

Phoenix Energy Holdings Ltd

Applicant Privacy Notice

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Policy Authorisation:

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VERSION CONTROL

Issue	Author	Date	Changes

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1. INTRODUCTION

- 1.1 Phoenix Energy Holdings Limited and its subsidiary companies (The Group) are committed to protecting the privacy and security of your personal information.
- 1.2 This privacy notice explains how we collect and use personal information about you during the recruitment process, from when you submit your application until we make a hiring decision, in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.
- 1.3 Phoenix Energy Holdings Limited is the data controller for the personal information we hold about you during the application process. This means we are responsible for deciding how we hold and use personal information about you.
- 1.4 If you are offered and accept employment with us, we will provide you with a separate Employee Privacy Notice which explains how we process your personal data during employment.

2. WHAT INFORMATION DO WE COLLECT?

- 2.1 We collect only the information necessary to assess your application and suitability for the role. This includes:

Application & Contact Information:

- Your name, address, email address, and telephone number
- Your date of birth (for right to work and eligibility verification)
- Your CV, application form, and covering letter (if applicable)
- Information about your previous employment history
- Details of your education, professional qualifications, and training
- Information about your skills, experience, and interests relevant to the role

Assessment Information:

- Your responses to application questions
- Notes and assessments from interviews and selection activities
- Test results or work samples (where applicable to the role)
- Information gathered during assessment centres or presentations (if applicable)

References:

- Contact details for referees (previous employers, educational institutions, or professional contacts)
- Information provided by referees about your previous employment, character, or suitability
- We typically request references only after a conditional offer has been made

Right to Work Verification:

- Copies of documents evidencing your right to work in the UK (passport, visa, biometric residence permit, birth certificate, or share code)
- This is usually verified at interview or offer stage

Role-Specific Information (only where essential for the position):

For roles requiring driving:

- Details of your driving licence (number, categories, expiry date)
- Information about driving endorsements or convictions

For regulated or safety-critical roles:

- Professional registration or licensing information (e.g., Gas Safe registration, engineering qualifications)

Criminal convictions (all applicants):

- We ask all applicants whether they have any **unspent criminal convictions** in this or any other country
- We ask whether you have any prosecutions pending
- You are only required to declare **unspent** convictions (spent convictions do not need to be disclosed in accordance with the Rehabilitation of Offenders (Northern Ireland) Order 1978)
- At application stage, we only ask "yes" or "no" questions
- If you answer "yes" to either question and we make you a conditional offer, we will ask for further details at that stage to assess whether the conviction is relevant to the role
- We do not conduct formal criminal record checks (AccessNI) until after a conditional offer has been made and only where the role requires it

Special Category Personal Data

We may collect the following "special category" data on a **strictly voluntary basis**:

Reasonable adjustments for interviews (voluntary):

- If you require adjustments to participate in our recruitment process (e.g., accessible venue, additional time, assistive technology), you may choose to share information about a disability or health condition
- This information is only used to facilitate your participation and is not shared with hiring managers or used in selection decisions
- You are under no obligation to disclose this information

Equal opportunities monitoring (voluntary and anonymous):

- Information about your gender, ethnic origin, sexual orientation, religious beliefs, political opinion, and disability status
- This monitoring information is kept separate from your application and can only be viewed by HR personnel
- How we protect this data:
 - Your responses are linked to a unique reference number, not your name (pseudonymised)
 - Hiring managers and interview panels do not have access to this information
 - It plays no part in selection decisions
 - For internal monitoring, data remains pseudonymised with access restricted to HR personnel
 - When we submit monitoring returns to the Equality Commission for Northern Ireland, all data is fully anonymised with no identifying information
 - Providing this information is entirely voluntary

3. WHAT INFORMATION WE DO NOT COLLECT AT APPLICATION STAGE

3.1 The following information is not requested until after you have accepted an offer of employment:

- National Insurance number
- Bank or building society details
- Emergency contact or next of kin details
- Pre-employment medical assessment - all successful candidates are required to undergo a pre-employment medical examination arranged by Phoenix Energy. This will include a medical history, current health status, and occupational health assessment.
- Tax information or P45 details
- Pension information

- 3.2 If you are successful and accept our offer, this information will be requested as part of your onboarding and will be processed in accordance with our Employee Privacy Notice.

