

DATA PROTECTION POLICY (CANDIDATES FOR EMPLOYMENT)

1. ABOUT THIS POLICY

- 1.1 Data Protection Legislation (“the Legislation”) provides rules which apply to the collection, use and processing of information concerning individuals. The Legislation sets out the principles that the Company must follow when processing personal data about individuals. It also gives individuals certain rights in relation to personal data that is held about them. For the purposes of this Policy, Data Protection Legislation means the Data Protection Acts 1988 to 2018 and any other applicable law or regulation governing the processing of personal data, including the General Data Protection Regulation (Regulation (EU) 2016/679).
- 1.2 This Policy sets out the basis on which we will process any personal data we collect from candidates for employment, or that is provided to us by individuals or other sources.
- 1.3 This Policy does not form part of any contractual agreement and may be amended at any time.
- 1.4 Dolmen Design and Innovation Limited with an address of Innovation House, D.C.U. Alpha, Finglas Road Old, Dublin 11 (“the Company”) is the data controller for the purposes of this Policy.
- 1.5 The Data Protection Compliance Manager is responsible for ensuring compliance with the Legislation and with this Policy. Any questions about the operation of this Policy or any concerns that the Policy has not been followed should be referred in the first instance to the Data Protection Compliance Manager at privacy@dolmen.ie.

2. INFORMATION IN RELATION TO THE PERSONAL DATA THAT WE MAY PROCESS ABOUT YOU

- 2.1 The Company needs to process personal data relating to you for the purposes of enabling the Company to consider your suitability for employment; without such processing, it would not be possible for the Company to consider your application for employment. Please see the Schedule to this Policy for information in relation to;
- (a) the categories of personal data that we will process about you;
 - (b) the reasons for any such processing;
 - (c) the legal basis for any such processing;
 - (d) the recipients or categories of recipients of the personal data; and
 - (e) the period of time for which the personal data will be stored.
- 2.2 Processing to meet the Company’s Legitimate Interests
- 2.3 In addition to the specific purposes set out in the Schedule to this Policy, we may need to process your personal data in order to meet the Company’s legitimate interests from time to time. We will only do so where such processing is not overridden by your interests or fundamental rights and freedoms. The legitimate interests in question will be dictated by business needs and will include (the following list is not exhaustive);
- (a) General business management, including planning, forecasting, auditing and accounting exercises as well as analytical studies;
 - (b) Protection of the Company’s property, assets and infrastructure;

- (c) Business continuity, including the backup of data and securing of intellectual property and confidential information.

3. YOUR RIGHTS IN RELATION TO THE PERSONAL DATA THAT WE MAY PROCESS ABOUT YOU

3.1 As a data subject, you are entitled to:

- (a) Obtain access to the personal data which is held about you, subject to limited exceptions;
- (b) Request the rectification or erasure of the personal data held about you;
- (c) Request the restriction of processing of any personal data concerning you;
- (d) Object to the processing of any personal data;
- (e) Exercise your right to data portability; and
- (f) Lodge a complaint with the Data Protection Commission.

4. PROCESSING BY THIRD PARTIES

4.1 We may, from time to time, engage the services of third parties (“data processors”) to assist us to perform our functions or obligations, for example, we may engage an external service provider to assist us to carry out reference checks, or perform functions in connection with the application/interview process. Where this occurs, any processing of personal data by the data processor will be in compliance with the requirements of the Legislation. Any such processing will be regulated by a contract between the Company and the relevant data processor. That contract will govern the conditions under which any personal data may be processed, the security conditions attaching to the processing of the data and will require the data processor to delete or return the data to the Company upon completion or termination of the contract.

4.2 We may, from time to time, need to seek advice from professional advisers such as lawyers, accountants and doctors in relation to your/the Company’s rights and entitlements and/or matters arising in connection with the application/interview process. It may be necessary to share certain records with those professional advisers in that context. Where those records contain personal data relating to you, we will rely on the following legal basis when sharing personal data with such professional advisers;

- (a) In the context of personal data, we will only share personal data with the Company's professional advisers where necessary for the purposes of compliance with a legal obligation to which the Company is subject; and
- (b) In the context of special category data, we will only share personal data with our professional advisers where necessary for the purposes of enabling the Company to carry out its obligations or exercise specific rights (or to enable you to carry out your obligations or exercise specific rights) in the field of employment, insofar as it is authorised by EU or Irish law.

