

## Candidate Privacy Notice

**For all TrinityBridge applications: Please refer to our separate notices, found on our careers page [Careers | TrinityBridge](#)**

### 1. Introduction

This Privacy Notice explains how we use the information collected about you during the recruitment process within the United Kingdom and Republic of Ireland only. If you are successful in your application, and accept a role within the Close Brothers Group, you will receive a copy of the Close Brothers Employee Data Privacy Notice describing how we process your information as an employee.

### 2. Who are we?

In this Privacy Notice, any reference to “we”, “us” and “our” means Close Brothers Group plc and the Close Brothers Group company (“Close Brothers”) to which you have applied for a role.

We offer employment opportunities directly, or through employment agencies acting on your behalf. In addition, we use third party providers to assist throughout the candidate pre-employment Screening process.

### 3. What information do we collect and process about you during the recruitment process?

To progress through our pre-employment screening and evaluation process, we will collect and process your personal information which will include, but is not limited to your name, address, telephone number, personal email address and employment and academic history.

If we make you an offer of employment, we will need to carry out pre-employment screening checks in line with our responsibilities. These can either be undertaken by Close Brothers, or a third party specialising in pre-employment screening who may contact you directly. If this is the case, Close Brothers will inform you of the third party being used.

These checks will include: (where legally permissible and relevant to your applied for role) a criminal record check, a right to work in the UK/Ireland check, an identity check, and financial standing and bankruptcy check, a directorships check, a compliance and anti-money laundering check, a CV check and gap analysis, 5 year employment/education referencing via HR departments including all periods of unemployment and self-employment a verification of your highest education, electoral roll and address verification, a reference check, a proof of relevant qualifications/ education check, a FCA/PRA/Bank of England/Central Bank of Ireland regulatory check, a professional membership check, a media search (which may include social media and search engine searches). We will also ask you to complete a confidential medical questionnaire to enable us to make any reasonable adjustments that may be needed during your employment.

### Criminal Conviction Data

For those positions where regulatory approval for an appointment is required, for example, FCA-designated senior management functions (under the SMCR regime), in addition to standard criminal records checks, we may ask exempted questions to fulfil our obligations under the Financial Services and Markets Act 2000 which may include the collection of information about convictions considered to be “spent” within the meaning of the Rehabilitation of Offenders Act 1974. We are permitted to ask these questions and collect this information pursuant to Article 3 of the Rehabilitation of Offenders Act 1974 (Exemptions) Order 1975. In Ireland, we will take a similar approach, where permitted, and will rely on the Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016.

### 4. Where do we collect the information we hold about you?

Your personal information is collected from a number of different sources. Examples are:

- You – personal details, financial details, contact information, CV, etc.
- Recruitment Consultants (where used)
- Previous employers or referees

- Medical professionals
- HMRC, Revenue or other tax authorities
- Home Office and/or other government agencies/offices
- Credit Reference Agencies
- Fraud prevention agencies
- Vetting agencies
- Educational/training institution

## 5. Why do we collect your personal information and what is the legal basis for doing so?

We need your personal information to enable us to contact you, evaluate your suitability for roles and where successful provide an offer of employment.

To ensure we are meeting our responsibilities when processing your personal information, we must have a suitable legal basis to do so. Examples are below:

- **Performance of contract:** For example, as a prospective employer, we process your personal information where it is necessary for the performance of the contract of employment, to take steps prior to entering into such a contract.
- **Legal obligation:** For example, where laws or regulations may require us to use your personal information in certain ways such as where it is needed for meaningful equal opportunities and diversity monitoring.
- **Legitimate Interests:** We will also process your personal information where this processing is in our "legitimate interests". which does not outweigh yours, or your rights or freedoms, and will be supported by a balancing test, for example security activities, running and management of our business.
- **Consent:** In rare circumstances, we may need your consent to process your personal information, such as using your image for promotional activities.
- **Vital Interests:** In exceptional circumstances, it may be necessary to process your personal information to protect your life.

## 6. Who will we share your personal information with?

We will keep your personal information confidential at all times and only process it in accordance with this Privacy Notice.

We will only share your personal information for the purposes set out above within Close Brothers Group on a 'need to know' basis. However, there are occasions where we have to share your personal information with third parties outside of these such as:

- Recruitment agencies and outsource providers
- Background and criminal check providers (including education, employment, financial and address history)
- Learning and training companies
- Fraud and financial crime detection/prevention agencies
- External consultants and appointed auditors including our legal advisers
- Occupational health providers or other medical professionals. If we require the health professional to share your Special Categories of Personal Data with us, we will seek your explicit consent at the time
- Regulators
- Your advisors (such as lawyers, professional advisors or Trade Unions), who you have given authority for us to share your personal information with or given authorisation to deal with us directly, for example, a power of attorney.

Sometimes your personal information may be sent to other parties outside of the UK/Ireland and the European Economic Area (EEA) in connection with the purposes set out above. We will take all reasonable steps to ensure that your personal information is treated securely and in accordance with this Privacy Notice, and in doing so may rely on certain "transfer mechanisms" such as the Standard Contractual Clauses approved by the European Commission or

International Data Transfer Agreements as approved by the UK Information Commissioner's Office, as appropriate. If you would like further information, please contact HR Services.

