

JOB APPLICANT PRIVACY NOTICE (US)

1. INTRODUCTION

This notice explains what personal data (information) we will hold about you, how we collect it, and how we will use, and may share information about you during the application process. We are required to notify you of this information under data protection legislation. Please ensure that you read this notice and any other similar notice we may provide to you from time to time when we collect or process personal information about you.

2. COLLECTION OF INFORMATION

Hyve Limited, trading as Hyve Managed Hosting, ("Hyve") is a 'data controller' who gathers and uses certain information about you. This information may also be used by our affiliated entities and so, in this notice, references to 'we' or 'us' shall mean Hyve and our group companies.

3. DATA PROTECTION PRINCIPLES

We will comply with the data protection principles when gathering and using personal information, as set out in our [Privacy Policy](#).

4. THE INFORMATION WE COLLECT AND HOLD

4.1 The table set out in Part A of the schedule below summarises the information we collect and hold, up to and including the shortlisting stage of the recruitment process, how and why we do so, how we use it, and with whom it may be shared.

4.2 The table in Part B of the schedule below summarises the additional information we collect before making a final decision to recruit (i.e., before making an offer of employment unconditional, how and why we do so, how we use it, and with whom it may be shared).

4.3 We seek to ensure that our information collection and processing is always proportionate. We will notify you of any changes to information we collect or to the purposes for which we collect and process it.

5. WHERE INFORMATION MAY BE HELD

Information may be held at our offices and those of our group companies, and third-party agencies, service providers, representatives, and agents as described above.

6. HOW LONG WE KEEP YOUR INFORMATION

6.1 We keep the personal information that we obtain about you during the recruitment process for no longer than is necessary for the purposes for which it is processed. How long we keep your information will depend on whether your application is successful and you become employed by us, the nature of the information concerned, and the purposes for which it is processed.

6.2 We will keep recruitment information (including interview notes) for no longer than is reasonable, taking into account the limitation periods for potential claims, such as race or sex discrimination (as extended to take account of early conciliation), after which they will be destroyed. If there is a clear business reason for keeping recruitment records for

longer than the recruitment period, we may do so, but will first consider whether the records can be pseudonymised and the prolonged period for which they will be kept.

- 6.3 If your application is successful, we will keep only the recruitment information that is necessary in relation to your employment. Further information can be found for Hyve employees within our Data Protection Privacy Notice (Employment).

7. YOUR RIGHT TO OBJECT TO US PROCESSING YOUR INFORMATION

Where our processing of your information is based solely on our legitimate interests (or those of a third-party), you have the right to object to that processing if you give us specific reasons why you are objecting, which are based on your particular situation. If you object, we can no longer process your information unless we can demonstrate legitimate grounds for the continuation of processing, which override your interests, rights and freedoms; or the processing is for the establishment, exercise, or defence of legal claims.

Please contact the Legal Executive, who can be contacted at legal@hyve.com, should you wish to object in this way.

8. YOUR RIGHTS TO ACCESS, CORRECT, OR REQUEST ERASURE OF YOUR INFORMATION

Please contact our Legal Executive, who can be contacted at legal@hyve.com if (in accordance with applicable law) you would like to correct or request access to information that we hold relating to you, or if you have any questions about this notice. You also have the right to ask the Legal Executive for some, but not all, of the information we hold and process to be erased (the 'Right to be Forgotten') in certain circumstances. The Legal Executive will provide you with further information about the Right to be Forgotten, if you ask for it.

9. KEEPING YOUR PERSONAL INFORMATION SECURE

- 9.1. We have appropriate security measures in place to prevent personal information from being accidentally lost, used, or accessed in an unauthorised way. We limit access to your personal information to those who have genuine business need to know status. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.
- 9.2. We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach, where we are legally required to do so.

10. COMPLAINTS

We hope that our Legal Executive can resolve any query or concern you raise about our use of your information. If not, please contact the applicable data protection authority in your state for further information about your rights and how to make a formal complaint.

11. DOCUMENT HISTORY

Revision Date	Version No.	Amendment	Authorised by:	New Version No.
19 th July 2022	1.1	Created by Jamie Todd	Laura Prees	1.2

31 st August 2023	1.2	Amended by Kaliah Barker	Jamie Todd	1.3
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THE SCHEDULE
THE INFORMATION WE COLLECT AND HOLD

