



SUNSEEKER INTERNATIONAL LIMITED PRIVACY POLICY FOR JOB APPLICANTS

1. INTRODUCTION

1.1 This Privacy Policy describes in detail who is responsible for the personal information that we collect about you, what personal information we collect, how we will use such personal information, who we may disclose it to and your rights and choices in relation to your personal information

1.2 This Privacy Policy applies to individuals that are applying to work with us (whether as an apprentice, trainee, employee, temporary worker, interim, intern, work experience student or consultant), collectively referred to in this Privacy Policy as **Job Applicants**. This Privacy Policy does not form part of any contract of employment or other contract to provide services. We may update this Privacy Policy at any time.

1.3 In this Privacy Policy references to:

1.3.1 **we, us or our** means Sunseeker International Limited (company number **00675320**) **with its registered address at** Sunseeker House, West Quay Road, Poole, Dorset, BH15 1JD; and

1.3.2 **personal information** is information that is about you and which identifies you.

2. WHO IS RESPONSIBLE FOR THE PERSONAL INFORMATION THAT WE COLLECT?

2.1 We are the controller for the purpose of data protection law, in respect of your personal information that is collected and used during and after your application process.

2.2 If you have any questions regarding this Privacy Policy or the way we use your personal information, please contact applications@sunseeker.com

3. WHAT PERSONAL INFORMATION DO WE HOLD ABOUT YOU?

3.1 We collect personal information from you when you complete an application form using this portal and any other information you provide to us, or we otherwise collect, in connection with your application. This includes:

3.1.1 personal details such as name, title, addresses, telephone numbers, email addresses, current and expected remuneration, details of unspent convictions, education history and qualifications, details of referees;

3.1.2 previous employment history;

3.1.3 optional equal opportunity data collection such as: gender, marital status, nationality, ethnic origin, sexual orientation, religion, age range and whether you consider yourself to have a disability;

3.1.4 right to work documentation and national insurance information; and

- 3.1.5 other recruitment information.
- 3.2 We may receive the following personal information about you from the below sources:
 - 3.2.1 information about you from two of your most recent employers or in the case of candidates who have been self-employed, clients or people that you nominate;
 - 3.2.2 recruitment information (including copies of right to work documentation, references and other information included in your CV or cover letter or as part of the application process) from recruitment agencies; and
 - 3.2.3 publicly available information in the press, online and on social media platforms.
- 3.3 We may also collect certain sensitive personal information (including any special categories of personal data) about you. This may include information concerning your:
 - 3.3.1 health, post any employment offer; and
 - 3.3.2 unspent criminal convictions;
- 3.4 We may also collect information about the roles that you have applied for, how you reached our portal (e.g. from a third party website) and the way in which you use our portal.

4. INFORMATION ABOUT THIRD PARTIES

- 4.1 In the course of your application you may provide us with personal information relating to third parties. For instance, this may include the details of any third party referees.
- 4.2 If you are providing personal information to us relating to a third party, you must have the permission of the third party to share such personal information with us and you must make the information in this Privacy Policy available to the third party.
- 4.3 We will use the third party personal information in accordance with this Privacy Policy.

5. HOW DO WE USE THE PERSONAL INFORMATION WE COLLECT ABOUT YOU?

- 5.1 Your personal information may be used by us, our employees, service providers, and disclosed to third parties for the following purposes. For each of these purposes, we have set out the legal basis on which we use your personal information. Depending on the circumstances, more than one legal basis may apply.
- 5.2 In addition, please see section 6 in relation to how we use details of your criminal records information.

Purpose	Legal Basis
Making a decision about your recruitment or appointment, including assessing your qualifications for a particular job and determining the terms on which you work for us.	<ul style="list-style-type: none"> • This processing is necessary for the purposes of taking steps in relation to entering into a contract between you and us. • This processing is also necessary for our legitimate business interests. The legitimate interest relied on is our interest in recruiting the workforce we need to deliver our products and services to our customers.
Assessing your fitness to carry out the functions of the role you have applied for and/or whether it	Depending on the circumstances, we process your personal information in order to carry out

