



## Recruitment Privacy Notice

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This Privacy Notice provides guidance and information to candidates who apply for an employment position with the Commission for Regulation of Utilities (CRU) regarding the processing of their personal data by the CRU.

In order to fill vacant positions, the CRU collects and uses the personal information you provide to us in your capacity as a job applicant. The CRU is committed to protecting and respecting your privacy and this Privacy Notice sets out the basis on which the personal data collected from or provided by you is processed by us. This Privacy Notice applies to personal information that we collect, use and otherwise process about you in connection with the job application process.

Please read this Privacy Notice carefully to understand our treatment and use of your personal data. Please note that by submitting a job application to the CRU, you acknowledge that you have read, understood and agree to this Privacy Notice.

### Who we are

The Commission for Regulation of Utilities (CRU) is Ireland's independent energy and water regulator and has a wide range of economic, customer protection and safety responsibilities. The CRU, as data controller, will process your personal data only for the purposes and in the manner outlined below, which describes the steps we take to ensure the processing of your personal data is in compliance with applicable national and EU data protection laws, regulations and guidelines, including but not limited to Regulation (EU) 2016/679 (known as the General Data Protection Regulation or GDPR) and any subsequent amendments; the Data Protection Act 2018 and any subsequent data protection and privacy legislation; and any guidelines and codes of practice issued by the Data Protection Commission or other supervisory authority for data protection in Ireland.(collectively referred to as "Data Protection Law").

The CRU Data Protection Officer (DPO) can be contacted in relation to any issues concerning your personal data at [dataprotection@cru.ie](mailto:dataprotection@cru.ie)

### The information we process about you

The CRU will process your personal data for job recruiting and placement purposes, notification of future job opportunities, human resources analysis and, for successful candidates, employment purposes. The personal data we process, the basis of processing and the purposes of processing are detailed below. Sometimes, these activities are carried out by third parties, as set out below.

We encourage you to supply only the information you are comfortable with. In particular, special categories of personal data should only be provided when you have been specifically requested to do so. Special categories of data could include data revealing: racial or ethnic origin, political opinions, religious or philosophical beliefs, religious, party or trade-union membership, as well as data concerning health, genetic code, addictions or sex life and data relating to convictions, decisions on penalty, fines and other decisions issued in court or administrative proceedings.

Most of the personal data we process is obtained from you when you submit a job application to the CRU but we also obtain personal data about you in the course of the application and assessment process (for example, during interviews or in general correspondence). Other types of personal data may be obtained from third parties, including for example, recruitment agencies or referees.

<b>Categories of Personal Data</b>	<b>Examples of types of Personal Data We Collect</b>
<b>Personal / Identification details</b>	First name, surname, title, and other information provided in your CV
<b>Contact information data</b>	Email, mobile / phone number, address
<b>Education and work history</b>	Any information contained in CVs and additional documents containing personal details (including cover letter / application, diplomas, certificates) as provided by applicants relating to educational and employment background including professional qualifications, skills, training undertaken, previous employment details and references.
<b>Assessment</b>	<ul style="list-style-type: none"> <li>• Data regarding responses to screening questions</li> <li>• Psychometric tests (such as a situational judgement test, ability or personality test) Evaluations of interviews conducted with applicants (face to face, telephone or video)</li> </ul>
<b>Pre-employment screening</b>	<ul style="list-style-type: none"> <li>• Reference checks</li> <li>• Qualifications check</li> <li>• Citizenship / Proof of eligibility to work in Ireland</li> <li>• Fitness to work confirmation</li> </ul>
<b>Other (if applicable)</b>	<ul style="list-style-type: none"> <li>• CCTV footage</li> <li>• Compensation requests</li> <li>• Special category data where adjustments may be required during interview or test</li> </ul>

## **Why we use your information**

We fully respect your right to privacy and will only collect or process your personal data for one or more of the following purposes (lawful basis):

### **The necessity to establish a contractual relationship with you**

The processing of the personal data is necessary to take steps for entering into a contract with you. Personal data is collected to fill vacant positions and for the engagement and payment of employees.

### **The necessity for us to comply with legal obligations**

The CRU must also process your personal data in order to comply with our statutory responsibilities imposed by legislation such as:

- Obligations in the fields of employment;
- Complying with your information rights;
- Complying with binding requests from regulatory bodies; and
- Complying with court orders arising in civil or criminal proceedings.

### **Using sensitive ‘Special Category Data’**

In certain limited circumstances, the CRU is permitted to collect and process special category personal data without requiring the explicit consent of the applicant. Such circumstances include where the processing is necessary for the purposes of exercising or performing any right or obligation which is conferred or imposed by law on the CRU or the individual in connection with employment or social welfare law; for insurance and pension purposes; for assessing work capacity; for preventative or occupational medicine; or for the purpose of legal advice or legal proceedings.

