

# PRIVACY NOTICE

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<b>Company Name:</b>	RightMann Services Ltd ('the Company')
<b>Company Contact Details:</b>	Compliance Officer RightMann Services Ltd Sunnybrae Windsole Auchterarder Perthshire PH3 1PB
<b>Document RMQ128</b>	Privacy Notice (including for use on the company website)
<b>Topic:</b>	Data Protection
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The Company is a recruitment and employment business which provides work-finding services to its clients and work-seekers. The Company must process personal data (including sensitive personal data) so that it can provide these services – in doing so, the Company acts as a data controller.

You may give your personal details to the Company directly, such as on an application or registration form or via our website, or we may collect them from another source such as a jobs board. The Company must have a legal basis for processing your personal data. For the purposes of providing you with work-finding services and/or information relating to roles relevant to you we will only use your personal data in accordance with this privacy statement. At all times we will comply with current data protection laws.

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## **1. Collection and use of personal data**

### **a. Purpose of processing and legal basis**

The Company will collect your personal data (which may include sensitive personal data) and will process your personal data for the purposes of providing you with work-finding services. This includes for example, contacting you about job opportunities, assessing your suitability for those opportunities, updating our databases, putting you forward for job opportunities, arranging payments to you and developing and managing our services and relationship with you and our clients.

In some cases we may be required to use your data for the purpose of investigating, reporting and detecting crime and also to comply with laws that apply to us. We may also use your information during the course of internal audits to demonstrate our compliance with certain industry standards.

We must have a legal basis to process your personal data. The legal bases we rely upon to offer our work-finding services to you are:

- Your consent
- For performance of the contract
- Where we have a legitimate interest
- To comply with a legal obligation that we have
- To fulfil a contractual obligation that we have with you

### **b. Legitimate interest**

This is where the Company has a legitimate reason to process your data provided it is reasonable and does not go against what you would reasonably expect from us. Where the Company has relied on a legitimate interest to process your personal data our legitimate interests are as follows:

- Managing our database and keeping work-seeker records up to date;
- Providing work-finding services to you and our clients;
- Contacting you to seek your consent where we need it;
- Making decisions in relation to both initial and subsequent employment; salary; benefits; contractual benefits and training needs;
- Giving you information about similar products or services that you have used from us recently;
- Dealing with legal claims made against us;
- Preventing fraud;
- Passing work seeker's information to debt collection agencies

### **c. Statutory/contractual requirement**

The Company has certain legal and contractual requirements to collect personal data (e.g. to comply with the Conduct of Employment Agencies and Employment Businesses Regulations 2003, immigration and tax legislation, and in some circumstances safeguarding requirements.) Our clients may also require this personal data, and/or we may need your data to enter into a contract with you. If you do not give us personal data we need to collect we may not be able to continue to provide work-finding services to you.

### **d. Recipient/s of data**

The Company will process your personal data and/or sensitive personal data with the following recipients:

- Clients (whom we may introduce or supply you to)
- Former employers whom we may seek references from
- Payroll service providers who manage payroll on our behalf or other payment intermediaries whom we may introduce you to
- Legal advisors
- Other recruitment agencies in the supply chain
- Trade bodies that we are members of
- Third parties who carry out audits
- Insurers
- Social Networks
- Third party organisations used to undertake suitability checks
- HMRC
- Trade Unions

## **2. Information to be provided when data collected not from the data subject**

**Categories of data:** The Company may have collected the following personal data on you:

*Personal data (for example)*

- Name, address, mobile no, email
- National insurance no.
- Nationality (through right to work check)

*Sensitive personal data: (for example)*

- Health information including whether you have a disability
- Criminal conviction

**Source of the personal data:** The Company may have sourced your personal data/sensitive personal data: *(for example)*

- From The Hub/Job Centres
- A former employer
- A referee whose details you previously provided to us
- Social networks

## **3. Overseas Transfers**

The Company will not transfer the information you provide to us to countries outside the European Economic Area ('EEA') for the purposes of providing you with work-finding services. The EEA comprises the EU member states plus Norway, Iceland and Liechtenstein.

## **4. Data retention**

The Company will retain your personal data only for as long as is necessary for the purpose we collect it. Different laws may also require us to keep different data for different periods of time. For example, the Conduct of Employment Agencies and Employment Businesses Regulations 2003, require us to

keep work-seeker records for at least one year from (a) the date of their creation or (b) after the date on which we last provide you with work-finding services.

We must also keep your payroll records, holiday pay, sick pay and pensions auto-enrolment records for as long as is legally required by HMRC and associated national minimum wage, social security and tax legislation. This is currently 3 to 6 years.

Where the Company has obtained your consent to process your personal and sensitive personal data, we will do so in line with our retention policy. See below:

*We only keep your data for as long as we need it for, which, in relation to unsuccessful candidates, is six months to a year. We have a separate privacy notice for job applicants.*

*If your application is not successful and we have not sought consent or you have not provided consent upon our request to keep your data for the purpose of future suitable job vacancies, we will keep your data for six months once the recruitment exercise ends.*

*If we have sought your consent to keep your data on file for future job vacancies, and you have provided consent, we will keep your data for nine months once the recruitment exercise ends. At the end of this period, we will delete or destroy your data, unless you have already withdrawn your consent to our processing of your data in which case it will be deleted or destroyed upon your withdrawal of consent.*

*Upon expiry of that period the Company will seek further consent from you. Where consent is not granted the Company will cease to process your personal data and sensitive personal data.*

*Where you have provided consent to our use of your data, you also have the right to withdraw that consent at any time. This means that we will stop processing your data and there will be no consequences of withdrawing consent.*