Purpose	Legal Basis
is necessary to make reasonable adjustments for you as part of our recruitment process.	our employment legal obligations or with your explicit consent.
To provide you with feedback on your performance during a recruitment process or on the decision we have made.	This processing is necessary for our legitimate business interests. The legitimate interest relied on is our interest to run an open and transparent recruitment process and communicate feedback to individuals to maintain and build good relationships with prospective Job Applicants.
To communicate with you during the application process.	<p>The legal basis will fall into one of the following two categories, depending on the communication and the purpose for which it was sent:</p> <ul style="list-style-type: none"> • our legitimate business interests in order for us to manage our relationship with you; and/or • necessary for the purposes of taking steps to enter into a contract between you and us.
To assess whether you might be interested in, or suitable for, other vacancies that might arise in the future.	This processing is also necessary for our legitimate business interests. The legitimate interest relied on is our interest in recruiting the workforce we need to deliver our products and services to our customers.
Checking you are legally entitled to work in the UK.	This processing is necessary for us to comply with our legal obligations.
Dealing with legal disputes involving you.	This processing is necessary for us to comply with our legal obligations.
Complying with our legal or regulatory obligations (including in connection with a court order).	This processing is necessary for us to comply with our legal obligations.
Equal opportunities monitoring.	<p>This processing is necessary for our legitimate business interests. We believe that all of our existing employees, contractors and workers and our customers and shareholders benefit from the business benefits that a diverse workforce can deliver.</p> <p>Where this involves the processing of sensitive personal data, this is necessary for reasons of substantial public interest or we may obtain your explicit consent.</p>
To ensure the security of our premises and the health and safety of individuals.	The processing of CCTV footage and footage captured from body worn video cameras (for example, those worn by security guards) is necessary for our legitimate business interests. We have a legitimate interest in ensuring the safety and security of our premises and the detection of crime.

Purpose	Legal Basis
Improving our recruitment process.	We have a legitimate interest in analysing information about the roles that you have applied for, how you reached our portal (eg from a third party website) and the way in which you use our portal and understanding the ways in which applicants apply for positions with Sunseeker so that we can improve our recruitment portal.

5.3 We may be required to obtain your personal information to comply with our legal requirements, to enable us to fulfil the terms of any contract that we have with, or in preparation of us entering into a contract with, you. If you do not provide the relevant personal information to us, we may not be able to process or continue with your application without the information required.

6. USE OF CRIMINAL RECORDS INFORMATION

6.1 We will only collect information about unspent criminal convictions and offences. Where appropriate, we will collect such information as part of the recruitment process. We will use information about criminal convictions and offences in the following ways:

6.1.1 to ensure that Job Applicants are legally permitted to carry out their roles; and

6.1.2 to enable us to assess the suitability of Job Applicants for their roles where we would have a legitimate concern about staff with certain unspent criminal convictions carrying out such roles.

7. WHO MAY WE DISCLOSE YOUR PERSONAL INFORMATION TO?

7.1 We may share your personal information with:

7.1.1 other professional advisers that assist us in carrying out our business activities;

7.1.2 the Home Office or other relevant authority for the purposes of ensuring your entitlement to work in the UK;

7.1.3 recruitment businesses (in relation to feedback on your performance during a recruitment process);

7.1.4 employees and third party contractors involved in the recruitment process. If your details are kept to assess whether you might be interested in or suitable for other vacancies that might arise in the future, your information will be accessed by our employees and contractors involved in recruiting for the relevant vacancy;

7.1.5 third party training providers including training organisations, further education colleges (including Bournemouth and Poole College), and assessment organisations including SHL;

7.1.6 Sunseeker dealers (in relation to contact information of workers that we lend to the dealer network);

7.1.7 police and other law enforcement agencies in connection with the prevention and detection of crime;

- 7.1.8 other external agencies and organisations (including the National Crime Agency) for the purpose of preventing and detecting fraud (including fraudulent transactions), money laundering and criminal activity; and
 - 7.1.9 third parties if we are under a duty to disclose or share your personal information in order to comply with any legal obligation or instructions of a regulatory body (including in connection with a court order), or in order to enforce or apply the terms of any agreements we have with or otherwise concerning you (including agreements between you and us) or to protect our rights, property or safety of our clients, employees or other third parties; and
 - 7.1.10 other companies in the Wanda Group. Information about the companies in the Wanda Group is available at www.wanda-group.com
- 7.2 We may also disclose your personal information to other third parties, for example:
- 7.2.1 in the event that we sell or buy any business or assets we will disclose your personal information to the prospective seller or buyer of such business or assets;
 - 7.2.2 if we or substantially all of our assets are acquired by a third party (or are subject to a reorganisation within our corporate group), personal information held by us will be one of the transferred assets; and
 - 7.2.3 if we are under a duty to disclose or share your personal information in order to comply with any legal obligation, or in order to enforce or apply the agreements concerning you (including agreements between you and us).
- 7.3 This portal is provided on our behalf by a third party called Jobtrain Limited. Your information will be hosted by Jobtrain and may be accessed by Jobtrain in the support and maintenance of the portal. We have a contract in place with Jobtrain confirming that Jobtrain has taken measures to keep your information secure and will only use the information as we direct.
- 7.4 We may use providers of online testing services in connection with our recruitment process. We may disclose your information to those providers in connection with your application, but we will let you know where this is the case.