### **Where you have given us permission (which you may withdraw at any time)**

- Processing other sensitive ‘Special Category Data’ such as to consider whether we need to provide appropriate adjustments during the recruitment process, for example whether reasonable adjustments need to be made during a test or interview and to contact you to discuss any such adjustments.
- Retention of your personal data so that we may contact you in case of future job vacancies.

When we ask for your consent, we will provide you with more information on how we will use your data in reliance on that consent, including in relation to third parties we would like your consent to share your data with. Please note that the withdrawal of consent does not impact processing based on consent prior to its withdrawal.

### **To protect your vital interests**

It may be necessary for the CRU to process personal data in order to protect a vital interest of an individual (such as a medical emergency).

### **To run our organisation on a day to day basis**

The CRU’s management responsibilities are those necessary for the normal business functioning of the organisation such as to:

- Compile and process your information for audit, statistical or reporting purposes (including, in some instances, making your data anonymous).
- Provide security and prevent and detect crime including using CCTV at our premises.
- Manage and administer our legal and compliance affairs.

### **Sharing your personal data**

We do not share any of your Personal Data except in the limited cases described here. The CRU will need to share your personal information internally and may be required to share it with some external third parties.

Internally, your personal information is shared for recruitment purposes but the information shared is limited to what is required by each individual to perform their role in the recruitment process. This includes HR staff and those who are part of the selection and / or interview panel and senior staff who would have managerial responsibility for you or with responsibility for policies and contractual requirements.

In the event of your application resulting in the offer and your acceptance of a position, your personal information will be held in the CRU’s employee database and parts of the data will be shared with the following internal functions, as required: ICT, Finance & Facilities.

The CRU will also need to share your information with certain external third parties including:

- External third parties providing recruitment, candidate interview and assessment services. Currently, CPL provides recruitment services on behalf of CRU. In limited cases, CPL may use additional third parties to provide psychometric testing;
- External members of interview boards;
- Academic institutions (universities, colleges, etc.) in validating information you've provided;
- Previous employers in validating employment history; and
- The Office of the Chief Medical Officer (CMO) for pre-employment fitness to work confirmation (<http://cmo.gov.ie/pre-employment-medical-forms/>).

In the event of your application resulting in the offer and your acceptance of a position, your personal information will be shared with third parties providing operational and technical systems and applications support and maintenance on the CRU's behalf such as payroll processors, expense management providers, travel service providers, security companies, pension providers, insurers, ICT systems service providers, ICT maintenance providers, software development providers, document storage and destruction providers, printers, couriers, auditors and consultants including legal advisors.

We will check any third party that we use to ensure that they provide sufficient guarantees regarding the confidentiality and security of your personal data. We will have written contracts with them which provide assurances regarding the protections that they will give to your personal data and their compliance with our data security standards and international transfer restrictions.

## **Processing your information outside the EEA**

Your information is stored on secure systems within the CRU and with providers of secure information storage. We may transfer or allow the transfer of information about you to our service providers and other organisations outside the European Economic Area (EEA), but only if they agree to act solely on our instructions and protect your information to the same standard that applies in the EEA.

For transfers of your personal data to third parties outside of the EEA, we take additional steps in line with Data Protection Law. We will put in place adequate safeguards with respect to the protection of your privacy, fundamental rights and freedoms, and the exercise of your rights, e.g. we will establish an adequate level of data protection through EU Standard Contractual Clauses based on the EU Commission's model clauses.

## **How long we hold your information and how it's secured**

The length of time we hold your data depends on a number of factors such as:

- The type of data we hold about you.
- Whether there is a legal obligation to hold the data for a minimum specified period.
- Whether there is a public interest basis to hold the data for a specified period.
- Where there is a sound evidence-based reason to hold the data for a specified period.

As a general rule, we keep your information for a specified period after the date on which your interaction with us has completed.

Unsuccessful applicant data will be held within the recruitment system for a period of 12 months before being deleted so that we can respond to statutory reporting requests. Successful applicant data resulting in subsequent employment will be retained for 6 years following cessation of employment (excepting service records for pension purposes). However, there may be instances for

this period to be extended, i.e. legislation relating to parental leave requires retention of such records for 8 years.

The CRU operates and uses appropriate technical and physical security measures to protect your personal data. We have taken appropriate security measures to protect your personal data from accidental or unlawful destruction, loss, alteration, unauthorised disclosure, or access. Access is only granted on a need-to-know basis to those people whose roles require them to process your personal data. In addition, our service providers are selected carefully to ensure they have an appropriate level of technical, organisational and security measures.

