

Eight Organisations Placed Blind Ads on JobsDB Investigation Findings

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Background

The Office of the Privacy Commissioner for Personal Data (PCPD) completed its investigation in relation to the “blind” recruitment advertisements (Blind Ads) posted on the online platform of Jobs DB Hong Kong Limited (JobsDB) by eight organisations.

The investigation arose from the PCPD’s concern that the act of placing Blind Ads on online recruitment platforms by organisations to collect personal data from job applicants may constitute a contravention of the relevant requirements under the Personal Data (Privacy) Ordinance (PDPO). The PCPD had earlier on initiated investigations against JobsDB and eight organisations that had placed Blind Ads on JobsDB.

In general, a Blind Ad is one that does not identify the recruiting organisation (either the employer or a recruitment agency acting on its behalf) nor contain sufficient information to identify the organisation, and does not provide a means for job applicants to make further enquiries or such means does not contain sufficient information to identify the organisation, but directly invites job applicants to submit their personal data, such as their Hong Kong Identity Card numbers, contact details or resumes.

Investigation Findings

The PCPD’s investigation revealed that organisations that have registered an account with JobsDB can place recruitment advertisements on the JobsDB’s online platform. Since January 2024, candidates have been able to apply for the advertised jobs by clicking the “Quick apply” button as instructed in the advertisements and submit the requisite personal data. Once submitted, the information will be stored in JobsDB’s management system and the applicants would be able to request the deletion of their personal data via JobsDB, while JobsDB also controls the circumstances and the duration for which organisations can access the relevant data.

In the circumstances, JobsDB controls the collection, holding, processing (which includes deletion) and use of the applicants’ personal data. In this regard, JobsDB is a “data user” under the PDPO and must comply with the relevant requirements under the PDPO and the Data Protection Principles (DPPs).

Investigation also revealed that a recruiting organisation can publish recruitment advertisements in the name of a “Private Advertiser” without disclosing its name. The eight recruiting organisations under investigation published Blind Ads in the names of “Private Advertisers” (see **Annex 1**) to collect the job applicants’ personal data. The eight recruiting organisations in question are also “data users” under the PDPO and they involved prospective employers and those acting on their behalves. Their businesses are in the areas of financial securities, apparel retail, Chinese medicine and transportation services, etc.

The Privacy Commissioner’s Decision

Having considered the circumstances of the cases and the information obtained from the investigations, the Privacy Commissioner for Personal Data (Privacy Commissioner), Ms Ada CHUNG Lai-ling, found that all of the eight organisations that placed the aforesaid Blind Ads on JobsDB and requested job applicants to submit their personal data to unknown recruiting companies and JobsDB that published the same on its platform were involved in the unfair collection of the job applicants’ personal data, and this constituted contraventions of DPP1(2) of the PDPO.

The Privacy Commissioner has therefore served enforcement notices on JobsDB and three recruiting organisations, directing them to take measures to remedy the contraventions and prevent recurrence of similar contraventions in future, and issued an advisory letter to each of the remaining five organisations.

Ada CHUNG Lai-ling

Privacy Commissioner for Personal Data

9 December 2024

Annex 1

Particulars of the Blind Ads Placed by Eight Recruiting Organisations on JobsDB

Advertisement	Recruiting Organisation	Contents in relation to Blind Ads
1	Company A	<ul style="list-style-type: none"> • did not identify the organisation nor contain relevant information that could identify it • specifically asked job applicants to submit application by clicking the “Quick apply” button • no contact details were provided
2	Company B	<ul style="list-style-type: none"> • did not identify the organisation nor contain relevant information that could identify it • specifically asked job applicants to submit information including their photos and resumes • listed a call number “0000 0000” for contact purpose
3	Company C (providing recruitment assistance to another company)	<ul style="list-style-type: none"> • did not identify the organisation nor contain relevant information that could identify it • specifically asked job applicants to submit their resumes to an email address not registered with the company domain nor bearing information about the employer’s identity
4	Company D	<ul style="list-style-type: none"> • did not identify the organisation nor contain relevant information that could identify it • specifically asked job applicants to submit information including their resumes to an email address not registered with the company domain nor bearing information about the employer’s identity
5	Company E (recruiting on behalf of another company within	<ul style="list-style-type: none"> • did not identify the organisation nor contain relevant information that could identify it • specifically asked job applicants to submit their resumes to two email addresses registered with the group domain



	the same corporate group)	
6	Company F (recruiting on behalf of the association(s) chaired by members of the company's management)	<ul style="list-style-type: none"> • did not identify the association(s) nor contain relevant information that could identify them • specifically asked job applicants to submit information including their resumes by way of facsimile or the “Quick apply” button
7	Company G	<ul style="list-style-type: none"> • did not identify the organisation nor contain relevant information that could identify it • specifically asked job applicants to submit their resumes
8	Company H	<ul style="list-style-type: none"> • did not identify the organisation nor contain relevant information that could identify it • specifically asked job applicants to submit information including their resumes and photos