



## **EU - Candidate privacy notice (Trainee Recruiting)**

### **What is the purpose of this document?**

Cooley (UK) LLP ("Firm" or "We") is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. Your personal information may be handled by one, more or all of the members of the Cooley Group. Please refer to the Appendix to this notice for a description of the Cooley Group.

You are being sent a copy of this privacy notice because you are applying for work with us (whether as an employee, worker or contractor). It makes you aware of how and why your personal data will be used, namely for the purposes of the recruitment exercise, and how long it will usually be retained for. It provides you with certain information that must be provided under the General Data Protection Regulation ((EU) 2016/679) (GDPR).

### **Data protection principles**

We will comply with data protection law and principles, which means that your data will be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

### **The kind of information we hold about you**

In connection with your application for work with us, we will collect, store, and use the following categories of personal information about you:

- The information you have provided to us in your curriculum vitae and covering letter.
- The information you have provided on our application form, including name, "known as", title, address, telephone number, personal email address, date of birth, gender, employment history work experience, educational history and qualifications, language and other relevant skills and achievements, certification, certification expiration dates and confirmations in relation to regulatory body (SRA) suitability to practice criteria.
- The information provided in your agency brief including test data.
- Any information you provide to us during an interview or assessment and selection process.
- Any information you provide in support of your application including references, referees and qualification certificates.



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- Testing and assessment data from a third party supplier and from any assessment days.
- We may also collect, store and use the following "special categories" of more sensitive personal information:
  - Information about your race or ethnicity, religion or beliefs, marital status, socio-economic background, caring responsibilities, sexual orientation and political opinions, whether you have spent time in local authority care and refugee/asylum seeker status.
  - Information about your health, including any medical condition, disability status, health and sickness records, which may be in relation to asking the firm to consider mitigating circumstances in relation to educational results and any supporting evidence in support thereof.
  - Information about criminal convictions, offences, proceedings or complaints initiated by Law Society, SRA or other professional body.
  - Information provided to us by our background check provider, including electoral roll, Financial Stability Credit and Bankruptcy, ID verification and SRA regulatory and compliance data.

### **How is your personal information collected?**

We collect personal information about candidates from the following sources:

- You, the candidate.
- Recruitment agencies.
- Background check provider.
- Your named referees.
- Data from third parties.

### **How we will use information about you**

We will use the personal information we collect about you to:

- Assess your skills, qualifications, and suitability for the role.
- Carry out background and reference checks, where applicable.
- Communicate with you about the recruitment process.
- Keep records related to our hiring processes.
- Comply with legal or regulatory requirements.



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### **Legal basis for processing**

It is in our legitimate interests to decide whether to appoint you to the role since it would be beneficial to our business to appoint someone to that role.

We also need to process your personal information to decide whether to enter into a contract of employment with you.

### **Details of processing**

Having received your application form for a Summer Programme and Period of Recognised Training, we will then process that information to decide whether you meet the basic requirements to go forward to the second stage of shortlisting for the role. That second stage involves the completion of testing. The completion of that testing and the results obtained combined with our decision on whether your application is strong enough will determine whether you are invited to an assessment and selection process which could also involve an interview. If we decide to call you for that process, we will use the information you provide to us at that process to decide whether to offer you the role. If we decide to offer you a Summer Programme, we will then take up references and carry out conflict checking procedures on up to 5 years of previous legal work completed before confirming your appointment. If we decide to offer you a Period of Recognised Training after completion of the Summer Programme we will then carry out various background screens, including employment referencing, basic criminal checks, electoral roll, financial stability credit & bankruptcy check, Directorships, ID verification, compliance checks, adverse media searches, full employment gap analysis, education verification, professional qualifications and memberships, SRA regulator checks, and where available we also collect international criminal, financial stability and directorship information, before confirming your appointment. The offer is contingent on successful completion of and satisfactory clearance on all background screens. Ahead of commencing the Period of Recognised Training, we will carry out updated conflict checking on up to 5 years of previous legal work completed and background screens. The offer will continue to be contingent on completion of these checks and screens and satisfactory clearance. We require this to be completed with satisfactory clearance prior to your start date. Any unsatisfactory results may lead to withdrawal of the offer. If this is not completed prior to your start date, continued employment is contingent upon satisfactory clearance.

If we have received your application only in connection with a 'Meet Cooley' event, we will then process that information to decide whether you meet the basic requirements to attend that event.

### **If you fail to provide personal information**

If you fail to provide information when requested, which is necessary for us to consider your application (such as evidence of qualifications or work history), we will not be able to process your application successfully. For example, if we require a credit check or references for this role and you fail to provide us with relevant details, we will not be able to take your application further.

### **How we use particularly sensitive personal information**

We will use your particularly sensitive personal information in the following ways:

- We will use information about your disability status to consider whether we need to provide appropriate adjustments during the recruitment process, for example whether adjustments need to be made during a test or interview.



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- We will use information about your race or ethnic origin, religious or philosophical beliefs, sexual orientation, gender identity to ensure meaningful equal opportunity monitoring and reporting.
- We will use information about your socio-economic background, refugee/asylum seeker status and time spent in local authority care to assess the context and strength of the work experience, educational and other achievements you inform us of.