## Exercising your information rights

Your rights under Data Protection Legislation may include the following (where applicable):

Your right	What does it mean?	How do I execute this right?	Conditions to exercise?
Rights in relation to inaccurate or incomplete personal data	You may challenge the accuracy or completeness of personal data which we process about you. If it is found that personal data is inaccurate or incomplete, you are entitled to have the inaccurate data removed, corrected or completed, as appropriate.	Requests should be made in writing to the CRU's Data Protection Officer at <a href="mailto:dataprotection@cru.ie">dataprotection@cru.ie</a> If possible, you should specify the reasons why the personal data are incorrect or incomplete	This right only applies to your own personal data. When exercising this right, please be as specific as possible.
Right of access	Subject to certain conditions, you are entitled to have access to your personal data which we hold (this is more commonly known as submitting a "data subject access request").	Requests should be made in writing to the CRU's Data Protection Officer at <a href="mailto:dataprotection@cru.ie">dataprotection@cru.ie</a> If possible, you should specify the type of information you would like to see to ensure that the information that we disclose to you meets your expectations.	We must be able to verify your identity. Your request may not affect the rights and freedoms of others, e.g. privacy and confidentiality rights of other employees. Your request may be subject to certain exemptions; e.g. legal professional privilege.
Right to object to or restrict our data processing	Subject to certain conditions, you have the right to object to or ask us to restrict the processing of your personal data.	Requests should be made in writing to the CRU's Data Protection Officer at <a href="mailto:dataprotection@cru.ie">dataprotection@cru.ie</a>	This right applies only if the processing of your personal data is necessary for a public or legitimate interest basis. Objections must be based on grounds relating to your particular situation (e.g. causing damage or

			distress) and must not be generic so that we can demonstrate that there are still lawful grounds for us to process your personal data.
Right to have personal data erased	Subject to certain conditions, you are entitled, on certain grounds, to have your personal data erased (also known as the “ <i>right to be forgotten</i> ”), e.g. where you think that the information we are processing is inaccurate, or the processing is unlawful.	Requests should be made in writing to the CRU’s Data Protection Officer at <a href="mailto:dataprotection@cru.ie">dataprotection@cru.ie</a>	There are various lawful reasons why we may not be in a position to erase your personal data. This may apply (i) where we have to comply with a legal obligation, (ii) in case of exercising or defending legal claims, or (iii) where retention periods apply by law (i.e. as set out in legislation) or by virtue of the CRU’s data retention policies
Right to withdraw consent	You have the right to withdraw your consent to any processing for which you have previously given that consent.	Requests should be made in writing to the CRU’s Data Protection Officer at <a href="mailto:dataprotection@cru.ie">dataprotection@cru.ie</a>	If you withdraw your consent, this will only take effect for the future. It will not affect the lawfulness of processing based on your consent before its withdrawal.
Right of data portability	Subject to certain conditions, you are entitled to receive the data which you have provided to us and which is processed by us by automated means, in a commonly-used machine readable format.	Requests should be made in writing to the CRU’s Data Protection Officer at <a href="mailto:dataprotection@cru.ie">dataprotection@cru.ie</a> If possible, you should specify the type of information you would like to receive to ensure that the information that we disclose to you meets your expectations.	This right only applies if the processing is based on your consent or contract basis and when the processing is carried out by automated means (e.g. not for paper records). It affects only personal data that was “provided” by you. It does not, as a rule, apply to personal data that was created by CRU.

If you make your request electronically (such as by email), we will, where possible, provide the relevant information electronically unless you ask us otherwise.

We are obliged to respond without undue delay. In most instances, we will respond within one calendar month unless we are unable to deal with your request fully within a calendar month due to the complexity or number of requests. You can assist us in responding to your request by including any additional details that would help to locate your information – such as; the type of personal data involved, relevant dates or appropriate reference number or the circumstances in which the CRU obtained your personal data.

The CRU has templates available which may be issued to you to assist in responding to your request. You may also be asked for evidence of your identity to make sure that personal information is not given to the wrong person.

**You have the right to complain to the Data Protection Commission or another supervisory authority.**

You can contact the Data Protection Commission at  
<https://www.dataprotection.ie/docs/Contact-us/b/11.html>

**Telephone:** +353 (0)761 104 800 or Lo Call Number 1890 252 231  
**Fax:** +353 57 868 4757  
**E-mail:** [info@dataprotection.ie](mailto:info@dataprotection.ie)  
**Postal Address:** Data Protection Commission, Canal House, Station Road,  
Portarlinton, Co. Laois R32 AP23 or 21 Fitzwilliam Square  
Dublin 2, D02 RD28

**How to contact us and our Data Protection Officer**

If you have any questions about this notice or your personal information in the CRU generally, including questions about accessing your personal information or correcting it, please contact our Data Protection Officer at

**Online:** <https://www.cru.ie/home/about-cru/privacy/>  
**Telephone:** +353 (0)1 4000800  
**E-mail:** [dataprotection@cru.ie](mailto:dataprotection@cru.ie)  
**Postal Address:** The CRU, Grain House, The Exchange, Tallaght, Dublin  
24, D24 PXW0, Ireland

**Changes to this notice**

We will update this Privacy Notice from time to time. Any changes will be made available on this web page and, where appropriate, notified to you by e-mail or when you contact the CRU again.