

CANDIDATE PRIVACY NOTICE

What is the purpose of this document?

We are Clare Tourism Development DAC ("CTD DAC a company incorporated in Ireland with company number 722329 and having its registered office at Bellevue House, Harmony Row, Ennis, Co Clare, Ireland, V95 FX32.

This privacy notice summarises how and why CTD DAC use your personal data when you apply for employment or engagement with us (whether as an employee, worker, or contractor). It provides you with certain information that must be provided under the General Data Protection Regulation (EU) 2016/679 (the "GDPR") and the Data Protection Act 2018 (the "DPA").

This privacy notice is non-contractual, and we may amend it from time to time. By applying for employment or engagement with us, you acknowledge the terms of this privacy notice and the use and disclosure of your personal data as set out in this privacy notice.

CTD DAC is a "data controller" which means that we are responsible for deciding how we hold and use personal information about you. In this notice we provide examples of how personal data is collected and how it is used. You can contact our Data Protection Officer (via the email address at the bottom of this document) if you have any questions about this notice, would like further information about the points raised or to exercise any of your rights.

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, title, address, telephone number, personal email address, date of birth, PPS number, nationality, gender, education and qualifications, membership of professional bodies, employment history, qualifications, right to work in Ireland documentation, visa details (if appropriate).
- Any information you provide to us during an interview.
- Any test/assessment centre results and/or presentations delivered during the interview process.

We also collect, store, and use the following “special categories” of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, and political opinions.
- Information about your health, including any medical condition, health and sickness records.

Please note that the above is not exhaustive

HOW IS YOUR PERSONAL INFORMATION COLLECTED?

We collect personal information about candidates from the following sources:

- You, the candidate.
- Third parties such as LinkedIn and recruitment websites, as well as any information obtained from a recruitment agency (if your application was forwarded by them), from which we collect the following categories of data: CV, right to work in Ireland documentation, home address, and personal contact details.
- Garda Vetting in respect of criminal convictions – where appropriate
- Your named referees, from whom we collect the following categories of data: Employer references: employment dates, and history, competency ratings, disciplinary information, whether they would re-employ. Character references: character against person specification.

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.
- Communicate with you about the recruitment process.
- Keep records related to our hiring processes.
- Comply with legal or regulatory requirements.

It is in our legitimate interests to decide whether to appoint you to the vacancy 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.

Having received your application documents, we will then process that information to decide whether you meet the basic requirements to be shortlisted for the role. If you do, we will decide whether your application is strong enough to invite you for an interview. If we decide to call you for an interview, we will use the information you provide to us at the interview to decide whether to offer you the role. If we decide to offer you the role, we will then take up references and/or carry out a criminal record and/or carry out any other relevant checks before confirming your appointment.

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 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 the interview.
- We will use information about your age, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation (if relevant) to ensure meaningful equal opportunity monitoring and reporting.

INFORMATION ABOUT CRIMINAL CONVICTIONS

Depending on the role, we may need to process information about criminal convictions. We will collect information about your criminal conviction history (to the extent that this is appropriate and in accordance with local laws) 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 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: referees, Garda Vetting service. All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. 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.

DATA SECURITY

The security of your data is extremely important to us. We will take all reasonable precautions necessary to protect your personal data from misuse, interference and loss, and unauthorised access, modification, or disclosure.

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?

We will not keep your personal data for longer than is necessary for the purposes for which we have collected it, unless we believe that the law or other regulation requires us to keep it (for example, because of a request by a tax authority or in connection with any anticipated litigation) or if we require it to enforce our agreements.

We will retain your personal information for a period of 12 months after we have communicated to you our decision about whether or not to appoint you to the role. We retain your personal information for that period 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.

Applicants who are unsuccessful either at the application stage or after their interview can request to have their data deleted from our systems. If a request is made, this will be deleted once 6 months has lapsed from the date of their application.

If you have accepted a role with us, your details will be retained for 6 years from the date you leave CTD DAC, and your data will be handled in accordance with our staff privacy policy. This does not affect your rights as set out below.

What is our policy on Cookies?

Cookies are small data files sent by a website to your computer that are stored on your hard drive when you visit certain online pages of our website.

Cookies allow the website to identify and interact with your computer; We do not use cookies to retrieve information that was not originally sent by us to you in a cookie.

You can set your browser to accept or reject all cookies, or notify you when a cookie is sent. If you reject cookies or delete our cookies, you may still use our websites, but you may have reduced functionality and access to certain areas of our websites or your account.

RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

Your rights in connection with personal information

One of the GDPR's main objectives is to protect and clarify the rights of Irish citizens and individuals in Ireland with regards to data privacy. Even if we already hold your personal data, you still have various rights in relation to it, which we have set out below.

To get in touch about these rights, please contact us. We will seek to deal with your request without undue delay, and in any event within one month (subject to any extensions to which we are lawfully entitled). Please note that we may keep a record of your communications to help us resolve any issues which you raise.