5. CCTV IN THE WORKPLACE

5.1 There is CCTV in operation in the Company’s office in Innovation House. This CCTV is operated by Invent DCU DAC and they can be contacted at aidan.kearns@dcu.ie if you have any queries in respect of the operation of this system.

- 5.2 Although the Company is not the data controller in respect of any CCTV systems it may request CCTV footage from other data controllers for the purposes of:
- (a) protecting the safety and security of staff, customers and other individuals who attend at our offices;
 - (b) protecting our assets from damage, disruption, vandalism and other such crime;
 - (c) enabling the investigation of complaints and/or suspicious activity, both inside and outside of our offices, including any issues that give rise to, or arise during the course of, staff disciplinary or grievance proceedings and/or investigations into criminal or potentially criminal matters by An Garda Síochána; and
 - (d) ensuring that the Company is in a position to support/defend any litigation taken by/against it, whether in connection with any investigation carried out pursuant to (c) above or otherwise.

SCHEDULE

<i>Category of data</i>	<i>Purpose of processing</i>	<i>Legal basis of processing</i>	<i>Type of recipient to whom the data may be transferred</i>	<i>Retention Period</i>
Personal data collected during the course of the application/interview process (as recorded in any application form completed by you, your CV, correspondence between you and the Company, interview notes, reference checks, etc.)	To consider the data subject's suitability for employment	The processing is necessary in order to take steps at the request of the data subject prior to entering into a contract	The Company's HR Team and those members of management responsible for assessing the data subject's suitability for recruitment to employment	Duration of the assessment process plus 14 months, commencing on the date on which the successful candidate is appointed to the role in issue
	In respect of retention only: to enable the support/defence of legal proceedings	In respect of retention only: the processing is necessary for the purposes of the legitimate interests pursued by the data controller (as detailed in the "purpose of processing" column), taking into account the fundamental rights and freedoms of the data subject	During the retention phase, personal data may only be accessed if required for the purposes of (i) complying with a legal obligation; (ii) responding to a request received from the data subject; or (iii) supporting/defending legal proceedings. In the case of the first two scenarios, the data may be accessed by authorised members of the IT and HR Teams or our IT external support providers, as required to comply with the relevant request. In the case of the third scenario, the data may be shared with the Company's nominated solicitors and any other parties, as may be directed by the Company's legal advisors.	

Category of data	Purpose of processing	Legal basis of processing	Type of recipient to whom the data may be transferred	Retention Period
<p>Special category data collected during the course of the application/interview process (such data will not be sought by the Company during the interview/assessment process however we recognise the possibility that such data may be provided to the Company, either by you during the course of the interview/assessment process or as a result of a pre-employment medical). Where such data is provided to the Company, any processing will be for the purposes outlined in this Schedule.</p>	<p>To enable the Company to assess the working capacity of the data subject (noting the rights and obligations conferred on the Company pursuant to the Employment Equality Acts and the Safety, Health and Welfare at Work Act and caselaw deriving thereunder)</p>	<p>The processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment (as authorised by law)</p>	<p>The Company's HR Team and those members of management responsible for assessing the data subject's suitability for recruitment to employment (and the Company's occupational health provider, where required)</p>	<p>Duration of the assessment process plus 14 months, commencing on the date on which the successful candidate is appointed to the role in issue</p>
	<p>In respect of retention only: to enable the support/defence of legal proceedings</p>	<p>In respect of retention only: the processing is necessary for the establishment, exercise or defence of legal claims</p>	<p>During the retention phase, personal data may only be accessed if required for the purposes of (i) complying with a legal obligation; (ii) responding to a request received from the data subject; or (iii) supporting/defending legal proceedings. In the case of the first two scenarios, the data may be accessed by authorised members of the IT and HR Teams or our IT external support providers, as required to comply with the relevant request. In the case of the third scenario, the data may be shared with the Company's nominated solicitors and any other parties, as may be</p>	

<i>Category of data</i>	<i>Purpose of processing</i>	<i>Legal basis of processing</i>	<i>Type of recipient to whom the data may be transferred</i>	<i>Retention Period</i>
			directed by the Company's legal advisors.	