

POL-328 JOB APPLICANT PRIVACY NOTICE

1.0 PURPOSE

Irish Lights is committed to the protection and safeguarding of personal data relating to job applicants that it collects and processes for the purpose of recruitment and selection. Irish Lights is committed to meeting its accountability obligation and demonstrating transparency regarding the collection, use, disclosure, and protection of personal data. Please read this Notice carefully to understand the recruitment and selection practices at Irish Lights.

This Privacy Notice informs prospective job applicants of the type of personal data that Irish Lights retains, the purpose for which it is kept and data subject rights relating to personal data processed. Please make sure to carefully review this Privacy Notice, as well as any other similar notices that we may periodically furnish to you when we gather or handle personal information related to you. Should an employment offer be made, a subsequent Employee Privacy Notice will be provided detailing how personal data will be used for day-to-day human resource management.

2.0 SCOPE

This policy applies to all data subjects who submit a job application to Irish Lights.

3.0 RESPONSIBILITIES

Irish Lights will ensure all personal data is handled in accordance with data protection obligations.

4.0 POLICY

Regarding an applicant's application for work with Irish Lights, the following personal data will be processed (collected, stored and used):

- Full name and contact details, including email address, phone number
- Education and employment history
- Qualifications, skills, experience and professional body memberships
- Information on current level of remuneration, including benefit entitlements
- Whether or not the applicant has a disability for which Irish Lights needs to make a reasonable adjustment during the recruitment process
- Eligibility to work in the EU/EEA (where applicable)
- Contact details for referees: previous employer(s) and/or educational referees

When an applicant views a job advertisement, the following additional information may be collected:

- referral source – this is the website where is advert is seen
- details of page(s) viewed - including the amount of time spent viewing a page as well as selected links
- details of browser used as well as device type
- geographic location based on IP address.

In addition to information furnished to Irish Lights by job applications, additional information may also be processed including:

- Information Irish Lights may collect about applicants from sources that are publicly available e.g. news and social media channels, Google search, LinkedIn etc.
- Information obtained from third parties (where the applicant asks Irish Lights to collect information about them).
- Information obtained from digital platforms for the purpose of fulfilling talent acquisition e.g. job advertisements for senior roles may be hosted on external recruitment platforms (e.g. Indeed, Irishjobs etc). Please refer to privacy policies of the aforementioned for more information.
- CCTV data obtained about applicants when they visit the Irish Lights Dun Laoghaire Office e.g. for job interview

5.0 POLICY

5.1 Applications

When an application for employment is received, Irish Lights maintains and processes personal data about applicants for the purpose of assessing the application and communicating a recruitment decision. At the recruitment stage, applicants are requested to submit a cover letter and CV. In certain instances, candidates may also be asked to submit a presentation on a specified work-related topic.

Unsolicited CVs will only be accepted in respect of positions on board ILV Granuaile. They will be held, with the job applicants' consent, for a period of 12 months. If a suitable vacancy does not arise during this time, the CV will be confidentially destroyed in line with the ***Retention and Disposal Policy***.

Unsolicited CVs for any other areas in Irish Lights will not be accepted. Such CVs will immediately and confidentially be destroyed.

Applicants may be invited to interview(s) for a role following the short-listing process. The data generated at this stage of the process will be as follows:

- Interview details including notes and assessment of the interview board, dates and times
- A record of candidates' arrival to, and departure from the building for Health and Safety purposes
- Communication of the recruitment decision post interview.

5.2 Applicant's obligations

Applicants are under no statutory or contractual obligation to provide personal data to Irish Lights during the recruitment process. However, if the information is not provided, Irish Lights will be unable to process their application. Information provided by the applicant will be used solely to assess their suitability for interviewing. This will be done through a process of reviewing the information provided by the applicant against the requirements of the role. The most suitable candidates, based on the post profile, may be selected for the interview stage.

5.3 Lawful basis for processing personal data

As part of the recruitment process, Irish Lights collects and processes personal data relating to job applicants. Much of the information held will have been provided by applicants, but some may come from external sources such as referees. The lawful basis for personal data processing includes:

A. Contractual

Information processed will be used for recruitment management and administrative use only. It will be used to enable Irish Lights to manage the relationship with applicants during the recruitment and selection process and/or the employment relationship effectively, lawfully and appropriately. This includes using information to enable Irish Lights to comply with the employment contract, to comply with any legal requirements and to pursue legitimate interests.

B. Consent

Where Irish Lights relies on consent to process for recruitment purpose, applicants have a right to withdraw consent at any time before employment contract is signed. Irish Lights also process health information, with the explicit consent of applicants, in the event that it needs to make any reasonable adjustments to the recruitment process for candidates who have a disability. This is to carry out its obligations regarding equality of opportunity and exercise specific rights in relation to employment e.g. onboarding.

C. Public Task

Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller.

D. Legal Obligation

Irish Lights will comply with its legal obligation and responsibility as Controller and an equal opportunities employer.

E. Legitimate interests

Where Irish Lights processes applicant information solely based on legitimate interests (or those of a third party), such applicants have the right to object to such processing. They can do so by providing Irish Lights with specific reasons for objection that are grounded in their unique circumstance(s).

5.4 Retention of Data

For Irish Lights to demonstrate the legal integrity of its recruitment and selection process, data is retained for no more than 12 months, after which it is deleted (in the case of digital information) or destroyed (in the case of paper-based information).