The GDPR gives you the following rights in relation to your personal data:

Right of Access:

You have a right to know what personal data we hold on you, and to receive copies of that personal data, to know why we hold the data and how we are using the data. When submitting your request, please provide us with as much detail as possible to help us identify the information you wish to access (i.e. date range, subject of the request). If we provide you with access to the information we hold about you, we will not charge you for this unless your request is "manifestly unfounded or excessive". If you request further copies of this information from us, we may charge you a

reasonable administrative cost. Where we are legally permitted to do so, we may refuse your request. If we refuse your request, we will tell you the reasons for doing so.

Right to Rectification:

You have a right to request that the personal data held in relation to you is up to date and accurate.

Where information is inaccurate or incomplete, we encourage you to contact us to have this information rectified. Upon receipt of your request, we will ensure that the personal data is rectified and as up to date as is reasonably possible.

Right to Erasure:

You have the right to seek the erasure of personal data relating to you in the following circumstances:

- The personal data is no longer required for the purposes for which it was obtained.
- Where the use of the data is only lawful on the basis of consent, you withdraw consent to the processing, and no other lawful basis exists.
- The personal data is being used unlawfully.
- You object to the use of your personal data and there are no overriding legitimate grounds for the use of the data.
- Your personal data requires deletion in line with legal requirements.

We would only be entitled to refuse to comply with your request for erasure for one of the following reasons:

- to exercise the right of freedom of expression and information.
- to comply with legal obligations or for the performance of a public interest task or exercise of official authority.
- for public health reasons in the public interest.
- for archival, research or statistical purposes; or
- to exercise or defend a legal claim.

We will be unable to fulfil an erasure request if the personal data is required for execution of an employee's active employment contract and those no longer in active employment.

Right to Object:

You have the right to object to the further use of your personal data where:

- The lawfulness of the use of your personal data by us is reliant on the basis of our legitimate interests.
 - Where the data is non-sensitive and being used for reasons in the public interest.
 - Where the data is being used for direct marketing purposes.

If you wish to object to the use of your data, please contact us with your request.

Right to Restrict Processing:

You have the right to request that we restrict our processing of your personal data in certain circumstances. This means that we can only continue to store your data and will not be able to carry out any further processing activities with it until either: (i) one of the circumstances listed below is resolved; (ii) you consent; or (iii) further processing is necessary for either the establishment, exercise or defence of legal claims, the protection of the rights of another individual, or reasons of important public interest.

The circumstances in which you are entitled to request that we restrict the processing of your personal data are:

- Where you believe the personal data is not accurate (restriction period will exist until we update your information).
- Where the processing of the personal data is unlawful, but you wish to restrict the use of the data rather than erase it.
- Where we no longer require the personal data, but you require the retention of the data for the establishment, exercise, or defence of a legal claim.
- You have a pending objection to the future use of your personal data.

Right to Data Portability:

You have the right to the provision of all personal data that you have provided to CTD DAC in relation to you in a structured, commonly used, and machine-readable format where:

- The lawfulness of the use of your personal data by us is reliant on the basis a contract.
- The lawfulness of the use of your personal data by us is reliant on the provision of your consent.
- The data is being utilised by fully automated means.

You may also request that we send this personal data to another legal entity where technically feasible.

We will refuse such a request if the data being requested may adversely affect the rights and freedoms of others.

If you wish to exercise any of these rights, please put your request in writing and email it to DPO-FOI@claretourismdev.ie or send it for the attention of the Data Protection Officer, Clare Tourism Development DAC, Harmony Row, Ennis, Co Clare, Ireland, V95 FX35.

FURTHER INFORMATION AND MAKING A COMPLAINT

We have appointed a Data Protection Lead to oversee compliance with this privacy notice.

If you require further information about the way your personal data will be used, or if you are unhappy with the way we have handled your personal data and wish to contact us, please submit your concerns to DPO-FOI@claretourismdev.ie

You also have the right to lodge a complaint to the Data Protection Commission (DPC) about how we have used your personal data. To contact the ICO please use the following details: Telephone: (01) 765 0100 or 1800 437 737 / Website: www.dataprotection.ie

Legal bases for processing your data

We have to have lawful reasons for holding personal information. The reasons that are deemed to be lawful are set out in the GDPR and the DPA, and the ways in which we are lawfully able to process your data are:

- where using your data is in our legitimate interests, to ensure the smooth running of our recruitment process.
- where you give us consent to use your personal data, as long as that consent is given freely and without pressure, and where you are kept fully informed.
- where processing your personal data is necessary to establish, exercise or defend legal claims.
- where processing your personal data is necessary for us to carry out our legal obligations, including our employment and social security law obligations and/or and
- where processing your personal data is necessary for us to ensure our compliance with our equal opportunity's obligations.