

## RECRUITMENT PRIVACY NOTICE – LONDON OFFICE

### 1 INTRODUCTION

- 1.1 At Weil we take the protection of your Personal Data seriously and we are committed to safeguarding the privacy of the Personal Data you share with us, or which is collected by us during the course of our interactions with you.
- 1.2 This Recruitment Privacy Notice (“**RP Notice**”) sets out the basis on which Weil processes the Personal Data we collect from you when you apply for a permanent or fixed term role (e.g. as an employee, contractor, or partner), a vacation scheme, a fast track scheme, a work experience opportunity or an insight event/day, as well as the subsequent selection and onboarding process.
- 1.3 This RP Notice supplements and should be read together with Weil’s Privacy Policy – EU and UK (accessible [here](#)), as well as any other notices we may provide on specific occasions when we are collecting or processing your Personal Data.
- 1.4 References in this RP Notice to ‘employment’ or ‘work’ (and similar expressions) include any arrangement we may have under which an individual provides us with work or services, or applies for such work or services.

### 2 DEFINITIONS

- 2.1 “**Data Protection Legislation**” means any applicable law relating to the processing, privacy or use of Personal Data as applicable to Weil including the General Data Protection Regulation, Regulation 2016/679/EU (“**GDPR**”), the GDPR as it forms part of the law of England and Wales, Scotland and Northern Ireland by virtue of section 3 of the European Union (Withdrawal) Act 2018 (“**UK GDPR**”), the Data Protection Act 2018 and any national implementing laws, regulations and secondary legislation in the United Kingdom (“**UK**”) and European Union (“**EU**”).
- 2.2 “**Personal Data**” has the meaning given to it or any similar term (e.g. “personal information”, “nonpublic personal information”, “PII”, “personally referable information”) in applicable Data Protection Legislation and for the avoidance of doubt means any information which directly or indirectly identifies or otherwise relates to a living individual, which is in the possession or under the control of Weil (or its representatives or third party service providers). Such Personal Data may include, without limitation, the name, age, identification number, email address, address, telephone number, location data, financial data, or online identifier of that individual. In addition to factual information, such Personal Data includes any expression of opinion about a living individual and any indication of the intentions of Weil or any other person in respect of a living individual.
- 2.3 “**Process**”, “**processing**” or “**processed**” means any operation that is carried out in respect of Personal Data, including but not limited to collecting, storing, using, disclosing, transferring or deleting Personal Data.
- 2.4 “**Special Category Data**” means Personal Data revealing an individual's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation.
- 2.5 “**Weil**”, “**we**”, “**us**”, “**our**” means Weil, Gotshal & Manges (London) LLP and its Affiliated Entities, namely Weil, Gotshal & Manges (Paris) LLP, and other various entities formed and/or operating outside the UK and Belgium, some of which are formed and/or operating outside the European Economic Area (“**EEA**”), including Weil, Gotshal and Manges LLP formed under the law of the State of New York, USA.

### **3 PERSONAL DATA WE COLLECT AND RETAIN**

- 3.1** This RP Notice is issued on behalf of Weil as data controller of the Personal Data of yours that we process.
- 3.2** Weil generally processes Personal Data for the purposes of our business, including providing services to our clients, management, administrative, employment and for legal and regulatory purposes.
- 3.3** The types of Personal Data we process will vary depending on the opportunity you are applying for, your location and the terms and conditions of employment or engagement (if any) relevant to you.
- 3.4** We may collect the following information about you:
- (a)** Your name, address and contact details, including personal email address and telephone number, date of birth and gender;
  - (b)** The information you provide to us in your curriculum vitae and covering letter/email, including your employment and education history;
  - (c)** Any information you provide to us during an interview and in written or oral correspondence while making our enquiries during the recruitment or on-boarding process;
  - (d)** Information you provide in relation to your right to work documentation, including nationality and immigration status and information from related documents, such as your passport or other identification and immigration information;
  - (e)** Details of jurisdiction of qualification and professional memberships, such as Solicitors Regulation Authority (“SRA”) number and date of admission;
  - (f)** Details of salary and benefits, bank/building society, National Insurance and tax information; and
  - (g)** Information required as a result of legal, tax and regulatory requirements or internal policies.

### **4 SPECIAL CATEGORY DATA**

- 4.1** We may also collect, retain and use the following Special Category Data:
- (a)** Information about your health, including any mental health, medical, health and sickness records, including whether or not you have a disability for which we might have to make reasonable adjustments in the recruitment process; and
  - (b)** Equal opportunity monitoring information, including information about your racial or ethnic origin, sex and sexual orientation, gender identity and/or gender reassignment, disability and health conditions, religious or similar beliefs, and trade union membership.

### **5 CRIMINAL OFFENCE PERSONAL DATA**

- 5.1** If we offer you a role at Weil we will collect information about your criminal record, including the results of Disclosure and Barring Service (“DBS”) checks.

