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**Information Security Standard -
Candidate Privacy Notice**

Version History

Version	Date	Author	Comments
1.00	23-May-2018	Sabiha Ali	Initial Candidate Privacy Notice document

Release Control

The following personnel must formally approve the document prior to assigning a non-draft version number.

Prepared by (Name & Title)	Authorised by (Name & Title)	Date Approved for Release
Sabiha Ali, HR Business Partner	Michelle Burningham Resourcing Manager	

Distribution

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Document Review

This Data Privacy Management document will be reviewed each year by the document owner/author following the initial publication. Document to be ratified for publication by the Trenitalia c2c Executive Team.

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1. Introduction

At Trenitalia c2c Ltd we take your privacy seriously. We are committed to being transparent about how we collect and use your data and in meeting our data protection obligations in accordance with the General Data Protection Regulation (GDPR). This Privacy Notice describes our privacy practices and approach regarding the collection and use of any personal data we collect about you.

We will process your personal data in accordance with this Privacy Notice, unless such processing conflicts with the requirements of applicable law, in which case, applicable law will prevail.

By submitting your personal data to us, you acknowledge that:

- you have read and understood this Privacy Notice and agree to the use of your personal data as set out
- your personal data may be transferred and processed, for the purposes and in the manner specified in this Privacy Notice
- you are not required to provide any requested information to us, but failing to do so may result in you not being able to continue your candidacy for the job for which you have applied
- all of your representations are true and correct to the best of your knowledge and belief, and you have not knowingly omitted any related information of an adverse nature. Providing any inaccurate information may make you ineligible for employment

Trenitalia c2c Ltd reserves the right to modify this Notice by posting changes to our website. If you submit additional Candidate Data or request to be considered for a Trenitalia c2c Ltd position following the effective date of a modified Notice, your Candidate Data will be handled in accordance with the Notice in effect at that time.

2. Data Protection Principles

c2c complies with its obligations under GDPR in relation to your personal data. This includes:

- **Lawfulness, Fairness and Transparency**
 - *The personal data shall be processed lawfully, fairly and in a transparent manner*
- **Purpose Limitations**
 - *Personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes*
- **Data Minimisation**
 - *Personal data shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed*
- **Data Accuracy**
 - *Personal data shall be accurate and, where necessary, kept up to date*
- **Storage Limitations**
 - *Personal data shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed*
- **Integrity and Confidentiality (Security)**
 - *Personal data shall be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures*
- **Accountability**
 - *c2c and all c2c Colleagues shall be responsible for, and be able to demonstrate compliance with data protection laws*

3. Your rights in relation to your personal data

Individuals, be they current or former Colleagues, have specific rights under Data Protection Laws. You **must** notify the Data Protection Officer immediately if you get a request from an individual who wishes to exercise one of their below rights:

I. Right to be Informed

All individuals have the right to be informed of how we collect and use their data. This is typically done through the c2c [Privacy and Cookies Notice](#) and the [Colleague Privacy Notice](#) (this Notice).

II. Right to Rectification

Individuals are entitled to have personal data rectified if it is inaccurate or incomplete. We have an obligation to correct the inaccuracies and to respond to the request within one month.

III. Right to Erasure

The right to erasure is also known as 'the right to be forgotten'. This right enables an individual to request the deletion or removal of personal data where there is no compelling reason for its continued processing.

However, the right to erasure does not provide an absolute 'right to be forgotten'. Certain records must be kept under Statutory Law and regulations. The [Data Retention, Media Destruction and Backup Policy](#) has full details of different record types and lengths of time they will be kept for, however the following types of documents provide a brief example of records required to be kept;

- Financial Records - 7 Years
- Health Information - upto 40 years

Individuals have a right to have personal data erased and to prevent processing in some specific circumstances:

- Where the personal data is no longer necessary in relation to the purpose for which it was originally collected/processed.
- When the individual withdraws consent.
- When the individual objects to the processing and there is no overriding legitimate interest for continuing the processing.
- The personal data has to be erased in order to comply with a legal obligation.

IV. Right to Restrict Processing

Individuals have a right to 'block' the processing of their personal data. If we receive such a request we must ensure that we retain just enough information to the restriction is respected in the future.

V. Right to Data Portability

The right to data portability allows individuals to obtain and reuse their personal data for their own purposes across different services. It allows the individual to move, copy or transfer their personal data easily from one IT environment to another in a safe and secure way, without hindrance to usability.

VI. Right to Object

Individuals have the right to object to c2c processing their personal data based on legitimate interests and/or direct marketing (including profiling).

