

Somerset Capital Management

Privacy Notice for UK Candidates

About this document

Somerset Capital Management LLP (a limited liability partnership registered in England and Wales with registration number OC327862 and registered with the UK Information Commissioner's Office with registration number Z1371062) and Somerset Capital Management Limited (a company registered in England and Wales with registration number 06285777 and registered with the UK Information Commissioner's Office with registration number Z1371031) both having their registered office at 28 Ely Place, 3rd Floor, London, EC1N 6TD (referred to in this document as "**Somerset**", "**we**", "**our**" or "**us**") may each be a data controller of your personal data and subject to the General Data Protection Regulation (the "**GDPR**").

This privacy notice explains why and how Somerset processes the personal data of individuals who have expressed an interest in working for us ("**candidate**", "**you**" or "**your**").

This privacy notice was updated on 8 October 2018 and supersedes any previous privacy notice or similar terms provided by, or on behalf of, Somerset in connection with your interest in or application for a role with us.

How we collect your information

We may collect your personal data in a number of ways, for example:

- when you contact us to enquire about employment opportunities and ask us to keep your personal data on file;
- when you submit a formal application to work for us and provide your personal data in application forms and covering letters, etc.; and
- from third parties (for example through background screening checks) and your previous or current employers, or those to whom you have provided consultancy services, in order to verify details about you and/or your application to work for us.

The types of information we collect

We may collect the following types of personal data about you:

- contact and communications information, including your contact details (including email addresses, telephone numbers and postal addresses) and records of communications and interactions we have had with you;
- biographical, educational and social information, including: your name, title, gender, nationality and date of birth; details of your education and references from your institutions of study; your interests and extra-curricular activities, where relevant for your application; and information you have publicly shared on social media (such as LinkedIn);
- work-related information, including details of your work history and references from your previous employer(s) or those to whom you have provided consultancy services and any other information relevant to your application to work for Somerset.

We may also collect special categories of data and information about criminal convictions and offences ("**sensitive personal data**"), including:

- information concerning your health and medical conditions (for example, any that would require adjustments to your working conditions or environment); and
- information about certain criminal convictions (for example, where this is necessary for due diligence purposes, compliance with our regulatory obligations or employment law);

where this would be necessary for your employment or other engagement to work for Somerset (should your application be successful).

How we use your information

The purposes for which we will use personal data (including, sensitive personal data, where applicable) we collect in connection with your employment or other engagement with us include:

- providing you with information about Somerset and what it is like to work for us (where you have asked for this, most obviously before you have made a formal application to work for us);
- administering job applications and, where relevant, offering you a job with us; and
- carrying out due diligence checks on you during the application process for a role including by checking references in relation to your education and your employment history and carrying out background screening checks.

We may process sensitive personal data, in particular, for the purposes of considering whether a candidate's physical or mental health or condition(s) require us to provide appropriate adjustments during the recruitment process.

The basis for processing your information and how we use it

We will process your personal data for the above purposes because:

- it is necessary in order to take steps at your request prior to entering into an employment contract or equivalent (for contractors);
- it is necessary for our or third parties' legitimate interests. Our "legitimate interests" include our commercial interests in hiring the best available candidates, operating our business in a client-focused, efficient and sustainable manner, in accordance with all relevant legal and regulatory requirements;
- it is necessary for the establishment, exercise or defence of legal claims (for example, to defend our decisions about who we do and do not offer a role with us); and
- we have your specific or, where necessary, explicit consent to do so.

Importantly, we may also process your personal data in order to comply with our legal obligations. In this respect, we may use your personal data for the following:

- to meet our compliance and regulatory obligations, such as compliance with anti-money laundering laws, all applicable FCA rules and tax reporting requirements;
- to exercise or perform any right or obligation conferred or imposed by law in connection with employment or the engagement of non-employee staff; and
- for the prevention and detection of crime and in order to assist with investigations (including criminal investigations) carried out by the police and other competent authorities, including the FCA.

Sharing your information with others

For the purposes referred to in this privacy notice and relying on the bases for processing as set out above, we may share your personal data with certain third parties, including third party service providers where required by law, where it is necessary to administer the recruitment process or where we have another legitimate interest in doing so. All our third party service providers are required to take appropriate security measures to protect your personal information in line with our policies.

International data transfers

In the course of your application, some of the personal data we process about you may be transferred to, and stored at, a destination outside of the European Economic Area ("EEA") in countries or territories that do not provide the same level of protection for personal data as the EEA does. Where this happens, we will put in place appropriate measures to ensure the adequate protection of your personal data when it is transferred outside of the EEA, as required by the GDPR.

In these circumstances, your personal data will only be transferred on one of the following grounds:

- the country or territory to which the transfer is made ensures an adequate level of protection for personal data;
- Somerset and the recipient of the personal data outside the EEA have signed a form of model data protection clauses (standard contractual clauses) approved by the European Commission; or
- there exists another situation where the transfer is permitted under applicable law (for example, where we have your explicit consent to make the transfer).

You can obtain more details of the protection given to your personal data when it is transferred outside the EEA (including a copy of the standard contractual clauses which Somerset has entered into with recipients of your personal data) by contacting us using the details set out below.

How long your information is kept

Subject to any other notices that we may provide to you, we may retain your personal data for a period of up to 12 months after we have communicated to you our decision about whether to appoint you to the position. 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.

If we wish to retain your personal information on file, on the basis that a further opportunity may arise in future and we may wish to consider you for that, we will write to you separately, seeking your specific consent to retain your personal information for a fixed period on that basis.

Your rights in relation to your personal data

Under the GDPR, you have the following rights in relation to our processing of your personal data. Please note that these rights are not absolute, and we may be entitled (or required) to refuse requests where exceptions apply.

- to obtain access to, and copies of, the personal data that we hold about you;
- to require us to correct the personal data we hold about you if it is incorrect;
- to require us to erase your personal data in certain circumstances;
- to require us to restrict our data processing activities in certain circumstances;
- to object, on grounds relating to your particular situation, to any of our particular processing activities where you feel this has a disproportionate impact on you;
- to receive from us the personal data we hold about you which you have provided to us, in a reasonable format specified by you, including for the purpose of you transmitting that personal data to another data controller (including another investment firm); and
- where our processing is based on your consent, you may withdraw that consent without affecting the lawfulness of our processing based on consent before its withdrawal.

If you are not satisfied with how we are processing your personal data, you can raise a concern with the Information Commissioner. You can also find out more about your rights under data protection legislation from the Information Commissioner's Office website available at: www.ico.org.uk.

Contact us

If you have any comments or questions about how we process your personal data, you can contact Robert Diggle by writing to us at: Somerset Capital Management LLP, Manning House, 22 Carlisle Place, London, SW1P 1JA. Alternatively, you can contact him by email: robert@somersetcm.com or by telephone: +44 (0)20 7259 1300.