

# Privacy Notice

Premier Recruitment Derby Ltd understands that your privacy is important to you and that you care about how your personal data is used. We respect and value the privacy of all of our candidates and will only collect and use personal data in ways that are described here, and in a way that is consistent with our obligations and your rights under the law.

## Information About Us

Premier Recruitment Derby Ltd.

A Limited Company, registered in England under company number 6798706

43-45 St Peter's Church Yard

Derby

DE1 1NN

Data Protection Officer: Danielle Rogers.

Email address: [Danielle@premierrecruitmentderby.com](mailto:Danielle@premierrecruitmentderby.com)

Telephone number: 01332 203999.

Postal Address: Premier Recruitment Derby Ltd. 43-45 St Peter's Churchyard, Derby. DE1 1NN.

We are a member of the Institute of Recruiters and are regulated by the Information Commissioners Office.

We are an Employment Business and an Employment Agency as defined in the Employment Agencies and Employment Businesses Regulations 2003 (our business). We collect the personal data of the following types of people to allow us to undertake our business;

- Employees, consultants, temporary workers;
- Contracting
- Prospective and placed candidates for permanent or temporary roles;
- Prospective and live client contacts;
- Supplier contacts to support our services;

The organisation collects and processes personal data relating to its candidates, workers and employees to manage the employment relationship. The organisation is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

Whenever you give us personal data, you are consenting to its collection and use in accordance with this privacy policy. This privacy policy also relates to our use of any personal information you provide to us by phone, SMS, email, in letters and other correspondence and in person.

## What Does This Notice Cover?

This Privacy Information explains how we use your personal data: how it is collected, how it is held, and how it is processed. It also explains your rights under the law relating to your personal data.

## What is Personal Data?

The General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679) is a new regulation which replaces the Data Protection Regulation (Directive 95/46/EC). The Regulation aims to harmonise data protection legislation across EU member states, enhancing privacy rights for individuals and providing a strict framework within which commercial organisations can legally operate.

Personal data is defined by the General Data Protection Regulation (the “GDPR”) as ‘any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier’.

Even though the UK has expressed its intention to leave the EU in March 2019, the GDPR will be applicable in the UK from 25th May 2018. The Government intends for the GDPR to continue in UK law post Brexit and has also introduced a Data Protection Bill to replace the current Data Protection Act in due course.

Your new rights under the GDPR are set out in this notice but will only apply once the GDPR becomes law on 25th May 2018.

Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it.

### **What Are My Rights?**

Under the GDPR, you have the following rights, which we will always work to uphold:

- The right to be informed about our collection and use of your personal data. This Privacy Notice should tell you everything you need to know, but you can always contact us to find out more.
- The right to access the personal data we hold about you.
- The right to have your personal data rectified if any of your personal data held by us is inaccurate or incomplete.
- The right to be forgotten, i.e. the right to ask us to delete or otherwise dispose of any of your personal data that we have.
- The right to restrict (i.e. prevent) the processing of your personal data.
- The right to object to us using your personal data for a particular purpose or purposes.
- The right to data portability. This means that, if you have provided personal data to us directly, we are using it with your consent or for the performance of a contract, and that data is processed using automated means, you can ask us for a copy of that personal data to re-use with another service or business in many cases.
- Rights relating to automated decision-making and profiling. We do not use your personal data in this way.

Further information about your rights can also be obtained from the Information Commissioner’s Office or your local Citizens Advice Bureau.

If you have any cause for complaint about our use of your personal data, you have the right to lodge a complaint with the Information Commissioner’s Office.

### **What Personal Data Do We Collect?**

This is information about you that you give us by filling in forms in our branches or by corresponding with us by phone, e-mail or otherwise. It includes information you provide when you register with us and to enter our database and when you report a problem with our services.

We may collect some or all of the following personal data (this may vary according to your relationship with us):

- Your name, address and contact details, including email address and telephone number, date of birth and gender;
- The terms and conditions of your employment, including information required by our clients for specific work place requirements;
- Details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers (including references, driving licences, etc) and with the organisation;

- Information about your remuneration, including entitlement to benefits such as pensions or insurance cover;
- Details of your bank account and national insurance number;
- Information about your marital status, next of kin, dependants and emergency contacts;
- Information about your nationality and entitlement to work in the UK;
- Information about your criminal record
- Details of your schedule (days of work and working hours) and attendance at work;
- Details of periods of leave taken by you, including holiday, sickness absence, family leave and sabbaticals, and the reasons for the leave;
- Details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- Assessments of your performance, including appraisals, performance reviews and ratings, training you have participated in, performance improvement plans and related correspondence;
- Information about medical or health conditions
- Information about any work related accidents
- Details of trade union membership; and
- 48 Hour Working Time Directive
- Information about any Drug or Alcohol tests undertaken as work place requirements
- General communication, including but not limited to, email, postal letters and text messaging
- Any other information required for legal compliance

We collect this information in a variety of ways. Data can be collected through application forms, CVs; obtained from your passport or other identity documents (ID cards, driving licence); from forms completed by you at the start of or during employment; from correspondence with you; or through interviews, meetings or other assessments.

