

## LONDON APPLICANT PRIVACY NOTICE

### 1. OUR APPROACH TO PRIVACY

- 1.1 Orrick, Herrington & Sutcliffe (UK) LLP and Orrick, Herrington & Sutcliffe (Europe) LLP has prepared this privacy notice to explain how we collect, use and otherwise handle data that identifies or is associated with you ("**personal information**") when you apply for a position with Orrick.
- 1.2 The Orrick entity to which you submit your application is the data controller of your personal information, which means they exercise overall control of the personal information being processed and are responsible to you for how your personal information is used. References to "**Orrick**", "**we**" or "**us**" in this notice are references to that entity. If you are unsure which Orrick entity is the data controller of your personal information, please contact our Data Privacy Officer using the contact details at the end of this notice.
- 1.3 It is important that you read this privacy notice, so that you know how and why we collect certain types of personal information, how we will use your personal information and your rights in respect of your personal information.
- 1.4 This privacy notice supplements and should be read together with the '[Orrick privacy notice](#)' which applies to all personal information collected on our websites.

### 2. PERSONAL INFORMATION WE COLLECT ABOUT YOU AND HOW WE USE IT

#### Personal information we collect

- 2.1 In connection with your application for work with us, we will collect the following categories of personal information about you:
- The information you have provided to us in your CV and covering letter.
  - The information you have provided on our application form, including your name, title, address, telephone number, personal email address, date of birth, gender, employment history and qualifications.
  - Any information you provide to us during an interview.
- 2.2 We may also collect, store and use the following types of more sensitive personal information:
- **Equal opportunities information:** including information about your race or ethnicity, religious beliefs and sexual orientation.
  - **Medical information:** including information about your health, and disabilities.
  - **Criminal records data:** including information about any criminal convictions and offences.
- 2.3 The types of personal information we collect will vary depending on the nature of the position and role you are applying for.

- 2.4 We initially collect your personal information directly from you when you submit your CV or application to us, or when you communicate with us in respect of an application. We may also collect personal information about you from other parties, such as information provided by recruiters, executive search firms, referees and referrals from our employees or clients. If we decide to offer you employment, we may also collect the results of any background checks against public or government databases.

#### **How we use it**

- 2.5 Your personal information will be used to assess your suitability for employment.
- 2.6 You may also be invited to provide information to enable us to prepare anonymised statistical reports to assess the effectiveness of our equal opportunities and diversity efforts. The provision of this information is entirely voluntary, and it is not used in any part of our recruitment processes.
- 2.7 When we collect your personal information, we will inform you if the information is mandatory or optional. If you do not provide any information which is marked as mandatory, we will not be able to process your application successfully.
- 2.8 The table in the Annex sets out the categories of personal information we collect about you and how we use that information. The table also lists the legal basis which we rely on to process the personal information.

### **3. HOW LONG WE KEEP YOUR PERSONAL INFORMATION**

- 3.1 We will store the personal information we collect about you for no longer than necessary for the purposes set out in the Annex and in accordance with our legal obligations and legitimate business interests.
- 3.2 If your application is successful and you become an employee, consultant or contractor of Orrick, or are engaged as temporary or agency staff by Orrick, the personal information we collect during the application process may be transferred to your personnel file and stored and used for purposes connected with your employment or engagement by Orrick.
- 3.3 If your application is not successful or you decide not to accept a position that we offer to you, we will keep your personal information for no longer than 12 months, and you may be considered for other roles which might be of interest to you. If you have sent us a speculative CV or application, your personal information will be retained for no longer than 2 years.

### **4. RECIPIENTS OF PERSONAL INFORMATION**

- 4.1 We may share your personal information with the following (as required in accordance with the uses set out in Annex):
- (a) **Other Orrick entities:** we are part of the “Orrick Group” which consists of Orrick, Herrington & Sutcliffe LLP a Californian limited liability partnership, and other

undertakings that are authorised to carry the name "Orrick" and / or are otherwise connected with it. The Orrick Entities, whilst separate legal entities, operate together under the "Orrick" brand and in so doing, share for example IT, administrative systems, human resource, legal and compliance responsibilities. As a result, personal information may be transferred to other entities within the Orrick Group which are involved in the processing of personal information for recruitment purposes. A list of Orrick entities can be found under 'Affiliates' at [www.orrick.com/Privacy-Policy](http://www.orrick.com/Privacy-Policy).