*If your application is successful, your data will be kept and transferred to the systems we administer for employees. We have a separate privacy notice for employees.*

### **Retention Periods**

<b>Record</b>	<b>Statutory Retention Period</b>
Children/young adults	Until the child reaches 21
Retirement Benefits Schemes	6 years from the end of the scheme year
Statutory Maternity Pay (calculations, certificates, medical evidence)	3 years after the end on the tax year in which the period ends
Wage/salary (overtime, bonuses, expenses)	6 years
National Minimum Wage	3 years after the end of the consequent pay reference period
Working hours	2 years after they are made
<b>Record</b>	<b>Recommended Retention Period</b>
Application forms and interview notes	6 months to a year
Assessments under health and safety regulations and records of consultations with safety representatives and committees	Permanently
HMRC approvals	Permanently
Money purchase details	6 years after transfer or value taken
Parental leave	Until child is 18 (birth/adoption)

<i>Pension scheme investment policies</i>	<i>12 years from the ending of any benefit payable under the policy</i>
<i>Pensioners' records</i>	<i>12 years after end of benefit</i>
<i>Personnel files, training records (disciplinary records, working time records)</i>	<i>6 years after end of employment</i>
<i>Redundancy details, calculations of payments, refunds, notification to the Secretary of State</i>	<i>6 years after date of redundancy</i>
<i>Statutory Sick Pay records, calculations, certificates, self-certificates</i>	<i>at least 3 months after the end of the period of sick leave, but 6 years after the employment ceases advisable</i>
<i>Time cards</i>	<i>2 years after audit</i>
<i>Trade Union agreements</i>	<i>10 years after end</i>
<i>Works Council minutes</i>	<i>Permanently</i>

*Notwithstanding the other provisions of this policy, we may retain your personal data where such retention is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.*

## **5. Your rights**

Please be aware that you have the following data protection rights:

- The right to be informed about the personal data the Company processes on you;
- The right of access to the personal data the Company processes on you;
- The right to rectification of your personal data;
- The right to erasure of your personal data in certain circumstances;
- The right to restrict processing of your personal data;
- The right to data portability in certain circumstances;
- The right to object to the processing of your personal data that was based on a public or legitimate interest;
- The right not to be subjected to automated decision making and profiling; and
- The right to withdraw consent at any time.

Where you have consented to the Company processing your personal data and sensitive personal data you have the right to withdraw that consent at any time by contacting The Compliance Officer, RightMann Services Ltd, Sunnybrae, Windsole, Auchterarder, Perthshire PH3 1PB. Please note that if you withdraw your consent to further processing that does not affect any processing done prior to the withdrawal of that consent, or which is done according to another legal basis.

There may be circumstances where the Company will still need to process your data for legal or official reasons. Where this is the case, we will tell you and we will restrict the data to only what is necessary for those specific reasons.

If you believe that any of your data that the Company processes is incorrect or incomplete, please contact us using the details above and we will take reasonable steps to check its accuracy and correct it where necessary.

**You can also contact us using the above details if you want us to restrict the type or amount of data we process for you, access your personal data or exercise any of the other rights listed above.**

## **6. Automated decision-making**

Automated decision-making means making decision about you using no human involvement e.g. using computerised filtering equipment. No decision will be made about you solely on the basis of automated decision making (where a decision is taken about you using an electronic system without human involvement) which has a significant impact on you.

## **7. Cookies**

These are small text files that are placed on your computer by websites that you visit. They are widely used in order to make websites work, or work more efficiently, as well as to provide information to the owners of the site. We do not use cookies on our website.

## **8. Log in Files**

We do not use IP addresses to analyse trends, administer the site, track users' movements, and to gather broad demographic information for aggregate use. IP addresses are not linked to personally identifiable information.

## **9. Links to external websites**

The Company's website may contain links to other external websites. Please be aware that the Company is not responsible for the privacy practices of such other sites. When you leave our site we encourage you to read the privacy statements of each and every website that collects personally identifiable information. This privacy statement applies solely to information collected by the Company's website.

## **10. Sale of business**

If the Company's business is sold or integrated with another business your details may be disclosed to our advisers and any prospective purchasers and their advisers and will be passed on to the new owners of the business.

## **11. Data Security**

The Company takes every precaution to protect our users' information, such as firewalls, password protection and limited access.

Only employees who need the information to perform a specific job (for example, consultants, our accounts & payroll team, our administrator or a marketing assistant) are granted access to your information.

The Company uses all reasonable efforts to safeguard your personal information. However, you should be aware that the use of email/ the Internet is not entirely secure and for this reason the Company cannot guarantee the security or integrity of any personal information which is transferred from you or to you via email/ the Internet.

If you share a device with others we recommend that you do not select the "remember my details" function when that option is offered.

If you have any questions about the security at our website, you can email [chris@rightmann.co.uk](mailto:chris@rightmann.co.uk)

## **12.Changes to this privacy statement**

We will update this privacy statement from time to time. We will post any changes on the statement with revision dates. If we make any material changes, we will notify you.

## **13.Complaints or queries**

If you wish to complain about this privacy notice or any of the procedures set out in it please contact: The Compliance Officer, RightMann Services Ltd, Sunnybrae, Windsole, Auchterarder, Perthshire PH3 1PB.

You also have the right to raise concerns with Information Commissioner's Office on 0303 123 1113 or at <https://ico.org.uk/concerns/>, or any other relevant supervisory authority should your personal data be processed outside of the UK, if you believe that your data protection rights have not been adhered to.