In some cases, the organisation collects personal data about you from third parties, such as references supplied by former employers, information from employment background check providers, information from credit reference agencies and information from criminal records checks permitted by law.

Data is stored in a range of different places, including in your personnel file, in the organisation's CRM systems and in other IT systems (including the organisation's email system).

### **How Do You Use My Personal Data?**

Under the GDPR, we must always have a lawful basis for using personal data. This may be because the data is necessary for our performance of a contract with you, because you have consented to our use of your personal data, or because it is in our legitimate business interests to use it. Your personal data may be used for one of the following purposes:

- Managing your applications
- Communicating with you. This may include responding to emails or calls from you
- Ensuring you meet the criteria of specific job opportunities
- Evaluating your suitability to our clients
- Run recruitment and promotion processes;
- Maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights;
- Operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
- Operate and keep a record of employee performance and related processes, to plan for career development;
- Operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled;

- Obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled;
- Operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that the organisation complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled;
- Provide references on request for current or former employees;
- Respond to and defend against legal claims; and
- Maintain and promote equality in the workplace.

To carry out our obligations arising from any contracts we intend to enter into or have entered into between you and us and to provide you with the information, products and services that you request from us or we think will be of interest to you because it is relevant to your career or to your organisation.

The core service we offer to our candidates and clients is the introduction of candidates to our clients for the purpose of temporary or permanent engagement. However, our service expands to supporting individuals throughout their career and to supporting businesses' resourcing needs and strategies.

Our legal basis for the processing of personal data is our legitimate business interests, described in more detail below, although we will also rely on contract, legal obligation and consent for specific uses of data.

We will rely on contract if we are negotiating or have entered into a placement agreement with you or your organisation or any other contract to provide services to you or receive services from you or your organisation.

We will rely on legal obligation if we are legally required to hold information on to you to fulfil our legal obligations.

With your permission and where permitted by law, we may also use your personal data for marketing purposes, which may include contacting you by email, telephone, text message and post with information and news on our services. You will not be sent any unlawful marketing or spam. We will always work to fully protect your rights and comply with our obligations under the GDPR and the Privacy and Electronic Communications (EC Directive) Regulations 2003, and you will always have the opportunity to opt-out.

We will in some circumstances rely on consent for particular uses of your data and you will be asked for your express consent, if legally required. Examples of when consent may be the lawful basis for processing include permission to introduce you to a client (if you are a candidate).

### **Our Legitimate Business Interests**

Our legitimate interests in collecting and retaining your personal data are described below:

- As a recruitment business and recruitment agency we introduce candidates to clients for permanent employment, temporary worker placements or independent professional contracts. The exchange of personal data of our candidates and our client contacts is a fundamental, essential part of this process.
- In order to support our candidates' career aspirations and our clients' resourcing needs we require a database of candidate and client personal data containing historical information as well as current resourcing requirements.
- To maintain, expand and develop our business we need to record the personal data of prospective candidates and client contacts.
- To deliver our ancillary services we need to contact candidates on a regular basis, through various routes such as email, phone, job alerts and other relevant notifications

Where we rely on legitimate interests as a reason for processing data, we have considered whether or not those interests are overridden by the rights and freedoms of employees or workers and have concluded that they are not.

Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations (such as those in relation to employees with disabilities and for health and safety purposes).

Special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief are processed for the purposes of equal opportunities monitoring. Employees are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so. This information is anonymous.

### **Consent**

Should we want or need to rely on consent to lawfully process your data we will request your consent orally, by email or by an online process for the specific activity we require consent for and record your response on our system. Where consent is the lawful basis for our processing you have the right to withdraw your consent to this particular processing at any time.

We do use our computer systems to search and identify personal data in accordance with parameters set by a person. A person will always be involved in the decision making process.

### **Do You Share My Personal Data?**

Your information will be shared internally, including members of the recruitment team, payroll, your line manager, managers in the business area in which you work and IT support if access to the data is necessary for performance of their roles.