- (b) **Service providers and advisors:** we may share your personal information with third party vendors and other service providers that perform recruitment related services for us or on our behalf, which may include recruitment agents and consultants, background screening and talent management software platforms such as Micron Systems.
- (c) **Law enforcement, regulators, government bodies and other parties for legal reasons:** we may share your personal information with third parties as required by law or if we reasonably believe that such action is necessary to make or defend a legal claim.

## 5. CONSENT

- 5.1 We are not required to obtain your consent for most of the processing activities that we undertake in respect of your personal information.
- 5.2 We may, however, need your consent for some uses of certain personal information. For instance, in certain circumstances, we may need your consent to use certain "sensitive" information, such as information about your health or ethnicity, in particular ways.
- 5.3 If we need your consent, we will notify you of the personal information we intend to use and how we intend to use it.
- 5.4 You will never be obliged to provide consent. Where you have given us consent to collect, use or disclose your personal information in a certain way, you may withdraw your consent at any time. If you wish to withdraw any consent that you have given us, please contact us using the details below.

## 6. STORING AND TRANSFERRING YOUR PERSONAL INFORMATION

- 6.1 **Security.** We implement appropriate technical and organisational measures to protect your personal information against accidental or unlawful destruction, loss, change or damage. All personal information we collect will be stored on secure servers. Where we transfer personal information to others, we will ensure that the recipients also implement appropriate technical and organisational security measures to protect your personal information.

6.2 **International Transfers of your Personal Information.** The personal information we collect may be transferred to and stored in countries outside of the jurisdiction in which you provide it. If you are based in the UK or the European Economic Area (EEA), please note that where necessary your personal information may be processed by other Orrick entities and service providers outside the UK and EEA, such as the United States of America. These international transfers of your personal information will be made pursuant to appropriate safeguards, such as standard data protection clauses adopted by the European Commission. If you wish to enquire further about these safeguards used, please contact us using the details set out at the end of this privacy notice.

## 7. YOUR RIGHTS IN RESPECT OF YOUR PERSONAL INFORMATION

7.1 You have the following rights in respect of the personal information that we hold about you:

- (a) **Right of access.** You have the right to obtain:
  - (i) confirmation of whether, and where, we are processing your personal information;
  - (ii) information about the categories of personal information we are processing, the purposes for which we process your personal information and information as to how we determine applicable retention periods;
  - (iii) information about the categories of recipients with whom we may share your personal information; and
  - (iv) a copy of the personal information we hold about you.
- (b) **Right of portability.** You have the right, in certain circumstances, to receive a copy of the personal information you have provided to us in a structured, commonly used, machine-readable format that supports re-use, or to request the transfer of your personal information to another person.
- (c) **Right to rectification.** You have the right to obtain rectification of any inaccurate or incomplete personal information we hold about you without undue delay.
- (d) **Right to erasure.** You have the right, in some circumstances, to require us to erase your personal information without undue delay if the continued processing of that personal information is not justified.
- (e) **Right to restriction.** You have the right, in some circumstances, to require us to limit the purposes for which we process your personal information if the continued processing of the personal information in this way is not justified, such as where the accuracy of the personal information is contested by you.
- (f) **Right to object.** You have a right, in some circumstances, to object to any processing based on our legitimate interests. There may, however, be compelling

reasons for continuing to process your personal information, and we will assess and inform you if that is the case.

7.2 If you wish to exercise one of these rights, please contact the Data Privacy Officer.

## **8. CHANGES TO THIS NOTICE**

We may update this privacy notice from time to time and so you should review this page periodically. When we change this privacy notice in a material way, we will update the "last modified" date at the end of this privacy notice. Changes to this privacy notice are effective when they are posted on this page.