**5.2** We are required to carry out DBS checks in order to be satisfied that there is nothing in your criminal convictions history which may mean you are unsuitable for the role you have been offered.

**5.3** The SRA also requires Weil to carry out criminal records checks for persons carrying out particular roles.

## **6 HOW WE COLLECT THE PERSONAL DATA**

**6.1** You have no statutory or contractual obligation to provide Personal Data to us during the recruitment process, however if you fail to provide certain Personal Data when requested we may not be able to progress your application further.

**6.2** We may collect your Personal Data from various sources including:

- (a)** You, the candidate;
- (b)** Recruitment agencies and search consultants;
- (c)** Our employee screening provider;
- (d)** Our credit reference agency;
- (e)** Your named referees;
- (f)** From third party publicly accessible sources; and
- (g)** When we generate it ourselves.

## **7 PURPOSE AND LEGAL BASIS FOR PROCESSING**

**7.1** Your Personal Data may be processed by Weil for the following purposes:

- (a)** To carry out pre-employment, background and related checks and to conduct due diligence (such as to verify the details that you provide and to ensure that you are suitable for the role for which you have applied), as determined by applicable laws. Please note that it is our standard practice to request employment references once you have agreed, either verbally or in writing, to accept a position with Weil. This may involve the use of a credit reference agency or other third parties acting as our agents to conduct these verifications and searches. We will also screen against publicly available government and/or law enforcement agency sanctions lists;
- (b)** If your application is unsuccessful, we may keep your information on record to notify you of relevant job vacancies with Weil that may be of interest to you, in the future;
- (c)** For equal opportunity and diversity monitoring and policy purposes;
- (d)** To respond to your enquiries;
- (e)** For the management and administration of our business;
- (f)** To comply with and in order to assess compliance with applicable laws, rules and regulations (including tax reporting purposes pursuant to tax legislation), industry codes, voluntary codes we decide to adopt, or good practice, and internal policies and procedures;

- (g) For the purpose of, or in connection with, any legal proceedings (including prospective legal proceedings);
- (h) The administration and maintenance of databases storing Personal Data;
- (i) To comply with our contractual obligations; and
- (j) For purposes otherwise set out in this RP Notice or as notified to you at the specific time of collection.

7.2 Weil is entitled to use your Personal Data for the purposes listed above because of one or more of the following legal bases applies:

- (a) The performance of a contract with you, or to take steps to enter into a contract;
- (b) Compliance with legal and regulatory obligations (for example, employment law, health safety legislation, immigration law, SRA compliance, and other statutory requirements or codes of practice);
- (c) Our legitimate interests or those of a third party (such as a benefits provider), but only to the extent these are not overridden by your interests, rights or freedoms; or
- (d) Explicit consent.

7.3 We seek to ensure that the processing of Personal Data by us is always necessary and proportionate.

7.4 We will notify you of any material changes to Personal Data we collect or to the purposes for which we collect and process it.

## 8 HOW WE MAY SHARE PERSONAL DATA

8.1 Your Personal Data will be seen internally by members of the Recruitment and HR teams, hiring managers and, in some circumstances (if you are interviewing to join us), other prospective colleagues on a need-to-know basis only. We may also disclose your Personal Data to other employees of the firm where it is necessary for decision-making regarding your application; this will depend on the type of role for which you have applied.

8.2 We will only disclose your Personal Data outside Weil if disclosure is consistent with a ground for processing on which we rely and doing so is lawful and fair to you. We will disclose your data if it is necessary for our legitimate interests or the interests of a third party; but we will not do this if these interests are overridden by your interests and right to privacy. Any third party recipient of your Personal Data will be subject to confidentiality obligations. We may also be required to share some Personal Data with our regulators, or as required to comply with the law.

## 9 EXAMPLES OF DISCLOSURE

9.1 Specific circumstances in which your Personal Data may be disclosed include:

- (a) Disclosure to third party service providers to carry out reference checks, credit checks and other pre-employment screening checks and on-boarding activities in the event you accept an offer of employment or engagement from Weil;
- (b) Disclosure to organisations that process data on our behalf, such as our payroll service, insurers and other benefit providers, our bank and organisations that host our IT systems and data. This would normally occur if you accepted an offer from us and would be carried out as part of the onboarding process;

- (c) Disclosure to any regulator as necessary as part of the recruitment process (e.g. to conduct a section 43 Solicitors Act 1974 check with the SRA); and
- (d) To the extent required by law, or to establish, exercise or defend Weil's legal rights (which may include disclosure to regulatory bodies or government agencies).

