

# PRIVACY NOTICE

RELATED TO DETAILS OBTAINED FROM THE DATA SUBJECT AS WELL AS THIRD PARTIES

(SBL-CDR-017)

Company Name:	Simpson Booth Limited
Company Contact details:	Russell Stewart – Managing Director Ela Falat – Senior Business Administrator  2nd Floor, Berkeley Square House, Berkeley Square, London W1J 6BD E: info@simpson-booth.com T: +44 (0) 207 887 1388
Topic:	Data protection
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The Company is a recruitment 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 job board. The Company must have a legal basis for processing your personal data and 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 the terms of the following statement.

## 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. The legal bases we rely upon to offer these services to you are:

- **Legitimate interest** - We rely on this basis in order to provide work finding services to both candidates and clients. We will also rely on legitimate interest to advertise and/or market jobs.
- **Legal obligation** - We have a legal obligation to comply with the Conduct of Employment Agencies and Employment Business Regulation 2003 to retain certain records for specific periods of time. In the unlikely event that we are asked to assist a law enforcement organisation with their investigation, we may need to process your data.
- **Consent** - We will seek your consent if/when processing a special category of personal data and when processing personal data overseas where potentially insufficient data protection laws may be in place or in situations where you would be subject to profiling (e.g. a psychometric selection test). You can withdraw this consent at any time. This can be done in the same way as consent was given in the first instance.
- **Contractual obligation** - We will process personal data if processing is necessary for the performance of a contract or is necessary for the data subject to enter into a contract e.g. we will process personal data in order to provide our services to a candidate and enter into a contract with them.

## b. Categories of data

The Company may have collected the following personal data on you, but in addition, this may depend on what information you have provided on third party sources such as job sites, etc.:

Personal data comprises of but is not limited to:

- Full Name;
- Age/Date of birth;
- Gender;
- Photograph;
- Marital status;
- Contact details;
- Education details;
- Employment history;
- Emergency contacts and details of any dependants;
- Referee details;
- Right to work documents such as copy of your driving licence and/or passport/identity card/work permit;
- Nationality/citizenship/place of birth;
- Financial information (where we need to carry out financial background checks);
- Social security number (or equivalent in your country) and any other tax-related information;
- Details about your current remuneration, pensions and benefits arrangements;
- Information on your interests and needs regarding future employment, both collected directly and inferred, for example from jobs viewed or articles read on our website;
- Extra information that you choose to tell us;
- Extra information that your referees choose to tell us about you;
- Extra information that our Clients may tell us about you, or that we find from other third-party sources such as job sites;
- The dates, times and frequency with which you access our services;
- Basic disclosure documents.

Sensitive personal data comprises of but is not limited to:

- Details of any criminal convictions if this is required for a role that you are interested in applying for;
- Diversity information including racial or ethnic origin, religious or other similar beliefs
- Physical or mental health, including disability-related information;

## c. Legitimate interest

Where the Company has relied on a legitimate interest to process your personal data our legitimate interests is/are as follows:

- Work-finding services;
- Advertising jobs that may be of interest to you and/or direct marketing;
- Relevant and appropriate relationships - such as where the individual is a client;
- Reasonable expectations - individuals have a reasonable expectation that their data will be processed when registering directly with recruitment agencies and/or job boards;
- Fraud and financial crime detection and prevention;
- Information and system security;
- Compliance with foreign law, law enforcement, court and regulatory bodies' requirements.

## d. Recipient(s) of data

We may share your personal data with various parties from time to time. Primarily, based on legitimate interest, we will share your information with prospective employers to increase your chances of securing the job you want. Unless you specify otherwise, we may also share your information with any of our group companies and associated third parties such as our service providers where we feel this will help us to provide you with the best possible service.

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

- Prospective employer(s) – following prior consultation and discussion with you or following your application for specific role
- Other third parties such as other recruitment businesses who we may have partnership agreements with
- Online timesheet systems, pension scheme providers, payroll provider, our banks – upon engagement

We may also disclose your personal information if we are under a duty to disclose or share your personal data in order to comply with a legal obligation.

#### e. Statutory/contractual requirement – (data obtained directly from the data subject)

Your personal data is required by law and/or a contractual requirement (e.g. our client may require this personal data), and/or a requirement necessary to enter into a contract. You are obliged to provide the personal data and if you do not the consequences of failure to provide the data are:

- We will not be able to provide you with work-finding services or enter into a contract with you.

## 2. Overseas data transfers

The Company may transfer only the information you provide to us to countries outside the European Economic Area ('EEA') for the purposes of providing you with work-finding services. We will take steps to ensure adequate protections are in place to ensure the security of your information. The EEA comprises the EU member states plus Norway, Iceland and Liechtenstein.

## 3. Data retention

The Company will retain your personal data only for as long as is necessary. Different laws require us to keep different data for different periods of time.

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.

Where the Company has obtained your consent to process your [personal/[and] sensitive personal data, such as data consisting of racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic data, biometric data, data concerning health or data concerning a person's sex life or sexual orientation, we will do so in line with our retention policy (a copy of which is attached can be found below). 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 and sensitive data.

#### a. Retention period

We will keep your personal data for as long as necessary to comply with our statutory and contractual obligations and in accordance with our legitimate interests as a data controller, or three years, whichever is later. We have chosen three years because this is the average amount of time that a large number of our professional candidates will spend working at a particular role. Given that someone is likely to have 5-10 different jobs over the course of a career, you may wish to return and use our services on multiple occasions.

That said, you may choose to exercise the right to be removed from our systems, i.e. for your data to be permanently deleted.

Any records that are no longer required will be destroyed securely.

## 4. 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 our Managing Director or Senior Business Administrator using the contact details provided above.

## 5. Automated decision-making

We do not use automated decision-making services in our day-to-day operations. However, on some occasions when requested by our client, we may use psychometric tests or assessments to measure psychological characteristics such as personality traits, behavioural styles, cognitive abilities, motivations etc., to help us and our potential hirer better understand a candidate's profile. On these rare occasions when we are requested to subject our candidate to such test or assessment, we will seek a candidate's explicit consent.

The details of the information used to create the candidate's profile will not be stored on our records. Those details will be passed on to the said hirer who has requested it.

## 6. Sources of personal data

If we have not obtained your personal data from you directly, this means that the Company sourced your personal data/sensitive personal data by the following means:

- Job boards, such as Indeed, E Tax jobs, Broadbean, Monster etc.
- Our Clients may share personal information about you with us;
- Your referees may disclose personal information about you;
- We may obtain information about you from searching for potential Candidate from third party sources, such as LinkedIn, etc;

This information all comes from publicly accessible source.

## 7. Complaints or queries

If you wish to complain about this privacy notice or any of the procedures set out in it, please contact:

Russell Stewart – Managing Director  
Ela Falat – Senior Business Administrator

Simpson Booth, 2nd Floor, Berkeley Square House, Berkeley Square, London W1J 6BD

Email: [info@simpson-booth.com](mailto:info@simpson-booth.com)  
Telephone: +44 (0) 207 887 1388

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.