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General Data Protection Regulation

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Introduction

A significant part of recruitment is collecting, handling, and sharing data, and for many recruitment professionals, a complete candidate database is one of the most valuable business systems we can offer. By now you've probably heard and read about the new EU data processing law coming into play, and may have wondered how this will impact the way we collect, handle and retain data - and it turns out what this means for you. Here at JP Smith Recruitment and Human Resources we've worked hard to be ahead of the game and be compliant with this new law (also referred to as 'the GDPR'), and prepare our processes.

Regardless of whether you provide goods and/or services to people in the EU Member States, this new law will most likely impact all of us in some way, so read on to learn more about the GDPR and how JP Smith Recruitment and Human Resources is here to support our clients and candidates through this transition.

**Disclaimer: The following information should only act as guidelines and mostly represent our point of view. We recommend you consult your legal advisor on this matter. We will not assume legal liability for the accuracy of any information provided in whole or in part within this article.*

What is the GDPR?

The General Data Protection Regulation (GDPR) was approved by the EU parliament in April 2016 and will have effect from 25 May 2018. It is designed to regulate how personal data can be used by businesses, and replaces the existing Data Protection Directive (which was designed before cloud computing, and even the internet, became mainstream).

Does it apply to our data?

If we handle any data for candidates and clients who are currently in the EU these data regulation updates apply to us. Note, at this stage, it does not apply to Australia (but we believe it is "best practice" and are therefore, adopting it).

What are we doing to prepare for GDPR?

Whilst the GDPR guidelines leave much to interpretation, there are seven key areas that recruitment businesses can focus on to ensure they are handling data in an acceptable manner. We are confident we are following these:

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1. Obtain Explicit Consent

We gain your consent for us to process your data. This covers both data that is currently on your system and all future data collected. This is done when you sign our registration form or our terms of business.

At JP Smith Recruitment and Human Resources, we have updated our default job application forms to ensure our consent mechanism is compliant with the requirements of GDPR.

2. Keep Your Data Up to Date

One of the mandates of GDPR is that any personal data processed should be as up to date as reasonably possible, and processes should be in place for ensuring that data is accurate and up to date.

3. Grant Access to Your Data

You have the right to request access to your data and this request must be processed by us within 30 days. This service is free to all we store on our database. We will keep a log of all requests and verify all details before acting.

4. Allow You to Opt Out of Communications

It's time to check your unsubscribe links on all of your communications, as granting people the right to opt-out of communications is another mandate of the GDPR.

5. Grant Individuals the Right to be Forgotten

You have the right to ask that your data be erased (the 'right to be forgotten') and being able to respond quickly and effectively to these requests is a must. It is important to bear in mind that such a request does not mean we have to delete everything held about you, and data retention requirements imposed by other legislation, such as employment law is factored in.

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6. Invest in a Compliant Technology Stack

We use a technology stack to store, maintain and send candidate details which is compliant with GDPR data processor regulations.

GDPR could see the end of candidate data handling in spreadsheets and personal drives, but the good news is JP Smith Recruitment and Human Resources has invested extensively in our technology stack and security upgrades to ensure our hiring system assists us to become a compliant data processor.

7. We Will Report Any Data Breach If It Occurs

GDPR brings new data breach reporting requirements and any breaches of personal data that threaten the rights and freedoms of individuals will be reported to the relevant supervisory authority within 72 hours of becoming aware of the breach.

How is JP Smith Recruitment and Human Resources supporting clients and candidates through this transition?

JP Smith Recruitment and Human Resources has been working tirelessly on accessing and utilizing the best technology and conducting security upgrades to ensure that we are prepared for any eventuality. We take information security very seriously, so you can rest assured that when held in JP Smith Recruitment and Human Resources, your data is processed in a secure and compliant manner.

We have also invested significantly in GDPR focused research and development projects, to support our clients in becoming compliant themselves:

Updated Application Forms

We have updated our application forms to obtain consent to process the candidate's data in a compliant manner.

To learn more about the GDPR please visit <https://www.eugdpr.org> or contact JP Smith Recruitment and Human Resources today!