4. HOW DO WE COLLECT YOUR INFORMATION?

- 4.1 We collect personal information about you through:

Directly from you:

- Application forms
- Your CV and covering letter
- During interviews, telephone screenings, and assessment activities
- From documents you provide (qualifications, right to work documents, driving licence)

From third parties:

- **Recruitment agencies** - if you apply through an agency, they will share your application materials with us
- **Referees** - with your consent, we contact previous employers or other referees you have nominated
- **Educational institutions** - to verify qualifications where necessary
- **Publicly available sources** - we may review your professional profiles on platforms like LinkedIn to verify your professional experience and qualifications. We only review information you have chosen to make public, and we do not use publicly available information to assess protected characteristics such as age, religious beliefs, political opinion, or any other characteristic unrelated to your professional suitability for the role

- 4.2 We do not conduct background checks through credit reference agencies or AccessNI until after a conditional offer has been made (and only where the role requires it).

5. WHY DO WE USE YOUR INFORMATION?

- 5.1 We use your personal information to:

- Assess your skills, qualifications, and experience against the requirements of the role
- Communicate with you about your application and the recruitment process
- Arrange and conduct interviews, assessments, and other selection activities
- Verify the information you have provided to us

- Make informed recruitment decisions
- Comply with legal obligations (such as right to work checks)
- Maintain records of our recruitment process and decisions
- Demonstrate fair and non-discriminatory recruitment practices

Legal Basis for Processing

5.2 We process your personal information on the following legal bases under UK GDPR Article 6:

Taking steps to enter into a contract (Article 6(1)(b)):

- The majority of our recruitment processing is based on this ground
- You have asked us to consider you for employment, and we need to process your data to assess your application

Compliance with legal obligations (Article 6(1)(c)):

- Verifying your right to work in the UK (Immigration, Asylum and Nationality Act 2006)
- Retaining recruitment records to defend potential discrimination claims (under Northern Ireland equality legislation)
- Complying with health and safety obligations where relevant to role requirements

Legitimate interests (Article 6(1)(f)):

- Verifying the accuracy and authenticity of information you have provided
- Conducting references to assess your suitability
- Maintaining records to improve our recruitment processes
- Preventing fraud
- At application stage, asking yes/no questions about unspent criminal convictions and pending prosecutions to ensure the safety and security of our workforce, customers, and assets, and to comply with our regulatory obligations as an energy company

5.3 Our legitimate interests do not override your rights and freedoms. You have the right to object to processing based on legitimate interests.

Special Category Data - Additional Legal Conditions

5.4 Where we process special category personal data (health information for reasonable adjustments, or equal opportunities monitoring data), we rely on the following conditions under UK GDPR Article 9(2):

Health information for reasonable adjustments

- Your explicit consent (Article 9(2)(a)) - you have voluntarily provided this information to enable us to support your participation in the recruitment process.
- You may withdraw this consent at any time.

Equal opportunities monitoring

- **Substantial public interest** (Article 9(2)(g)) with Schedule 1, Part 2, paragraph 8 of the Data Protection Act 2018 - this allows processing for the purposes of identifying and keeping under review the existence or absence of equality of opportunity or treatment between groups of people
- In Northern Ireland, this includes monitoring under the Fair Employment and Treatment (Northern Ireland) Order 1998 which requires employers to monitor the community background of applicants and employees
- We also rely on your **explicit consent** given when you complete the monitoring form
- **Data is pseudonymised for internal monitoring purposes and fully anonymised when submitted to the Equality Commission for Northern Ireland**
- This data is processed entirely separately from your application

Criminal conviction data:

- At application stage: We ask yes/no questions about unspent convictions and pending prosecutions. This is processed under our legitimate interests (Article 6(1)(f)) as outlined above.
- Post-conditional offer: If you disclose unspent convictions and we make you an offer, we will request details to assess relevance. This is processed under Article 10 GDPR and Schedule 1, Part 1, paragraph 1 of the Data Protection Act 2018 (employment purposes).
- All processing complies with the Rehabilitation of Offenders (Northern Ireland) Order 1978 - you are not required to disclose spent convictions unless the role is excepted under that Order.