In some limited circumstances, we may be legally required to share certain personal data, which might include yours, if we are involved in legal proceedings or complying with legal obligations, a court order, or the instructions of a government authority.

We may share your personal data with other companies when trying to ascertain your suitability for a position with one of our clients or upon you beginning employment with them. This includes any client of Premier Recruitment Derby Ltd.

### **Selected third parties including:**

- Clients for the purpose of introducing candidates to them ;
- Candidates for the purpose of arranging interviews and engagements;
- Clients, business partners, suppliers and sub-contractors for the performance and compliance obligations of any contract we enter into with them or you;
- Subcontractors including email marketing specialists, payment and other financial service providers
- Credit reference agencies, our insurance broker, compliance partners and other sub-contractors for the purpose of assessing your suitability for a role where this is a condition of us entering into a contract with you.

### **We will disclose your personal information to third parties:**

- In the event that we sell or buy any business or assets, in which case we will disclose your personal data to the prospective seller or buyer of such business or assets.
- If Premier Recruitment Derby Ltd or substantially all of its assets are acquired by a third party, in which case personal data held by it about its customers will be one of the transferred assets.
- If we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or in order to enforce or apply our terms of use or terms and conditions of

supply of services and other agreements; or to protect the rights, property, or safety of Premier Recruitment Derby Ltd, our customers, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

**The lawful basis for the third party processing will include:**

- Their own legitimate business interests in processing your personal data, in most cases to fulfil their internal resourcing needs;
- Satisfaction of their contractual obligations to us as our data processor;
- For the purpose of a contract in place or in contemplation;
- To fulfil their legal obligations.

**How and Where Do You Store or Transfer My Personal Data?**

We take the security of your data seriously and have internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties.

Where the organisation engages third parties to process personal data on its behalf, they do so on the basis of the Data Processing Agreement and are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

We will only store or transfer your personal data in the UK. This means that it will be fully protected under the GDPR.

**How Long Will You Keep My Personal Data?**

We will not keep your personal data for any longer than is necessary in light of the reasons for which it was first collected. . Accordingly, we have a data retention notice and run data routines to remove data that we no longer have a legitimate business interest in maintaining.

Prior to making an introduction, we check that we have accurate information about you. We keep in touch with you so you can let us know of any changes to your personal data.

We segregate our data so that we keep different types of data for different time periods. The criteria we use to determine whether we should retain your personal data includes:

- The nature of the personal data;
- It's perceived accuracy;
- Our legal obligations;
- Whether an interview or placement has been arranged; and
- Our recruitment expertise and knowledge of the industry by sector and job role.

Your personal data will be kept in accordance with our Data Retention Policy which is available upon request.

We may archive part or all of your personal data or retain it on our financial systems only, deleting all or part of it from our main Customer Relationship Manager (CRM) system.

**Will your data be used for Marketing Purposes?**

We may from time to time send you emails, direct mail or otherwise contact you for marketing purposes, or to promote new services, activities or content where we believe there is a legitimate interest to you or where you have agreed to this.

You may at any time request us to stop using your personal data for direct marketing purposes. If you wish to do so, please contact us.

### **How Can I Access My Personal Data?**

If you want to know what personal data we have about you, you can ask us for details of that personal data and for a copy of it (where any such personal data is held). This is known as a “subject access request”.

All subject access requests should be made in writing and sent to the email or postal addresses shown in Part 11. To make this as easy as possible for you, a Subject Access Request Form is available for you to use. You do not have to use this form, but it is the easiest way to tell us everything we need to know to respond to your request as quickly as possible.

There is not normally any charge for a subject access request. If your request is ‘manifestly unfounded or excessive’ (for example, if you make repetitive requests) a fee may be charged to cover our administrative costs in responding.

We will respond to your subject access request within one month of receiving it. Normally, we aim to provide a complete response, including a copy of your personal data within that time. In some cases, however, particularly if your request is more complex, more time may be required up to a maximum of three months from the date we receive your request. You will be kept fully informed of our progress.

### **Automated decision - making**

Employment decisions are not based on automated decision - making.

### **How Do I Contact You?**

To contact us about anything to do with your personal data and data protection, including to make a subject access request, please use the following details (for the attention of Danielle Rogers):

Email address: Danielle@premierrecruitmentderby.com

Telephone number: 01332 203999.

Postal Address: Premier Recruitment Derby Ltd, 43-45 St Peter’s Churchyard, Derby, DE1 1NN.

### **Changes to this Privacy Notice**

We may change this Privacy Notice from time to time. This may be necessary, for example, if the law changes, or if we change our business in a way that affects personal data protection.

Any changes will be made available .....