VII. Right of Access

All individuals who are a subject of personal data held by c2c are entitled to:

- Obtain a confirmation of the processing;
- Be informed the Personal Data we hold about them;
- Be informed of the categories of Personal Data concerned, and
- Obtain a copy (subject to certain limitations and exemptions).

VIII. Rights in relation to automated decision making

Individuals have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal (or similarly significant) effects concerning the individual without any human intervention (eg automatic refusal of an online credit application or decisions on recruitment).

c2c does not make any decisions about an individual solely on the basis of automated decision making.

If an individual contacts c2c requesting the execution of any of these rights, the individual should be asked to email sar@c2craill.net to make a subject access request.

- Under Data Protection Laws we must respond to valid requests within no more than one month.
- For more info, please see the [Subject Access Request Policy & Guidance](#), or by email at dpo@c2craill.net.

4. Personal data we collect

We collect a range of personal data about you. This includes:

- your name, address, email address, telephone number and other contact information
- your application form or CV, cover letter, previous and/or relevant work experience or other experience, education, transcripts, or other information you provide to us in support of an application and/or the application and recruitment process
- information from interviews and phone-screenings and assessment you may have
- details of the type of employment you are or may be looking for, current and/or desired salary and other terms relating to compensation and benefits packages, willingness to relocate, or other job preferences
- details of how you heard about the position you are applying for
- information relating to any previous applications you may have made to Trenitalia c2c Ltd

Additional personal data we may collect only once a job offer has been made and accepted include:

- references supplied by former employers or other referees including details of sick leave, disciplinary and performance
- unspent criminal convictions records checks from the Disclosure Barring Service (DBS, Disclosure Scotland)
- financial details including bank details, NI, tax codes
- next of kin details
- right to work documentation such as passport

If you are a self-employed as a contractor you will need to provide some additional information which could include:

- Company corporation details from Companies House
- Public Liability insurance
- VAT registration

We also collect special categories of personal data for for purposes including equality monitoring and reasonable adjustment purposes. This will be sensitive and/or demographic information obtained during the application or recruitment process such as information about your gender, citizenship or nationality, racial or ethnic origin, sexual orientation and health.

5. How we collect your personal data

We typically collect your personal data directly from you or through our website. We may sometimes collect additional information from third parties such as recruitment agencies or other publicly available sources such as LinkedIn, business Facebook, jobs boards, corporate websites or personal recommendations. We will inform you if we collect your personal information from a third party.

6. Why we process your personal data

We collect and process your personal data for legitimate human resources and business management reasons including:

- to manage the recruitment process
- to assess your skills, qualifications to confirm your suitability for employment and to whom to offer a job
- to take steps at your request prior to entering into a contract with you
- to put forward your details to our hiring managers for you to be considered for vacancies
- for equal opportunities monitoring purposes
- making improvements to Trenitalia c2c Ltd's application and/or recruitment process including improving diversity in recruitment practices
- to improve our customer service and make our services more valuable to you

We also need to process your data to ensure that we are complying with our legal obligations. For example:

- checking your eligibility to work in the UK before employment starts if successful
- medical information for making reasonable adjustments at interviews and assessments
- monitoring of our recruitment and hiring process for diversity and equality

In some cases we may also need to process data from candidates/job applicants to respond to and defend against legal claims.

We will not use your data for any purpose other than the recruitment exercise for which you have applied, onboarding if you are successful and for equality monitoring purposes.

7. If you do not provide your data

You are under no statutory or contractual obligation to provide data to us during the recruitment process. However, if you do not provide the information, we may not be able to process your application properly, or at all. Neither are you under any obligation to provide information for equal opportunities monitoring purposes,

8. Sharing your personal data

Your information will be shared internally with the HR team, interviewers involved in the recruitment process, managers in the business area with a vacancy and IT staff if access to the data is necessary for the performance of their roles. These individuals will be in the the European Economic Area ("EEA").

We will only share your data with external third party providers within the EEA solely for the purposes of performing the services consistent with the protections specified in this Notice. For example, The OPC for assessments.

9. Protecting your data

We take the security of your data very seriously and are aware of the requirement to ensure your data is protected against accidental loss, destruction, disclosure or abuse and is not accessed except by those authorised to do so to carry out their duties. All personal data we collect is stored on our HR management systems and IT systems inside the EEA. By submitting your personal data, you agree to this transfer, storing or processing.

We have implemented and use appropriate technologies and procedures to protect your data against such data breaches. However, we cannot guarantee the security of any data you disclose online. You accept the inherent security implications of sending information over the internet and will not hold us responsible for any breach of security unless we have been negligent.

10. Retention or your personal data

In line with data protection principles we will retain your personal information for as long as necessary to fulfil the purposes we collected it for, including any legal, accounting, reporting and legitimate requirements.