## **7. How long will we keep your information**

We will keep your personal information for the duration of the recruitment process.

If you are successful in obtaining employment with us:

- The information above relating to criminal record and background checks will be deleted (unless we inform you otherwise) and we will simply keep a record that these checks were completed.
- The other information which we need to keep in order to make further arrangements for my employment will be retained whilst my employment continues and will be held in accordance with our Employee Data Privacy Notice.

If your application is unsuccessful we may retain your information after this to respond to questions or complaints, to demonstrate we have treated you fairly, and for legal and compliance reasons. In any event, if your application is unsuccessful, we will not retain your information for any longer than six months (aside from criminal background checks which will be kept for no longer than is necessary).

## **8. What are your rights?**

You have certain rights under data protection legislation, and you may submit the following requests:

- Right of Access: This means we will provide you with a copy of the personal information we hold about you. This is an entitlement to a copy of the information only, you are not entitled to documents although these may be provided on occasion.
- Right of Rectification: This means if we hold any incorrect information about you, we will correct it.
- Right of Erasure: This means you can request we delete the information we hold about you. Please note, we may not be able to comply with this request in full where, for example, we have a legal or regulatory obligation to retain your personal information.
- Right to Restrict processing: This means we will pause processing your personal data in certain circumstances, such as where you believe the information we hold is inaccurate and we are investigating these claims.
- Right to Portability: We will provide you or a third party an electronic copy of the personal information you have given us in a commonly used electronic format
- Right to Object: This means you can object to us processing or holding your information. We may refuse a request where we can reasonably demonstrate legitimate grounds for continuing to use. We will not refuse an objection request which relates to marketing activity.

## **Consent**

In limited circumstances we may ask for your consent to process certain information. Where we do this, you have the right to withdraw your consent at any time. If you would like to withdraw your consent, please contact HR Services.

## **Automated Decision Making**

We process your personal information in an automated way where this is necessary in relation to your recruitment, for example as part of our initial automated screening process.

If you do not agree with the result, you have the right to request that we perform a manual reassessment using the same information that you originally provided and any additional information you feel is relevant. If you wish to do so, please contact HR Services.

Wherever possible, we will respond within one month from receipt of the request, but if we don't, we will notify you of anticipated timelines ahead of the one-month deadline together with a brief explanation as to why we are unable to respond within the timeframe.

Please note that simply submitting a request doesn't necessarily mean we will be able to fulfil it in full on every occasion – we are sometimes bound by law which can prevent us from fulfilling some requests in their entirety, but when this is the case, we will explain this to you in our response.

If you have any concerns about the way in which your personal information is being processed by us please contact HR Services in the first instance.

In the event you are unhappy with the response of HR Services, you have the right to complain to the Data Protection Supervisory Authority.

**UK Employees** should engage with the Information Commissioner's Office (ICO). You can do this by accessing their website <https://ico.org.uk/> or by calling their helpline on 0303 123 1113 or writing to  
Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

**Irish Employees** should engage with the Data Protection Commission (DPC). You can do this by access their website <https://www.dataprotection.ie/> or by calling their helpline on (01) 765 01 00 or 1800 437 737 or in writing to  
The Data Protection Commission  
21 Fitzwilliam Square South  
Dublin 2  
D02 RD28  
Ireland

Should you remain dissatisfied you also have the right to seek a judicial remedy.

## **9. Our Privacy Notice**

If you have any queries regarding our Privacy Notice, please contact HR services and they will be happy to discuss any query with you. Our Privacy Notice will be updated from time to time, and although we will endeavour to inform you of these changes you should regularly review it.

Version 1.0 - Dated November 2024

Close Brothers Group plc

# Recruitment of ex-offenders policy



# Recruitment of ex-offenders Policy

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Version 0.2

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## **1.0 Purpose**

This Policy explains our approach to undertaking criminal records checks. It should be read in conjunction with our Employee Data Privacy Notice.

We are committed to conducting our business with honesty and integrity and we expect all colleagues to maintain high standards. As part of our recruitment process, we therefore want to ensure that we are recruiting appropriate colleagues to support our business.

To protect the Company from unwanted risks (e.g. fraud, extortion, intellectual theft etc.) we conduct a range of pre-employment screening checks. These checks may include undertaking criminal record checks which can result in disclosure of previous convictions and cautions.

For certain roles we also have regulatory requirements to perform enhanced checks of colleagues' fitness and propriety, for example roles such as Senior Management Functions (SMF) and Certification roles.

This policy sets out the approach that Close Brothers Group plc (Close Brothers) will take when considering the employment of ex-offenders in the United Kingdom and Northern Ireland.

This policy does not form part of any colleague's contract of employment and we may amend it at any time.

## **2.0 Scope**

This policy covers all employees, Directors, consultants, contractors and agency workers.

## **3.0 Responsibilities**

All colleagues should be aware of the policy and ensure they take account of its requirements during recruitment processes. This includes providing a copy of Close Brothers' policy statement to all applicants at the start of the recruitment process.

HR will provide support on this in day-to-day application of this policy.