5.5 Access to an applicant's data

Personal data will be shared for the purposes of the recruitment process. This includes members of the HR team, interview panel and managers in the relevant business area.

5.6 Sharing personal data with any third parties

Irish Lights interview panels may include external panel members. Personal data of shortlisted applicants will be shared for the purposes of interviewing and evaluation. Interviewers are required to return all hardcopy interview documentation to the HR representative on the interview panel and to confirm deletion of any copies and any electronic applicant data provided.

Irish Lights internal and external auditors may request sight of recruitment decision supporting documentation to verify that recruitment decisions are made in line with Irish Lights policy and legal requirements. Such documentation may contain personal data relating to candidates. HR will ensure that data is managed securely and in accordance with data protection principles. Irish Lights may contact referees following interviews. This is on the basis of the referee information provided by the candidate. Irish Lights will only seek information from third parties with an applicant's consent.

5.7 Recruitment Channels

In addition to the Irish Lights Vacancy webpage, Irish Lights may use recruitment platforms such as irishjobs.ie, LinkedIn and Recruitment Agencies to process applications. Formal data protection agreements are in place with providers to ensure specific data protection guarantees. Recruitment processes are not based on automated decision-making.

5.8 Data Subjects Rights

Under the General Data Protection Regulations (GDPR) and the Irish Data Protection Act 2018, data subjects whose data is processed by Irish Lights, including job applicants, have the right to:

- access and obtain a copy of their data on request
- require the organisation to amend incorrect or incomplete data
- require the organisation to delete or stop processing their data, for example where the data is no longer necessary for the purposes of processing
- object to the processing of their data where the organisation is relying on its legitimate interests as the legal ground for processing
- ask the organisation to stop processing data for a period if data is inaccurate or there is a dispute about whether or not their interests override the organisations legitimate grounds for processing data.

If an applicant wants to exercise any of these rights, they must contact the Data Protection Officer via email at DPO@irishlights.ie.

5.9 Making a Subject Access Request

If a job applicant wishes to access a copy of their personal data held by Irish Lights, a request must be made in writing to:

Data Protection Officer
Irish Lights
Harbour Road
Dun Laoghaire

Alternatively, job applicants can request for a copy of their personal data by contacting the DPO via email at DPO@irishlights.ie. Subject access requests are usually dealt with within one month of receipt.

The one month response threshold may be extended by an additional two months, where necessary, taking into account the complexity and volume of request. Applicants will be informed of any extension and the reasons within one month of receipt of the request. If action is not taken on foot of a request, applicants will be informed without delay and, at the latest, within one month of receipt of the request, of:

- The reasons for not taking action
- The possibility of lodging a complaint with the Data Protection Commission (see below).

In order to facilitate processing of a request and timely retrieval of personal data, Irish Lights will ask that data subjects provide the following details:

- Name of Requester
- Details of the personal data they are requesting
- The specific right that the data subject applicant wishes to exercise (where applicable) e.g., right to rectification, erasure, etc.
- Any other relevant information.

In order to ensure that personal data is not disclosed to the wrong recipient, proof of identity will be required with all data access requests. If a request is being made on an applicant's behalf by a third party such as a solicitor, authority and verification will be sought.

Applicants are entitled to their own data only. If data from additional parties to the request are required, it is necessary for each party to consent to the release of their personal data in writing to the Data Protection Officer otherwise data will be redacted before disclosure is made. Personal data pertaining to data subjects not party to the request will not be released.

Requests are dealt with free of charge. However, where requests from a data subject are considered 'manifestly unfounded or excessive' (for example where data subject continues to make unnecessary repeat requests or the problems associated with identifying a data subject from a collection of data proves to be disproportionate), Irish Lights may:

1. Charge a reasonable fee, taking into account the administrative costs of providing the information/ taking the action requested; or
2. Refuse to act on the request.

5.10 Right to lodge a complaint to the Supervisory Authority

Under data protection legislation an individual has a right to lodge a complaint with the Data Protection Commission if they consider that processing of their personal data is contrary to the General Data Protection Regulations and the Data Protection Act 2018.

The Data Protection Commission operate a helpdesk function, which is contactable at 01 7650100 or 1800 437 737. They are also contactable online – <https://forms.dataprotection.ie/contact>. Their postal address is Data Protection Commission, 21 Fitzwilliam Square South, Dublin 2, DO2RD28.

6.0 INTERNAL MONITORING AND REPORTING REQUIREMENTS

Human Resources will regularly assess the effectiveness of the policy. Irish Lights reserves the right to revoke, replace or amend this policy at any time as deemed appropriate.

7.0 APPENDICES

8.0 ADVICE

Please seek advice from the Data Protection Officer.

9.0 ACCESS RESTRICTIONS

Accessible to all job applicants

10.0 REFERENCES/CONNECTED DOCUMENTS

- Data Protection Policy
- Retention and Disposal Policy

11.0 REVIEW PERIOD

Three-year cycle or as process and/or legislative changes require.

Issue/Revision Date	Version No.	Pages	Doc No
30/07/24	V02	8	POL-328

12.0 VERSION HISTORY

Revision	Description of Change	Date
00	Original Policy – first issue	2018
01	Updated following review by GDPR Implementation Group	2024