## 10 WHERE PERSONAL DATA MAY BE PROCESSED

- 10.1 Due to the global nature of our business, Personal Data may be held at Weil, Gotshal & Manges (London) LLP offices in London and Brussels and at the offices of our Affiliated Entities and third party service providers. For this reason, Personal Data may be transferred internationally to countries outside the UK and EEA, including to jurisdictions that do not have data protection laws equivalent to those in the UK and EEA.
- 10.2 With respect to international transfers of Personal Data between Weil, Gotshal & Manges (London) LLP and Affiliated Entities, Weil undertakes to ensure your Personal Data receives a level of protection that is at least in line with the requirements of data privacy legislation applicable in the UK and EEA. These transfers are protected by means of international data transfer agreements that incorporate standard contractual clauses approved by the European Commission and/or the UK Parliament.
- 10.3 With respect to transfers of your Personal Data to third party service providers outside the UK and EEA, Weil will take steps to ensure your Personal Data receives an adequate level of protection, including by entering into international data transfer agreements (that incorporate standard contractual clauses approved by the European Commission and/or the UK Parliament) or by ensuring that third parties are certified under appropriate information security certifications or relevant data protection schemes.

## 11 HOW LONG WE KEEP YOUR PERSONAL DATA

- 11.1 Weil retains your Personal Data for the period necessary to satisfy the purpose for which it was collected, as required by applicable law, or in order to establish, exercise or defend potential legal claims or to pursue our legitimate interests.
- 11.2 The length of time for which we keep Personal Data collected during the recruitment process will depend on the type of role or opportunity for which you have applied. It is our general policy to retain potential personnel records until the end of Weil's recruitment process regarding your application, extended to cover the relevant statutory period or for the duration of any relevant legal proceedings.
- 11.3 If you become employed by us we will keep your Personal Data for the duration of your employment and for a period afterwards that is necessary to discharge the purposes for which it was originally collected or was further processed, or in order to comply with applicable legal retention periods. What is reasonably necessary will depend on the circumstances of each case.
- 11.4 If you would like more information about Weil's retention periods for recruitment activity, please contact us by email at [european.privacy@weil.com](mailto:european.privacy@weil.com) or by post at 110 Fetter Lane, London, EC4A 1AY, UK.

## 12 YOUR RIGHTS

- 12.1 The law gives you certain rights in respect of your data, including the right to:
  - (a) **Request access** to the Personal Data we hold about you. This helps you to understand how and why we are using your Personal Data and to check that we are doing so lawfully.

- (b) **Request rectification** of the Personal Data we hold about you, which enables you to have any inaccurate information we hold about you corrected.
- (c) **Request erasure** of your Personal Data in certain circumstances (known as the ‘right to be forgotten’).
- (d) **Request the restriction of processing** of your Personal Data, which 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.
- (e) **Request the transfer** of your Personal Data to another party (known as ‘data portability’).
- (f) **Object to processing** of your Personal Data where we are processing your Personal Data for the purpose of our legitimate interests (or those of a third party). Following receipt of your request, we will stop using your Personal Data unless we demonstrate a compelling legitimate ground to carry on using it, which overrides your interests, rights or freedoms (or where it is necessary for the establishment, exercise or defence of legal claims).
- (g) **Withdraw consent** of your Personal Data we hold about you (only available if the Personal Data was originally obtained by us because we asked for your consent to provide it).

12.2 These rights are subject to certain exemptions that Weil may need to apply, and certain rights (such as erasure) only apply in limited circumstances.

12.3 The circumstances in which you can exercise these rights are specified in the Data Protection Legislation.

12.4 If you have any questions about your rights, or if you would like to exercise your rights, please contact us by email at [europa.privacy@weil.com](mailto:europa.privacy@weil.com) or by post at 110 Fetter Lane, London, EC4A 1AY, UK.

## 13 KEEPING YOUR PERSONAL DATA SECURE

13.1 We maintain administrative, technical and physical safeguards to protect against loss, misuse or unauthorised access, disclosure, alteration or destruction of the Personal Data we collect and process.

13.2 We limit access to your Personal Data to those who have a genuine business need to know it. Those processing your Personal Data are required to do so only in an authorised manner and are subject to a duty of confidentiality.

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

## 14 AUTOMATED DECISION MAKING

14.1 Weil does not use any automated decision making as part of our recruitment processes.

## 15 RECRUITMENT QUERIES

15.1 You may contact Weil to find out more about your application and the recruitment process more generally by any of the following methods:

- (a) By emailing [lo.recruitment@weil.com](mailto:lo.recruitment@weil.com);

- (b) By writing to: Recruitment Team Weil, 110 Fetter Lane, London, EC4A 1AY, UK; or
- (c) By telephoning +44 (0) 20 7903 1000 and asking to speak with the Recruitment Team.

## **16 HOW TO COMPLAIN**

- 16.1** We will do our best to answer any query or resolve any concern you raise about our use of your Personal Data. If you have any complaints relating to our processing of your Personal Data you should raise these via email to [europa.privacy@weil.com](mailto:europa.privacy@weil.com) or by post to 110 Fetter Lane, London, EC4A 1AY, UK.
- 16.2** If for any reason we are unable to respond to your satisfaction you may contact the Information Commissioner's Office for further information about your rights and how to make a formal complaint at: [ico.org.uk/concerns/](https://ico.org.uk/concerns/) or telephone +44 (0) 0303 123 1113.