6. WHO DO WE SHARE YOUR INFORMATION WITH?

6.1 We treat your application information as confidential. We only share it with:

Internal recipients:

- Hiring managers and interview panel members involved in assessing your application
- HR personnel administering the recruitment process

- Senior managers who approve hiring decisions
- IT support staff (only when necessary for technical support)

External third parties (only where necessary):

- Recruitment agencies - if you applied through an agency, we share feedback and outcomes with them
- Referees - we contact the referees you have nominated (with your prior consent)
- Professional advisors - our legal advisors may review recruitment processes to ensure compliance
- IT service providers - who host our applicant tracking system and email services (under strict data processing agreements)

We do NOT share your information with:

- Background checking providers (AccessNI) unless you accept an offer and the role requires these checks.
- Occupational health providers - All new employees undergo a pre-employment medical examination. We share relevant information about your role requirements and any declared health conditions with our occupational health provider to assess your fitness for work and identify any reasonable adjustments needed. The occupational health provider will provide us with a fitness-for-work report (not your full medical records).
- Government bodies (except where legally required, e.g., if subject to a court order).

- 6.2 All third parties are required to keep your personal information secure and confidential, to use it only for the specified purposes, and to comply with UK data protection law.

7. AUTOMATED DECISION MAKING

- 7.1 We do not use automated decision-making or profiling that produces legal effects or significantly affects you. Any HR systems that use automated processes are subject to human oversight, and decisions about recruitment are made by people, not by automated means.

8. INTERNATIONAL TRANSFERS

- 8.1 Some of our third-party service providers may process or store your personal information outside the United Kingdom and European Economic Area (EEA).

8.2 Where we transfer personal information internationally, we ensure appropriate safeguards are in place, such as:

- Transferring to countries with an adequacy decision from the UK Government
- Using Standard Contractual Clauses approved by the UK Information Commissioner's Office
- Ensuring the recipient has appropriate certification or binding corporate rules

9. HOW LONG DO WE KEEP YOUR DATA?

Unsuccessful Applicants:

9.1 If you are not offered the role or decline our offer, we will retain your application information for 12 months from the date we inform you of the outcome.

Why we keep it for 12 months:

- To consider you for other suitable vacancies that arise (with your consent)
- To respond to any queries about our recruitment process
- To defend potential legal claims relating to recruitment decisions
- To evidence compliance with Northern Ireland equality legislation

9.2 After 12 months, your information will be securely deleted or destroyed, unless you have given us explicit consent to keep your details in our talent pool for longer (you can withdraw this consent at any time).

9.3 Equal opportunities monitoring data may be retained in anonymised statistical form beyond 12 months to meet our Fair Employment monitoring obligations.

Successful Applicants:

9.4 If you accept our offer of employment, your recruitment information will be retained and managed as part of your employment record under our Employee Privacy Notice. This will be provided to you as part of your initial employment pack.

Withdrawal of Application:

9.5 If you withdraw your application before we make a decision, we will delete your information within 12 months unless we have a legitimate reason to retain it longer (such as an ongoing complaint or legal claim relating to the recruitment process).

10. SECURITY OF INFORMATION

10.1 We take the security of your personal information seriously and have implemented appropriate technical and organisational measures to protect it from:

- Accidental loss or destruction
- Unauthorised access, use, alteration, or disclosure
- Damage or theft

10.2 Our security measures include:

- Secure password-protected IT systems with role-based access controls
- Encryption of data in transit and at rest where appropriate
- Secure disposal procedures for paper records (confidential shredding)
- Staff training on data protection and confidentiality
- Contracts with third-party processors requiring equivalent security standards

10.3 Access to your application information is restricted to:

- HR personnel involved in the recruitment process
- Hiring managers and interview panel members (only for your specific application)
- IT support staff (only when necessary for technical issues)

10.4 All individuals with access to your data are bound by confidentiality obligations.

11. YOUR RIGHTS

11.1 Under UK data protection law, you have the following rights in relation to your personal information.

Right of Access (Subject Access Request)

You can request a copy of the personal information we hold about you, including:

- Your application materials
- Interview notes and assessments
- Reference information
- Correspondence about your application

Right to Rectification

- 11.4 You can ask us to correct any inaccurate or incomplete personal information. For example, if your contact details have changed or there are errors in your application.