### **Information about criminal convictions**

We envisage that we will process information about criminal convictions.

We will collect information about your criminal convictions history if we would like to offer you the role (conditional on checks and any other conditions, such as references, being satisfactory). We are entitled to carry out a criminal records check in order to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable for the role.

We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data.

### **Automated decision-making**

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

### **Data sharing**

#### **Why might you share my personal information with third parties?**

We will only share your personal information with the following third parties for the purposes of processing your application: background and credit check vendors, previous employers, providers of sanctions and “politically exposed persons” screening lists, the Cooley Group. All our third-party service providers and other entities in the Cooley group are required to take appropriate security measures to protect your personal information in line with our policies.

As the US has a different data protection regime which is not deemed by the European Commission to provide an adequate level of protection for your personal information, to address the possible risk to you arising from the absence of adequate protection, and to ensure that your personal information is sufficiently protected, the Firm entered into a data transfer agreement with Cooley LLP on 9 January 2015 incorporating the EU’s standard contractual clauses.

We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

Should you expressly agree, we will share the information identified in our application form with Rare for the reasons we explain in that form. We may also publish aggregate data on an anonymous basis on our website and may provide data in aggregate form to third parties to support our ongoing commitment to equality and diversity.



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### **Data security**

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need-to-know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

### **Data retention**

#### **How long will you use my information for?**

The data retention period for applicants' accounts in the Cooley (UK) LLP trainee application system will apply as follows:

Registered accounts with no submitted applications where you may have agreed the candidate privacy notice but made no application, retention will be 24 months from agreeing the candidate privacy notice. This will be in case you have registered too early to make an application in the current recruitment cycle but wish to do so in the next recruitment cycle.

Registered accounts with an application in progress but that has not been submitted, retention will be 24 months from the last update made by you. This will be in case you have registered and started an application too early for consideration in the current recruitment cycle but may wish to complete and submit an application in the next recruitment cycle.

Registered accounts with submitted applications where you have a successful application, retention will be 36 months from submission of the successful application. Thereafter once we have appointed you to the role retention will be in accordance with our Employee Privacy Notice. This retention period takes into consideration the 2-year in advance hiring process and should any successful applicant be in deferment for up to one year.

Registered accounts with submitted applications where you have an unsuccessful application or have withdrawn your application for consideration for this role, retention will be for 18 months from submission of the unsuccessful/withdrawn application. This will be in case you wish to update and re-submit an application in the next recruitment cycle.

Registered accounts with submitted applications and in cases where we have asked you for explicit extended consent to retain your data, retention will be for 28 days to enable you to respond to our request. In circumstances where explicit extended consent is given by you, we will retain information for as long as agreed with you on the basis that a further opportunity may arise in future and we may wish to consider you for that. In circumstances where consent is not given information will be deleted within 28 days from the date of our request.

Registered accounts with submitted applications and in circumstances where you may have agreed the new candidate privacy notice, retention will be for 3 months from the date of agreeing the new candidate privacy notice.

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We retain your personal information for these periods and reasons outlined above and so that we can show, in the event of a legal claim, that we have not discriminated against candidates on prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way. After this period, we will securely destroy your personal information in accordance with our data retention policy.

### Rights of access, correction, erasure, and restriction

#### Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact Trainee Recruitment & Legal Talent Manager, Sarah Warnes, at [swarnes@cooley.com](mailto:swarnes@cooley.com).

### Right to withdraw consent

You have the right to withdraw your consent for processing in respect of any processing that we undertake relying on your consent at any time. We do not rely on your consent for processing your personal information for the purposes of the recruitment exercise. Accordingly, we rely on legitimate interests as a process for processing your personal information. To withdraw your consent, please contact the Trainee Recruitment & Legal Talent Manager, Sarah Warnes, at [swarnes@cooley.com](mailto:swarnes@cooley.com). Once we have received notification that you have withdrawn your consent, we will no longer process your application and, subject to our retention policy, we will dispose of your personal data securely.



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### Data protection officer

We have appointed a data protection officer (DPO) to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the DPO, Mike Santos, at [msantos@cooley.com](mailto:msantos@cooley.com). You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

I, \_\_\_\_\_ (candidate name), acknowledge that on \_\_\_\_\_ (date), I received a copy of Cooley (UK) LLP's Candidate Privacy Notice and that I have read and understood it.

Signature

.....

Name

.....



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### Appendix

#### Members of the Cooley Group

For the purposes of the Privacy Policy, the **Cooley Group** can be described as:

- the Firm;
- Cooley LLP, a limited liability partnership established in accordance with the laws of the state of California, United States of America, which has offices in the United States and the rest of the World, including at 3175 Hanover Street, Palo Alto, CA 94304;
- each of their affiliates, subsidiary undertakings, parent undertakings and each subsidiary undertaking of any such parent undertaking; and
- each other partnership, entity or practice authorised to use the name "Cooley" (or one or more of those practices as the context may require).