## **4.0 Risk Appetite**

Close Brothers has no appetite for breaches to laws and regulation related to the recruitment of ex-offenders

## **5.0 Policy Requirements**

### **5.1 Fair Treatment**

We are committed to the fair treatment of colleagues and potential colleagues, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background. Please see our Dignity at Work Policy for more details. We select all candidates for interview based on their skills, qualifications and experience.

We are committed to giving opportunities to ex-offenders and will consider their application for employment on the basis of their skills and experience.

If a criminal record check is required, it will be made clear that the offer of employment is subject to satisfactory checks. The applicant will be required to complete the necessary information via our onboarding processes.

## **5.2 Applications for Criminal Record Checks**

An application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position.

We make every subject of a criminal record check submitted to DBS aware of the existence of the DBS [code of practice](#) and provide a link for individuals to be able to review the code - see [section 9.0](#).

Through our employment vetting agency, we will only ask an individual to provide details of convictions and cautions that we are legally entitled to know about. We can only ask an individual about convictions and cautions that are not 'protected' (see below).

(In the UK, The Rehabilitation of Offenders Act (ROA) 1974 sets out in legislation rehabilitation periods, and that individuals do not have to disclose spent convictions ('protected') unless they are covered in the Rehabilitation of Offenders Act 1975 (Exceptions) Order 1975 (as amended in 2013).

The amendments to the Exceptions Order 1975 (2013) provide that certain spent convictions and cautions are 'protected' and are not subject to disclosure to employers and cannot be taken into account. Similarly, The Rehabilitation of Offenders (Northern Ireland) Orders 1978 outlines specific exemptions and guidance.

For Close Brothers, a DBS certificate at either standard or enhanced level can legally be requested for applicants or colleagues who are going to perform a Senior Management Function or Certified role (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended or the Rehabilitation of Offenders (Northern Ireland) Orders 1978, and where appropriate Police Act Regulations as amended).

Where it is considered necessary to request a criminal record check for any other roles, we ask applicants to voluntarily undertake this check via our external onboarding firm (and Close Brothers pays for the check to be completed).

## **5.3 Results of Criminal Record Checks**

We undertake not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

If the check reveals anything of concern, we will decide whether to continue with the offer of employment, or whether to withdraw the offer. If the applicant has already commenced employment, then dismissal may take place as a result of us discovering this information.

At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position.



Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment or termination of employment if it has already commenced.

We undertake to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment or terminating their employment.

#### **5.4 Data storage**

As an organisation using the DBS service to help assess the suitability of applicants for positions of trust, we will also comply fully with the DBS code of practice regarding the correct handling, use, storage, retention and disposal of certificates and certificate information.

We will also comply fully with our obligations under the General Data Protection Regulation, Data Protection Act 2018 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of certificate information and have a written policy on these matters, which is available to those who wish to see it on request.

Ideally, we should not need to hold DBS certificates at all as our outsourced screening provider will include evidence of the check and confirmation of the results in each report. This is the correct level of information to retain in line with the Data Retention Policy.

In the unlikely event that we retain a hard-copy certificate we will not make a copy and we will not keep any original certificate for any longer than six months. This period is to allow for the consideration and resolution of any disputes or complaints. This ensures that we comply with the DBS Code of Practice and the Police Act 1997.

However, notwithstanding the above, we will keep a record of the date of issue of a certificate, the name of the subject, the type of certificate requested, the position for which the certificate was requested, the unique reference number of the certificates and the details of the recruitment decision taken.

If in very exceptional circumstances, it is considered necessary to keep certificate information for longer than six months, we will consult DBS about this and will consider the data protection implications and human rights of the individual before doing so.

#### **5.5 Data Handling**

Certificate information is only provided to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom certificates, or certificate information has been revealed and it is a criminal offence to pass this information to anyone who is not entitled to receive it.

Certificate information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

#### **5.6 Data Disposal**

Once the retention period has elapsed as in [section 5.4](#) above, we will ensure that any DBS certificate is immediately destroyed by secure means, for example by shredding, pulping or burning. While awaiting destruction, certification information will not be kept in any insecure receptacle (e.g. unlocked drawers, waste bin or confidential waste sack that is not secured within the confidential waste bin).

## 6.0 Exceptions to the Policy

No exceptions to Policy are permitted.

## 7.0 Assurance

Regular assurance work will be undertaken through a variety of methods, including direct observation, retrospective review and internal audit activity

## 8.0 Policy Communication and Training

All colleagues will find this policy available in the shared folder - Colleague Information - and reference to it will be included in recruitment processes.

We ensure that all those who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974 and the Rehabilitation of Offenders (Northern Ireland) Order 1978.

Further training will be undertaken where it is deemed necessary, to ensure that colleagues remain familiar with the protections afforded to them. This will include enhanced training where appropriate.

## 9.0 Supporting Policies and Procedures

Document Name	Document Type	Document Location
DBS Code of Practice	Code of Practice	<a href="#">DBS code of practice - GOV.UK</a>
Employee Data Privacy Notice	Privacy notice	Internal Intranet
Employment screening policy	Policy	Internal Intranet