Right to Erasure ("Right to be Forgotten")

You can ask us to delete your personal information in certain circumstances:

- If you withdraw your application (we will normally delete within 12 months)
 - If you believe we have no lawful basis to continue holding your data
 - If you object to processing and we have no overriding legitimate grounds
- 11.5 However, we may refuse erasure if we need to retain the information to:
- Defend legal claims (discrimination or data protection complaints)
 - Comply with legal obligations (e.g., record-keeping requirements under Northern Ireland equality legislation)

Right to Restrict Processing

- 11.6 You can ask us to limit how we use your personal information if:
- You contest the accuracy of the data (while we verify it)
 - The processing is unlawful but you don't want us to erase it
 - You've objected to processing and we're considering whether our legitimate grounds override yours

Right to Data Portability

- 11.7 You can ask us to provide your application materials (CV, application form, assessment responses) in a structured, commonly used, machine-readable format (e.g., PDF or Word document) so you can reuse them for other applications.
- 11.8 This right only applies to information you provided to us, not information we generated (like interview notes).

Right to Object

- 11.9 You can object to processing based on our legitimate interests (such as verification checks or maintaining recruitment records). We will stop processing unless we can demonstrate compelling legitimate grounds that override your interests.

Right to Withdraw Consent

11.10 Where we process data based on your consent (reasonable adjustments information or equal opportunities monitoring), you can withdraw that consent at any time. This won't affect processing that occurred before withdrawal.

Right Not to be Subject to Automated Decision-Making

11.11 You have the right not to be subject to decisions based solely on automated processing that significantly affect you. As stated above, we do not make recruitment decisions based solely on automated processing.

How These Rights Apply in Practice:

During active recruitment:

- You can access, correct, or update your information at any time
- If you withdraw your application, we'll delete your data within 12 months
- You can object to processing, though this may affect our ability to consider your application

After a decision is made:

- Unsuccessful applicants can request deletion after 12 months (or immediately by objecting, subject to our assessment)
- Data portability allows you to reuse your materials for other applications

12. HOW TO EXERCISE YOUR RIGHTS

12.1 To exercise any of these rights, or if you have questions about how we handle your personal information, please contact:

Sam Jean-Baptiste
Data Protection Manager
Phoenix Energy Holdings Limited
197 Airport Road West
Belfast
BT3 9ED

Email: sam.jean-baptiste@phoenixenergy.com
Telephone: 02890 55 5599

What we need from you:

12.2 To help us respond quickly and accurately, please provide:

- Your full name and contact details
- The role(s) you applied for and approximate date(s)
- Details of your request (which right you're exercising and what you'd like us to do)
- Proof of identity (we may request this to prevent fraudulent requests)

12.3 We will respond to valid requests within one month, though this may be extended by two months for complex requests. We will keep you informed of any such extension.

12.4 We will not charge a fee for most requests, though we may charge a reasonable fee for manifestly unfounded, excessive or repetitive requests.

13. RIGHT TO COMPLAIN

13.1 If you are unhappy with how we have processed your personal information, you have the right to complain to:

Information Commissioner's Office (ICO)
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Telephone: 0303 123 1113

Website: <https://ico.org.uk>

13.2 We would appreciate the opportunity to address your concerns before you contact the ICO, so please contact us first if possible.

14. CHANGES TO THIS NOTICE

14.1 The Company will make a fixed review in line with the Company Document Management Policy. This will be carried out by the HR Department in conjunction with the Group Chief Executive Officer. We may update this privacy notice to reflect:

- Changes in our recruitment processes
- New legal requirements
- Feedback and best practice

14.2 When we make significant changes, we will:

- Update the version control on page 2.
- Post the updated version on our website careers page
- Notify active applicants by email if the changes affect how we handle their data

14.3 We encourage you to review this notice periodically.

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