Part A
Up to and including the shortlisting stage

THE INFORMATION WE COLLECT	HOW WE COLLECT INFORMATION	WHY WE COLLECT INFORMATION	HOW WE USE AND MAY SHARE INFORMATION
Your name and contact details (i.e., address, home and mobile phone numbers, email address)	From you	<ul style="list-style-type: none"> Legitimate interest: to carry out a fair recruitment process. Legitimate interest: to progress your application, arrange interviews and inform you of the outcome at all stages. 	<ul style="list-style-type: none"> To enable the manager of the relevant department to contact you to progress your application, arrange interviews and inform you of the outcome. To inform the relevant manager or department of your application.
Details of your qualifications, experience, employment history (including job titles, salary, and working hours) and interests	From you, in the completed application form and interview notes (if relevant)	<ul style="list-style-type: none"> Legitimate interest: to carry out a fair recruitment process. Legitimate interest: to make an informed decision to shortlist for interview and (if relevant) to recruit. 	<ul style="list-style-type: none"> To make an informed recruitment decision. The person making the shortlisting decision will receive pseudonymised or anonymised details only; if you are invited for interview, the interviewer will receive non-anonymised details.
Your racial or ethnic origin, sex and sexual orientation, religious or similar beliefs	From you, in a completed anonymised equal opportunity monitoring form	To comply with our legal obligations and for reasons of substantial public interest (equality of opportunity or treatment).	To comply with our equal opportunities monitoring obligations and to follow our equality and other policies
Details of your referees	From your completed application form	<ul style="list-style-type: none"> Legitimate interest: to carry out a fair recruitment process. In the regulated sector, to comply with our legal obligations to obtain regulatory references. 	<ul style="list-style-type: none"> To carry out a fair recruitment process. To comply with legal/regulatory obligations. Information shared with relevant managers, HR personnel and the referee.

If your application is unsuccessful at this stage, we will keep your information, in pseudonymised form, for the purpose of establishing, exercising and/or defending any legal claims, in accordance with our legitimate interests.

Part B
Before making a final decision to recruit

THE INFORMATION WE COLLECT	HOW WE COLLECT INFORMATION	WHY WE COLLECT INFORMATION	HOW WE USE AND MAY SHARE INFORMATION
<p>*Information about your previous academic and/or employment history, including details of any conduct, grievance or performance issues, appraisals, time and attendance, from references obtained about you from previous employers and/or education providers.</p>	<p>From your referees (details of whom you will have provided).</p>	<ul style="list-style-type: none"> • Legitimate interest: to make an informed decision to recruit. • To comply with our legal obligations. • Legitimate interests: to maintain employment records and to comply with legal, regulatory and corporate governance obligations and good employment practice. 	<ul style="list-style-type: none"> • To obtain the relevant reference about you. • To comply with legal/regulatory obligations. • Information shared with relevant managers and HR personnel.
<p>*Information regarding your academic and professional qualifications.</p>	<p>From you, from your education provider, from the relevant professional body.</p>	<ul style="list-style-type: none"> • Legitimate interest: to verify the qualifications information provided by you. 	<ul style="list-style-type: none"> • To make an informed recruitment decision.
<p>*Information regarding your criminal record, in a criminal records certificate (CRC), or enhanced criminal records certificates (ECRC), or appropriate documentation.</p>	<p>From you and from the Disclosure and Barring Service (DBS), or applicable record check database.</p>	<ul style="list-style-type: none"> • To perform the employment contract. • To comply with our legal obligations. • Legitimate interest: to verify the criminal records information provided by you. • For reasons of substantial public interest (preventing or detecting unlawful acts, suspicion of terrorist financing or money laundering in the regulated sector and protecting the public against dishonesty). 	<ul style="list-style-type: none"> • To make an informed recruitment decision. • To carry out statutory checks. • Information shared with DBS and other regulatory authorities as required.
<p>*Your nationality and immigration status and information from related documents, such as your passport or other identification and immigration information.</p>	<p>From you and, where necessary, the Home Office or applicable state department.</p>	<ul style="list-style-type: none"> • To enter into/perform the employment contract. • To comply with our legal obligations. • Legitimate interest: to maintain employment records. • To carry out obligations and 	<ul style="list-style-type: none"> • To carry out right to work checks. • Information may be shared with the Home Office.

		exercise rights in employment law.	
*A copy of your driving licence.	From you.	<ul style="list-style-type: none"> To enter into/perform the employment contract. To comply with our legal obligations. To comply with the terms of our insurance. 	<ul style="list-style-type: none"> To make an informed recruitment decision. To ensure that you have a clean driving licence. Information may be shared with our insurer.
* Data relating to your health.	From you and/or your medical practitioner.	<ul style="list-style-type: none"> To make an informed recruitment decision. To enter into/perform the employment contract. To comply with our legal obligations. 	<ul style="list-style-type: none"> Legitimate interests: to ensure you are fit to perform the duties. For the purposes of obligations and rights in employment and social security law.

If your application is unsuccessful at this stage, we will keep your information, in pseudonymised form, for the purpose of establishing, exercising and/or defending any legal claims, in accordance with our legitimate interests.

You are required (by law or in order to enter into your contract of employment) to provide the categories of information marked ‘*’ above to us to enable us to verify your right to work and suitability for the position.