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BYES-GOV	POL	014	002	Nov 2023



Bouygues E & S Contracting UK Limited Job Applicant Privacy Notice

Bouygues E&S Contracting UK Limited (“**BYES**”) is a part of the Equans group of companies under the ownership and control of Equans S.A.S. Equans S.A.S. is part of the Bouygues groups of companies under the ownership and control of Bouygues S.A.

As part of any recruitment process, BYES collects and processes personal data relating to job applicants. BYES is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

What information does BYES collect?

BYES collects a range of information about you. This includes:

- your name, address and contact details, including email address and telephone number;
- details of your qualifications, skills, experience and employment history;
- information about your current level of remuneration, including benefit entitlements;
- whether or not you have a disability for which BYES needs to make reasonable adjustments during the recruitment process;
- information about your entitlement to work in the UK; and
- Equal Opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.

BYES collects this information in a variety of ways. For example, data might be contained in application forms, CVs or resumes, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment, including online tests.

BYES will also collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers and information from criminal records checks. BYES will seek information from third parties only once a job offer to you has been made and will inform you that it is doing so.

Data will be stored in a range of different places, including on your application record, in HR management systems and on other IT systems (including email).

Why does BYES process personal data?

BYES needs to process data to take steps at your request prior to entering into a contract with you. It also needs to process your data to enter into a contract with you.

In some cases, BYES needs to process data to ensure that it is complying with its legal

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obligations. For example, it is required to check a successful applicant's eligibility to work in the UK before employment starts.

BYES has a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. Processing data from job applicants allows BYES to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. BYES may also need to process data from job applicants to respond to and defend against legal claims.

Where BYES relies on legitimate interests as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of employees or workers and has concluded that they are not.

BYES processes health information if it needs to make reasonable adjustments to the recruitment process for candidates who have a disability. This is to carry out its obligations and exercise specific rights in relation to employment.

Where BYES processes other special categories of data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is for equal opportunities monitoring purposes.

For some roles, BYES is obliged to seek information about criminal convictions and offences. Where BYES seeks this information, it does so because it is necessary for it to carry out its obligations and exercise specific rights in relation to employment.

If your application is unsuccessful, BYES will keep your personal data on file in case there are future employment opportunities for which you may be suited. BYES will ask for your consent before it keeps your data for this purpose and you are free to withdraw your consent at any time.

Who has access to data?

Your information will be shared internally for the purposes of the recruitment exercise. This includes members of the HR and recruitment team, interviewers involved in the recruitment process, managers in the business area with a vacancy and IT staff if access to the data is necessary for the performance of their roles.

BYES will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment. BYES will then share your data with former employers to obtain references for you, employment background check providers to obtain necessary background checks and the Disclosure and Barring Service to obtain necessary criminal records checks. BYES may also share your data with the UK border authorities as necessary to ensure compliance with UK immigration rules.

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How does BYES protect data?

BYES takes the security of your data seriously. It has internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties.

For how long does BYES keep data?

If your application for employment is unsuccessful, BYES will hold your data on file for six months after the end of the relevant recruitment process. If you agree to allow BYES to keep your personal data on file, we will hold your data on file for a further six months for consideration for future employment opportunities, i.e. twelve months altogether. At the end of that period (or once you withdraw your consent), your data is deleted or destroyed.

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your personnel file (and retained during your employment). The periods for which your data will be held will be provided to you in a new privacy notice.

Your rights

As a data subject, you have a number of rights. You can:

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

If you would like to exercise any of these rights, please contact privacy.uk@equans.com.

If you believe that BYES has not complied with your data protection rights, you can complain to privacy.uk@equans.com in the first instance.

If you remain dissatisfied then you can complain to the Information Commissioner. See <https://ico.org.uk/> or telephone: 0303 123 1113 for further information about your rights and how to make a formal complaint.

What if you do not provide personal data?

You are under no statutory or contractual obligation to provide data to BYES during the

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recruitment process.

However, if you do not provide the information, BYES may not be able to process your application properly or at all.

Automated decision-making

Recruitment processes are not based on automated decision-making.