



# **MSC UK PRIVACY NOTICE FOR JOB APPLICANTS**

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# 1. INTRODUCTION

Mediterranean Shipping Company (UK) Ltd. "MSC" is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you during and after your working relationship with us, in accordance with the General Data Protection Regulation (GDPR).

It applies to all individuals applying for a job role with us.

MSC is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

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.

## 2. DATA PROTECTION PRINCIPLES

We will comply with data protection law. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

## 3. THE KIND OF INFORMATION WE HOLD ABOUT YOU

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).

There are "special categories" of more sensitive personal data which require a higher level of protection.

### 3.1 PERSONAL DATA CATEGORIES

We may collect, store, and use the following categories of personal information about you that you provide us:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses
- Declarations of actual, or potential, conflict of interests
- Copy of driving licence, passport and other identity documents (right to work documentation)
- Employment references

- All other information you choose to include in a CV, covering letter or online registration as part of the application process
- Relevant information taken as notes during Interview/Telephone Calls
- CCTV footage and other information obtained through electronic means such as visitor check-in information should you visit our premises.

### **3.2 SPECIAL CATEGORIES OF PERSONAL DATA**

As part of the recruitment process, we will not collect, store and use any "special categories" of more sensitive personal information.

## **4. HOW IS YOUR PERSONAL INFORMATION COLLECTED ?**

We typically collect personal information about job applicants through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers, credit reference agencies or other background check agencies.

## **5. HOW WE WILL USE INFORMATION ABOUT YOU ?**

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to comply with a legal obligation.
2. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations, which are likely to be rare:

3. Where we need to protect your interests (or someone else's interests).
4. Where it is needed in the public interest or for official purposes.

### **5.1 SITUATIONS IN WHICH WE WILL USE YOUR PERSONAL INFORMATION**

We need all the categories of information in the list above (see The kind of information we hold about you) primarily to allow us to perform our contract with you and to enable us to comply with legal obligations. In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below.

- Making a decision about your recruitment, selection or appointment.
- Determining the terms on which you work for us.
- Checking you are legally entitled to work in the UK.

- Assessing qualifications for a particular job or task
- Education, training and development requirements
- To prevent fraud
- To conduct data analytics studies to review and better understand the success and performance of our recruitment and selection process.
- 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 information.

## **5.2 IF YOU FAIL TO PROVIDE PERSONAL INFORMATION**

If you fail to provide certain information when requested, we may not be able to consider your application(s), or we may be prevented from complying with our legal obligations.

## **5.3 CHANGE OF PURPOSE**

We will only use your personal information 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 we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so or obtain your consent.

## **5.4 AUTOMATED DECISION MAKING**

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision-making in the following circumstances:

1. Where we have notified you of the decision and given you 21 days to request a reconsideration.
2. Where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights.
3. In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

If we make an automated decision on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

# **6. DATA SHARING**

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

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

We may transfer your personal information outside the EU. If we do, you can expect a similar degree of protection in respect of your personal information.

## **6.1 WHY MIGHT YOU SHARE MY PERSONAL INFORMATION WITH THIRD PARTIES?**

We may share your personal information with third parties where required by law, or where it is necessary to consider your application (e.g. requesting references etc.) or where we have another legitimate interest in doing so.

## **6.2 WHAT THIRD-PARTY SERVICES ARE USED TO PROCESS MY PERSONAL INFORMATION?**

"Third parties" includes third-party service providers (including contractors and designated agents) and other entities within our group. The following third-party service providers are used during our recruitment process:

- a. Job boards (reed.co.uk and totaljobs.co.uk)
- b. Recruitment agencies
- c. Background / Referencing agencies (including criminal records checks)
- d. MSC Group Companies for the sole purpose of processing your application.

## **6.3 HOW SECURE IS MY INFORMATION WITH THIRD-PARTY SERVICE PROVIDERS AND OTHER ENTITIES IN OUR GROUP?**

All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our 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.

## **6.4 WHEN MIGHT YOU SHARE MY PERSONAL INFORMATION WITH OTHER ENTITIES IN THE MSC GROUP?**

We will share your personal information with other entities in our group as part of our regular reporting activities on company performance, in the context of a business reorganisation or group restructuring exercise, for system maintenance support and hosting of data.

## **6.5 WHAT ABOUT OTHER THIRD PARTIES?**

We will not share your personal information with other third parties, save for those listed above.

## **6.6 TRANSFERRING OUTSIDE THE EU**

We may transfer the personal information we collect about you to our head office in Switzerland in order to adequately perform our recruitment process. There is an adequacy decision by the European Commission in respect of that country. This means that the country to which we transfer your data are deemed to provide an adequate level of protection for your personal information.

## 7. DATA SECURITY

We have put in place measures to protect the security of your information. Details of these measures are available upon request.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality. Details of these measures may be obtained from the [Data Protection Lead](#).

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.

## 8. DATA RETENTION

### 8.1 HOW LONG WILL YOU RETAIN MY INFORMATION FOR ?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

Your application data will be retained on file for 12 months from the date of application. You will be automatically given the option to extend this in 12 month increments once a year through our recruitment system should you wish to do so.

If you do not provide us with express permission to retain your data after the 12 month period has elapsed, all your personal data will be permanently erased.

## 9. RIGHTS OF ACCESS, CORRECTION, ERASURE & RESTRICTION

### 9.1 YOUR DUTY TO INFORM US OF CHANGES

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes by logging into your online account.

### 9.2 YOUR RIGHTS IN CONNECTION WITH PERSONAL INFORMATION

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

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information 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 information. This enables you to ask us to delete or remove personal information 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 information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information 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 information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact our [Data Protection Lead](#) in writing.

### **9.2.1 FEES**

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may 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

### **9.2.2 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 the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

### **9.2.3 RIGHT TO WITHDRAW CONSENT**

As part of your application, you will have provided your consent to the collection, processing and transfer of your personal information for a specific purpose. You have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, you can do this by logging into your online account. Alternatively, you can contact the MSC UK HR department on [uk-mscukhr@msc.com](mailto:uk-mscukhr@msc.com) or +44 (0)1473 277777. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

### **9.2.4 DATA PROTECTION LEAD**

We have appointed a [Data Protection Lead](#) to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact them. 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.

## **10. 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 information. If you have any questions about this privacy notice, please contact Glyn Smy ([glyn.smy@msc.com](mailto:glyn.smy@msc.com) or +44 (0) 1473 277620).