## **9. CONTACTING US**

9.1 Please contact the Data Privacy Officer at [dpo@orrick.com](mailto:dpo@orrick.com) if you have any questions, comments, concerns and requests regarding this privacy notice.

9.2 If we are unable to deal with any issues you raise with us, you also have the right to lodge a complaint to the Information Commissioner's Office. Please visit <https://ico.org.uk/> for further information.

9.3 This privacy notice was last modified on 12 January 2021.

## ANNEX – PERSONAL INFORMATION WE COLLECT

| Category of personal information   | How we use it  | Legal basis for the processing  |
|--|--|---|
| <b>Personal contact details</b> , such as your name, phone number, date of birth, address and e-mail address.  | We use this information to open and maintain applicant records.  | The processing is necessary for our legitimate interests, namely managing job applications for positions with Orrick.                                   |
|  | We use this information to communicate with you as part of the recruitment process.                              | The processing is necessary for our legitimate interests, namely communicating with applicants and managing job applications for positions with Orrick. |
|  | We use this information to conduct identity and background checks.   | The processing is necessary for compliance with a legal obligation to which we are subject.   |
| <b>Job application information</b> , such as position applied for, previous roles, job description, responsibilities and assignments, years of service, qualifications and experience, and other information contained in your CV. | We use this information to process and assess your application, including assessing your suitability for a role. | The processing is necessary in order to take steps prior to entering into a contract with you.  |
|  | We use this information to calculate proposed salary and assessing eligibility for certain benefits.             | The processing is necessary in order to take steps prior to entering into a contract with you.  |
|  | We use this information to monitor and improve our application process.  | The processing is necessary for our legitimate interests, namely reviewing and updating our applications process.                                       |

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| <b>Results of reference checks and screening</b> , such as verification of education and employment history.   | We use this information to process and assess your application, including assessing your suitability for a role.   | The processing is necessary in order to take steps prior to entering into a contract with you. |
|  | We use this information to fulfil our obligations under applicable law, regulations, legal processes or enforceable government requests.   | The processing is necessary for compliance with a legal obligation to which we are subject.    |
| <b>Results of background checks</b> , such as criminal records checks, disbarment checks and other searches relevant to the role for which you are applying.   | We use this information to verify your suitability for a role, where the nature of the role requires additional background checks (e.g. disbarment or criminal record searches). | The processing is necessary for compliance with a legal obligation to which we are subject     |
| <b>Nationality, citizenship and right to work information</b> , such as country of birth, government identification documents (including passports and residency permits) and, where relevant, visa information. | We use this information to determine your eligibility to work.   | The processing is necessary for compliance with a legal obligation to which we are subject.    |
|  | We use this information to fulfil our obligations to relevant government authorities.  | The processing is necessary for compliance with a legal obligation to which we are subject.    |
| <b>Interview evaluation and appraisal information</b> , such as comments and notes made by interviewers or other Orrick employees in connection with your application.   | We use this information to process and assess your application, including assessing your suitability for a role.   | The processing is necessary in order to take steps prior to entering into a contract with you. |
|  | We use this information to calculate proposed salary and assessing eligibility for certain benefits.   | The processing is necessary in order to take steps prior to entering into a contract with you. |

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|   | We use this information to monitor and improve our application process.  | The processing is necessary for our legitimate interests, namely assessing and managing applications for positions with Orrick. |
| <b>Any other data provided by you in the course of the application process</b> , including electronic communications with you in relation to the application process. | We use this information to process and assess your application, including assessing your suitability for a role. | The processing is necessary in order to take steps prior to entering into a contract with you.                                  |
|   | We use this information to respond to your enquiries and to monitor and improve our application process.         | The processing is necessary for our legitimate interests, namely managing applications and improving the application process.   |
| <b>Equal opportunities monitoring information</b> , such as information relating to your gender, ethnicity, religion and sexual orientation.                          | We will anonymise and aggregate this information to monitor and improve our application process.                 | We will only process this personal information to the extent that you have given us your explicit consent to do so.             |