

## CANDIDATE PRIVACY NOTICE

Sirius Minerals Plc and its subsidiaries (**we, our, us, the Company**) is committed to protecting the privacy and security of your personal information. This notice describes how we collect and use personal information about you during the recruitment process, in accordance with the General Data Protection Regulation (**GDPR**).

The Company is a “data controller” and is responsible for deciding how we hold and use personal information about you and for communicating that with you.

This notice applies to all candidates and job applicants, including those that apply to work with the Company as employees, directors, workers, self-employed contractors, casual staff and work-experience students.

### Data protection principles

We will comply with UK data protection law at all times. This says that the personal information we hold about you must be:

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

### Personal information we hold about you

During any application or recruitment process we will collect, store and use the following categories of information about you:

- Personal contact details, such as name, title, addresses, date of birth, telephone numbers and personal email addresses contained in your CV, covering letter, telephone or text message or via our online portal;
- Information provided on our application form or via our online portal, including employment history, professional qualifications, employment preferences and salary expectations;
- Psychometric or other test results;
- Information provided or volunteered and recorded during any interview or selection process including marital status and dependants;
- Copy driving licence (if driving would form part of your role); and

- Necessary recruitment information, including copies of right to work documentation, reference and other information contained in a CV.

We may also collect, store and use the following “special categories” of personal data relevant to the recruitment process:

- Information about your health, including any medical condition, health and/or sickness records disclosed as part of the application process or following a medical assessment;
- Information about your race, ethnicity, religious beliefs, sexual orientation or political opinions; and
- Information about criminal convictions and offences.

### **How do we collect your personal information?**

We collect personal information about you either directly from you or from an employment agency. We may also collect additional information from third parties including:

- Former employers;
- Professional bodies;
- Regulatory authorities;
- Credit reference agencies;
- Background check agencies; and
- Named referees.

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

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to prepare for, enter into or perform a contract with you;
2. Where we need to comply with a legal obligation; and
3. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal information in the rare situations where we need to protect your vital interests (or someone else's vital interests) or where it is needed in the public interest.

We need the kind of information listed above to allow us to prepare for, enter into or perform and employment or work-related contract with you and to enable us to comply with our legal obligations. The situations in which we will process your personal information as a candidate are:

- Assess your skills, qualifications, experience and suitability for the work or role;
- Making a decision about your recruitment or appointment;
- Determining the terms on which you work for us;
- Checking you are legally entitled to work in the UK;
- Carrying out background and reference checks, where applicable;

- Communicating with you about the recruitment process;
- Arranging to administer any contract we enter into with you;
- Business management and planning, including accounting and auditing;
- Assessing educational, training and development requirements;
- Keeping records relating to our recruitment processes;
- Dealing with legal disputes involving you or other employees, workers or contractors; and
- Complying with our legal, regulatory or health and safety obligations.

Some of the above grounds for processing may overlap and there may be several grounds which justify our use of your personal data.

Having received your CV and covering letter OR your application form, we will process that information to decide whether you meet the basic requirements to be considered for the work. If you do, we will decide whether your application is strong enough to invite you for an interview. If we decide to invite you for an interview, we will use the information provided to us at the interview to decide whether to offer you the work. If we decide to offer you the work, we will then take up references before confirming your appointment.

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

If you fail to provide certain 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 to a conclusion.

#### **Change of purpose**

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## **Sensitive personal information**

We may process “special categories” of personal information where we have justification to do so in the recruitment process and in line with our normal data protection procedures, including:

1. Where we need to carry out our legal obligations;
2. Where it is needed in the public interest, such as for equal opportunities monitoring;
3. Where it is needed to assess your working capacity on health grounds; or
4. Where we have your explicit written consent.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your (or someone else’s) interests and you are not capable of giving your consent.

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

- Information about your physical or mental health, or disability status, to consider whether we need to provide appropriate adjustments during the recruitment process;
- Information about your physical or mental health, or disability status, to assess your fitness to work in the role and/or to provide appropriate workplace adjustments; and
- Information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

## **Circumstances in which we do not envisage using your information**

We do not envisage that we will hold information about candidate’s criminal convictions, other than where there is a legal or similar requirement for us to carry out a criminal record check for those carrying out a particular role or type of work, or where the role requires a high degree of trust and integrity (see above).

## **Data sharing**

We may have to share your data with third parties, including third-party service providers and other entities in the group. We require any such third parties to respect the confidentiality and security of your data and to treat it in accordance with our instructions and the law.

We may transfer, store or process your personal information in locations outside the UK and the European Economic Area (EEA). Where the countries to which your personal information is transferred do not offer an equivalent level of protection for personal information to the laws of the UK, we will ensure that appropriate safeguards are in place.

We will only share your personal information with the following third parties for the purposes of processing your application:

- Search or recruitment consultancies
- Credit reference agencies;
- Background check agencies; and
- Main Contractors of the project where we have your consent to do so.

### **Data security**

We have put in place appropriate security measures to prevent candidate personal information being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. We also limit access to candidate personal data to those employees and other individuals who have a business need to know and who 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 the relevant regulator of a suspected breach when we are legally required to do so.

Registration and applicant data will be stored on a web-based recruitment database hosted by Recsite. The database is password protected and only used by HR or authorised personnel within the Company or its Contractors. All personal identifiable information that is uploaded to Recsite can be amended, updated and deleted by you, the candidate.

On an annual basis the Company will prompt you to update or delete your information from our recruitment database.

### **Data retention**

We will only retain candidate's personal information for as long as necessary for the recruitment purposes it was collected for. We normally retain candidate details for the following periods, following which it will be securely destroyed:

- Unsuccessful applicants for an advertised role or contract: 6 months after recruitment decision unless candidate has consented to a longer retention period;
- Speculative applicants: 12 months after receipt of candidate information unless consented to longer; and
- Successful applicants: retention in line with the Company's usual retention policies as outlined in the Staff Privacy Notice.

If we wish to retain your personal information on file, on the basis that a further opportunity may arise in the future and we may wish to consider you for that, we will seek your consent to retain your personal contact information on that basis.

In some circumstances (such as recruitment statistics and equal opportunities monitoring) we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

### **Your rights and duties**

Please inform us if your personal information changes whilst you are a candidate under consideration for work with the Company and/or if you have otherwise consented for your personal information to be retained beyond normal retention periods in case further work opportunities arise.

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

- **Request access** to your personal information (commonly known as a "data subject access request");
- **Request correction** of the personal information that we hold about you;
- **Request erasure** of your personal information;
- **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;
- **Request the restriction of processing** of your personal information; and
- **Request the transfer** of your personal information to another party.

If you want to exercise these rights, please contact the Recruitment, Training & Development Officer, Katie Bringham in writing. You may be required to provide specific information to ensure that you are entitled to access the information but you will not normally have to pay a fee to access your personal information.

**If you have any questions about this candidate privacy notice please contact a member of the HR Team at [recruitment@siriusminerals.com](mailto:recruitment@siriusminerals.com).**

Date: 22 May 2018