

International Bar Association Privacy Notice for Applicants

INTRODUCTION

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

We receive your personal data in connection with your application for employment or other engagement with the International Bar Association (IBA). We are required under data protection legislation to notify you of the information contained in this privacy notice and it is important that you understand it. If there is anything in this notice that you do not understand, please speak to our Human Resources Director. We hold and process personal data in accordance with our Privacy Policy, a copy of which is available from our Human Resources Director.

The information in this notice applies to applicants for employment or other engagement with the IBA. Should your application be successful you will be issued with an updated privacy notice detailing the additional data that we will hold and process during your employment or engagement. This notice is not contractually binding and may be updated at any time.

THE INFORMATION THAT WE HOLD ABOUT YOU

We will collect, store, and use the following categories of personal data about you:

Category	Examples
Personal Contact Details	Name, title, addresses, telephone numbers, personal email addresses,
Biographical Data	Date of birth, gender, marital status (if you voluntarily provide),
Educational Data	Qualifications
Recruitment Data	References, CV or cover letter, application form, interview notes, right to work documents, visa documentation
Security Data	CCTV footage and other information obtained through electronic means such as swipe card records, information about your use of our information and communications systems
ID Data	Passport, photographs

At the application stage we may also collect, store and use a limited amount of more sensitive personal data, known as “special categories of data” which require a higher level of protection. This data will normally only be collected, stored and processed if you voluntarily provide it to us – there is no requirement for you to do so.

Special Categories of Data – or Sensitive Personal Data
Information about your race or ethnicity Trade union membership details Information about your health, including any medical conditions, and health and sickness records .

HOW DO WE COLLECT AND USE YOUR PERSONAL DATA?

We collect your personal data in a variety of ways during the application and recruitment/engagement processes. Much of this data will come directly from you or sometimes from an employment agency or background check provider. We may sometimes collect additional data from third parties including former employers, or other background check agencies. During the application and recruitment / engagement process we will use your personal data where it is necessary for our legitimate interests (or those of a third party) for us to do so and your interests and fundamental rights do not override those interests.

We primarily need the categories of personal data listed above to enable us to consider your application and to enable us to comply with our legal obligations. We will process your personal data in the following situations:

- Making a decision about your recruitment or appointment.
- Determining the terms on which you work for us.
- Checking you are legally entitled to work in your work location / country.
- Dealing with legal disputes involving you, or other employees, workers and contractors.
- Ascertaining your fitness to work and/or managing sickness absence.
- Complying with health and safety obligations.
- To prevent fraud.
- To monitor your use of our information and communication systems.
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.
- Equal opportunities monitoring.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal data.

We will only use your personal data for the purposes for which we collect it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. 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.

If you do not provide personal data

If you do not provide certain information when requested, we will consider your application and make decisions during the recruitment / engagement process based only on the information that is available to us.

SENSITIVE PERSONAL DATA

Special categories of sensitive personal data require us to ensure higher levels of protection. We have additional justification for collecting, storing and using this type of personal data. We will process “special categories of data” in accordance with our Privacy Policy and where the law requires us to.

We may process “special categories” of personal data in the following limited circumstances:

- With your explicit written consent;
- Where we need to carry out our legal obligations or exercise rights in relation to your application for employment / engagement with us; or
- Where it is needed in the public interest, such as for equal opportunities monitoring.

Less commonly, we may process this type of data where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

How we will use your sensitive / special categories of personal data

We will use your sensitive personal data in the following ways:

- We will use information about your physical or mental health, or disability status, to provide appropriate adjustments during the application and recruitment / engagement process.
- We will use information (where provided by you) about your race or national or ethnic origin, to ensure meaningful equal opportunity monitoring and reporting.

We do not need your consent if we use sensitive personal data to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your application for employment or other engagement that you agree to any request for consent from us.

Information about criminal convictions

We will only collect data about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. Where appropriate, we will collect information about criminal convictions as part of the recruitment process. We will normally only use information about criminal convictions and offences to assess your suitability for which you are being recruited or employed.

We will only collect data relating to criminal convictions where such processing is necessary to carry out our obligations and provided we do so in line with our Privacy Policy. Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

We do not envisage that we will hold information about criminal convictions.

AUTOMATED DECISION-MAKING

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

DATA SHARING

We may have to share your data with third parties, including third-party service providers, government authorities and other entities.

We require third parties to respect the security of your data and to treat it in accordance with the law.

Why we might share your personal data with third parties?

We will share your personal data with third parties where required by law, where it is necessary to administer the application or recruitment / engagement process or where we have another legitimate interest in doing so. For example when taking up references.

“Third parties” includes third-party service providers (including contractors and designated agents) and other entities within our group of companies. The following activities are carried out by third-party service providers: pensions/benefits administration, tax advice, some IT services.

We may share your personal data with other third parties, for example in the context of the possible restructuring of the business. We may also need to share your personal information with a regulator or to otherwise comply with the law.

All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal data in line with our Privacy Policy and Information Security Policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

Transferring information outside the EU

Depending on the nature of the role that you are applying or being recruited for, we may transfer the personal data we collect about you outside the EU in order to perform that process . If we are going to transfer your data to a party outside of the EU we will notify you of the country / countries involved.

To ensure that your personal data receives an adequate level of protection we will put in place appropriate contractual measure(s) to ensure that your personal data is treated by those third parties in a way that is consistent with and which respects the EU and UK laws on data protection. If you require further information about this you can request it from the Human Resources Director.

DATA SECURITY

We have put in place a Privacy Policy and appropriate security measures to protect the security of your information and 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.

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

DATA RETENTION

We will only retain your personal data for a reasonable period and in accordance with our data retention policies from time to time, and to fulfil the purposes we collected it for including for the purposes of satisfying any legal, accounting, or reporting requirements. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements. We currently retain data for a period of:

6 (six) months from the end of the application, recruitment or engagement process

7 (seven) years from the end of employment or engagement.

In some circumstances we may anonymise your personal data so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once we have reached the end of the application or recruitment / engagement process we will retain and then securely destroy your personal information in accordance with our data retention policy.

YOUR DATA RIGHTS

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal information changes during the application or recruitment / engagement process.

Under certain circumstances, by law you have the right to:

- **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.
- **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **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 exercised your right to object to processing (see below). However, there may be reasons why we cannot agree a “request to be forgotten” or for data to be erased, such as where we need to retain it for regulatory or other reasons.
- **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. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal data. This enables you to ask us to suspend the processing of personal data about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal data to another party.

If you want to review, verify, correct or request erasure of your personal data, object to the processing

of your personal data, or request that we transfer a copy of your personal data to another party, please contact the Human Resources Director in writing.

Depending on the circumstances, we may need to request ID to confirm your identity before processing your request. We may also charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

YOUR RIGHT TO WITHDRAW CONSENT

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal data for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the IBA's Human Resources Director. Once we have received notification that you have withdrawn your consent, we will no longer process your data for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so.

HUMAN RESOURCES DIRECTOR

The IBA's Human Resources Director is required to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal data, please contact the Human Resources Director. 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.

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 data.

If you have any questions about this privacy notice, please contact the IBA's Human Resources Director.

I confirm that I have read and understood this Privacy Notice.

Signature

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Name

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Date

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CONSENT

I consent to the processing of my personal data and sensitive personal data as detailed in this Privacy Notice.

Signature

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Name

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Date

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