If your application for employment is unsuccessful we will hold your application for six months, after which it will be securely destroyed unless you request its distruction beforehand.

If your application is successful, personal data gathered during the recruitment process will be transferred to your personnel file and retained during your employment in compliance with c2c retention periods.

11. Automated decision-making

We do not make recruiting or hiring decisions based solely on automated decision-making within the meaning of the EU Data Protection Directive. We will provide you an opportunity to express your views and will provide any other safeguards required by law.

12. Data Protection Officer

c2c has appointed a Data Protection Officer to ensure we protect your personal data and comply with data protection legislation.

If you any questions, concerns or complaints about how c2c uses your personal data, or if you want to exercise your rights regarding your personal data, please contact our Data Protection Officer by any of the following:

- **Email:** dpo@c2craill.net
- **Phone:** 0330 109 8130
- **Write to:** Data Protection Officer, Trenitalia c2c Limited, 2nd Floor, Cutlers Court, 115 Houndsditch, London EC3A 7BR

You have the right to lodge a complaint with the Information Commissioner's Office. Further information, including contact details, is available at <https://ico.org.uk> or call 033 123 1113.

13. Who to Contact About This Notice

Any questions about this policy should be directed to the Human Resources department.

Email: hr@c2craill.net

Write to: Human Resources, Trenitalia c2c Limited, 2nd Floor, Cutlers Court, 115 Houndsditch, London EC3A 7BR

Glossary

Term	Meaning
Colleagues	all c2c Employees, Community Volunteers, Consultants, Contractors, Suppliers and Vendors.
Community Volunteer	A person or organisation that freely provides a service or performs a designated role or activity.
Contractor / Supplier / Vendor / Consultant	A person or organisation that undertakes a contract to provide goods, works, services or tenancy to c2c
Controller	A person, organisation, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data.
Data Classification:	
<i>CONFIDENTIAL</i>	Highly sensitive data intended for limited, specific use by a workgroup, department, or group of individuals with a legitimate need-to-know. Explicit authorisation by the Data Owner is required for access because of legal, contractual, privacy, or other constraints. Confidential data has a very high level of sensitivity
<i>INTERNAL</i>	Information that must be guarded due to proprietary, ethical, or privacy considerations and must be protected from unauthorised access, modification, transmission, storage or other use. This classification applies even though there may not be a statute requiring this protection. Internal Data is information that is restricted to personnel who have a legitimate reason to access it
<i>PUBLIC</i>	Information that may or must be open to the general public. It is defined as information with no existing local, national, or international legal restrictions on access or usage. Public data, while subject to disclosure rules, is available to all employees and all individuals or entities external to c2c
Data Subject	Is any living person who's personal data is being collected, held or processed.
Employee	A person employed by c2c under a contract of employment (for the avoidance of doubt this includes FTE's and those employed on

	fixed term contracts, but not those employed through consultancy agreements)
Information Commissioner's Office (ICO)	The UK's independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals.
"Need to Know" Principle	The "Need to Know" principle pertains to Protectively Marked Material that Colleagues will need to have access to, or modify in order to carry out their roles within the organisation. Colleagues who do not have "Need to Know" shall be prohibited from accessing and processing such material.
Personal Data	<p>Any information relating to a living individual who can be identified from that information – either on its own or when put together with other information that c2c holds. This includes any expression of opinions about the individual and any intentions of any person in respect of the individual.</p> <p>For example, names, addresses, telephone numbers, CCTV images, photographs, etc.</p>
Processing	<p>Collecting, obtaining, recording or holding the information or data or carrying out an operation or set of operations on Personal Data, including, but not limited to:</p> <ul style="list-style-type: none"> ● Organisation, adaptation or alteration of the data ● Retrieval, consultation or use of the data ● Disclosure of the data by transmission, dissemination or otherwise making it available, or ● Alignment, combination, blocking, erasure or destruction of the data
Role Based Access Control (RBAC)	RBAC is a method of restricting network and application access based on the roles of the individual users within the business. RBAC let's Colleagues have access rights to only the information they need to perform their job role and prevents accessing information that does not pertain to their job role.
Sensitive Personal Data	<p>Includes Personal Data consisting of information relating to:</p> <ol style="list-style-type: none"> 1. Racial or ethnic origin 2. Political Opinions 3. Religious beliefs or beliefs of a similar nature

	<ol style="list-style-type: none">4. Trade Union membership5. Physical or mental health or condition6. Sexual life7. Commission or alleged commission of any criminal offence8. Proceedings for any criminal offence or alleged criminal offence, the disposal of such proceedings or the sentence of any court in such proceedings.
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