8. WHERE WILL WE TRANSFER YOUR PERSONAL INFORMATION?

- 8.1 We will process your personal information both within and outside the European Economic Area (EEA). This may include your personal information being transferred to other Wanda Group companies in China. Where we transfer personal data outside of the EEA, we will implement appropriate and suitable safeguards to ensure that such personal information will be protected as required by applicable data protection law.
- 8.2 These measures generally include either:
 - 8.2.1 transferring personal information to countries that have been deemed to provide an adequate level of protection for personal information by the European Commission under Article 45(1) of the General Data Protection Regulation; or
 - 8.2.2 transferring personal information where the recipient has agreed to a European Commission approved data transfer agreement in the form of the standard contractual clauses under Article 46(2) of the General Data Protection Regulation.
- 8.3 Please contact us using the contact details in section 2.2 above if you want further information on the specific mechanism used by us when transferring your personal information out of the EEA.

9. HOW LONG WILL WE KEEP YOUR PERSONAL INFORMATION

- 9.1 If your application:

9.1.1 is unsuccessful, your personal information will be kept for the duration of the application process and a period of 24 months from the date of your last activity on the portal. At the end of this period, an automated email will advise that your personal data is to be removed from the portal unless you opt to keep your personal information on the portal for another 24 months.

9.1.2 is successful, we will transfer relevant information to your personnel record with the company and you will be provided with a separate privacy notice, which will explain the periods for which your data will be kept. Your personal information recorded during the application process will be kept in accordance with 9.1.1.

9.2 Please note that all of the above retention periods may be extended where we need to preserve and use personal information for the purposes of bringing or defending a legal claim. In such cases, we will continue to hold and process your personal information for as long as is necessary to deal with the legal proceedings.

10. YOUR RIGHTS

10.1 You have certain rights with respect to your personal information. The rights may only apply in certain circumstances and are subject to certain exemptions. Please see the table below for a summary of your rights.

10.2 If you wish to exercise any of the below rights, please contact the Sunseeker International Human Resources department by emailing applications@sunseeker.com

Summary of your rights	
Right of access to your personal information	You have the right to receive a copy of your personal information that we hold about you, subject to certain exemptions. Any access request is free of charge. We may require further information in order to respond to your request (for instance, evidence of your identity provided in person by the same person requesting their information and information to enable us to locate the specific personal information you require).
Right to rectify your personal information	You have the right to ask us to correct your personal information that we hold where it is incorrect or incomplete.
Right to erasure of your personal information	You have the right to ask that your personal information be deleted in certain circumstances. For example (i) where your personal information is no longer necessary in relation to the purposes for which they were collected or otherwise used; (ii) if you withdraw your consent and there is no other legal ground for which we rely on for the continued use of your personal information; (iii) if you object to the use of your personal information (as set out below); (iv) if we have used your personal information unlawfully; or (v) if your personal information needs to be erased to comply with a legal obligation.
Right to restrict the use of your personal information	You have the right to suspend our use of your personal information in certain circumstances. For example (i) where you think your personal information is inaccurate but only for as long as required for us to verify the accuracy of your personal information; (ii) the use of your personal information is unlawful and you oppose the erasure of your personal information and request that it is suspended instead; (iii) we no longer need your personal information, but your personal information is required by you for the establishment, exercise or defence of legal claims; or (iv) you have objected to the use of your personal information and we are

Summary of your rights	
	verifying whether our grounds for the use of your personal information override your objection.
Right to data portability	You have the right to obtain your personal information in a structured, commonly used and machine-readable format and for it to be transferred to another organisation, where it is technically feasible. The right only applies where the use of your personal information is based on your consent or for the performance of a contract, and when the use of your personal information is carried out by automated (i.e. electronic) means.
Right to object to the use of your personal information	You have the right to object to the use of your personal information in certain circumstances. For example (i) where you have grounds relating to your particular situation and we use your personal information for our legitimate interests (or those of a third party) including for profiling; and (ii) if you object to the use of your personal information for direct marketing purposes, which includes profiling to the extent it relates to such direct marketing.
Right to object to decision which is based solely on automated processing	You have the right in certain circumstances not to be subject to a decision which is based solely on automated processing without human intervention.
Right to withdraw consent	You have the right to withdraw your consent at any time where we rely on consent to use your personal information.
Right to complain to the relevant data protection authority	You have the right to complain to the relevant data protection authority, which is in the case of us, the Information Commissioner's Office, where you think we have not used your personal information in accordance with data protection law.

CHANGES TO OUR PRIVACY POLICY

Any changes we make to this Privacy Policy in the future will be notified to you by email to those still in our employment at the time. The updated Privacy Policy will take effect as soon as it has been updated or otherwise communicated to you.

This Privacy Policy was last updated in April 2019.