proper and effective administration of our business.</li> </ul>
<p>Storing your CV for the purpose of contacting you in the event there are future job opportunities</p>	<ul style="list-style-type: none"> <li>- Consent for storing your CV</li> </ul>

3.4 Please contact the Group HR Director as per section 11.2 of this notice 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 mentioned below.

#### 4 Voluntary disclosure of your personal data

4.1 Your provision of personal data in connection with your job application and recruitment is voluntary, and you determine the extent of data you provide to us.

4.2 Please note that if you decide not to provide your personal data, it may affect our ability to consider you for employment.

#### 5 Who has access to your personal data?

##### 5.1 Access to your personal data within BDO FS

5.1.1 Access to your personal data is restricted to the HR Department of **BDO FS**. Extracts of your CVs are communicated to concerned Partners of **BDO FS**. The HR Department and Partners are required to keep your data confidential.

5.1.2 We employ the use of CCTV at our facilities to monitor and maintain security.

## 5.2 Access to your personal data by third parties

5.2.1 We may need to share your personal data with another company within BDO Group, for instance BDO&CO Ltd which assists us in managing and administering our Human Resources Services.

5.2.2 We may also share your personal data with public and government authorities, as required by applicable laws and regulations, for national security and/or law enforcement purposes.

5.2.3 We require our service provider to keep your personal data confidential and that they only use the personal data in furtherance of the specific purpose for which it was disclosed. We have written agreements in place with our processor to ensure that it complies with these privacy terms.

5.2.4 For more details, please contact the Group HR Director, as per section 11.2 of this notice.

## 6 Security of your personal data

6.1 We have put in place appropriate security measures to prevent your personal data from being subject to any accidental or unlawful destruction, loss, alteration, and any unauthorised disclosure or access.

6.2 We have also put in place procedures to deal with any suspected data security breach and will notify you and the Data Protection Office of a suspected breach where we are legally required to do so.

## 7 Your data protection rights

7.1 Under the **GDPR** and the **DPA**, you have rights we need to make you aware of. The rights available to you depend on our reason for processing your information.

### 7.1.1 Your right to erasure of your personal data

You have the right to ask us to delete your personal data in certain circumstances:

- When we no longer need your personal data;
- If you initially consented to the use of your personal data, but have now withdrawn your consent;
- If you have objected to us using your personal data, and your interests outweigh ours;

- If we have collected or used your personal data unlawfully; and
- If we have a legal obligation to erase your data.

Where we collect personal data for a specific purpose, we will not keep it for longer than is necessary to fulfil that purpose, unless we have to keep it for legitimate business or legal reasons. Upon the determined expiry date, we will securely destroy your personal data as per the retention periods as indicated in Section 8.

#### **7.1.2 Your right of access to your personal data**

You have the right to request a copy of the personal data we hold about you. To do this, simply contact the Group HR Director as per Section 11.2 and specify what data you would like. We will take all reasonable steps to confirm your identity before providing details of your personal data.

You will not have to pay a fee to access your personal data (or to exercise any of your other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

#### **7.1.3 Your right to rectification of your personal data**

You have the right to ask us to update or correct your personal data if you think it is inaccurate or incomplete. We will take all reasonable steps to confirm your identity before making changes to personal data we may hold about you. We would appreciate it if you would take the necessary steps to keep your personal data accurate and up-to-date by notifying us of any changes we need to be aware of. You may submit requests to correct your personal data, or any other requests concerning your personal data to the Group HR Director.

#### **7.1.4 Your right to restriction of processing**

You have the right to ask us to limit how we use your data. If necessary, you may also stop us from deleting your data. To exercise your right to restriction, simply contact the Group HR Director as per Section 11.2, say what data you want restricted and state your reasons. You may request us to restrict processing of your personal data in the following circumstances:

- If you have contested the accuracy of your personal data, for a period to enable us to verify the accuracy of the data;
- If you have made an objection to the use of your personal data;
- If we have processed your personal data unlawfully but you do want it deleted;
- If we no longer need your personal data but you want us to keep it in order to create, exercise or defend legal claims.

### 7.1.5 Your right to object to processing

You also have the right to object to us processing your personal data where your data is being used:

- For a task carried out in the public interest;
- For our legitimate interests;
- For scientific or historical research, or statistical purposes; or
- For direct marketing.

Note that you can exercise your right to objection when we process your personal data for our legitimate interests only. However, we shall continue the processing of your personal data despite the objection raised where we have strong compelling legitimate reasons including the establishment, exercise or defence of a legal claim.

### 7.1.6 Your right to data portability

The right to data portability allows you to ask for transfer of your personal data from one organisation to another, or to you. The right only applies if we are processing information based on your consent or performance of a contract with you, and the processing is automated. You can exercise this right with respect to information you have given us by contacting the Group HR Director as per Section 11.2. We will ensure that your data is provided in a way that is accessible and machine-readable.

### 7.1.7 Your right to withdraw consent

To the extent that the legal basis for our processing of your personal information is consent, you have the right to withdraw that consent at any time. Withdrawal will not affect the lawfulness of processing before the withdrawal.

If you wish to exercise any of the rights set out above, please contact the Group HR Director as per Section 11.2.

## 8 Retention of your personal data

8.1 Where we collect and or process your personal data for a specific purpose, we will not keep it for longer than is necessary to fulfil that purpose, unless we have to keep it for legitimate business or legal reasons. To the extent permitted or required by law, we may delete your personal data at any time. Accordingly, you should retain your own copy of any data you submit to us.

8.2 If your application for employment is unsuccessful, all personal data collected during the recruitment process will be deleted upon candidate rejection. **BDO FS** may, with your consent, retain only your CV on file for two years after the end of the relevant recruitment process in order to consider you for other job opportunities. At the end of that period, or once you withdraw your consent, your CV will be deleted or destroyed.



- 8.3 If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your personnel file and retained during your employment. The periods for which your personal data will be held will be provided to you in an Employee Privacy Notice which shall be made available on our Key Management System (KMS) platform.
- 8.4 During your recruitment process, you may submit requests to access or correct your personal data, or any other requests concerning your personal data to the Group HR Director, as per section 11.2 of this notice.

## 9 Your responsibilities

- 9.1 You are responsible for the data you provide or make available to us, and you must ensure it is honest, truthful, accurate and not misleading in any way. You must ensure that the data provided does not contain material that is obscene, defamatory, or infringing on any rights of any third party, does not contain malicious code; and is not otherwise legally actionable.
- 9.2 Further, if you provide any data concerning any other person, such as individuals you provide as references, you are responsible for providing any notices and obtaining any consents necessary for us to collect and use that data as described in this notice.

## 10 Dispute resolution

- 10.1 If you have any complaints regarding our compliance with this notice, you should contact the Group HR Director, as per section 11.2 of this notice. We will investigate and attempt to resolve complaints and disputes regarding use and disclosure of your personal data in accordance with this notice.
- 10.2 If you believe that we have not handled your request in an appropriate manner, then you have the right to lodge a complaint with the Data Protection Office in Mauritius.

## 11 General

- 11.1 We may update this notice from time to time to reflect best practices in data management, security and control and to ensure compliance with any changes or amendments made to the DPA and any laws or regulations thereof. The latest version will also be available on our website. Please check the BDO Mauritius website regularly to keep up to date.
- 11.2 If you have any questions and concerns about this notice or its application, or if you believe your personal data has been used in a way that is not consistent with this notice or your specified preferences, or you want to submit any request with respect to your data protection rights, please contact the Group HR Director at: [gerard.bouic@bdo.mu](mailto:gerard.bouic@bdo.mu).