

## **PRIVACY NOTICE**

**For the purposes of data protection legislation in force from time to time the data controller is Red King Resourcing Limited of Davidson House, Office 250, The Forbury, Reading, Berkshire, England, RG1 3EU.**

Red King Resourcing Limited ("We" or "Us") is committed to protecting and respecting your privacy.

Our Group means our subsidiaries, our ultimate holding company and its subsidiaries, and our associated companies as defined in section 1159 of the UK Companies Act 2006 (our "Group").

This notice sets out the basis on which any personal data we collect from you, or that you provide to us, will be processed by us.

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.

**The person responsible for data protection for Red King Resourcing is Michael Bell.**

### **Who we are and what we do**

We are a recruitment agency and recruitment business ("our business"). We collect the personal data of the following types of people to allow us to undertake our business:

- Prospective and placed candidates for permanent or temporary roles;
- Prospective and live client contacts;
- Supplier contacts to support our services; and
- Prospective, current and former employees, consultants, contractors and workers.

We collect information about you to carry out our core business and ancillary activities.

### **Information you give to us or we collect about you.**

This is information about you that you give us by filling in forms on our website, [www.redkingresourcing.com](http://www.redkingresourcing.com) ("our site") or by corresponding with us by phone, e-mail or otherwise. It includes information you provide when you register to use our site, to enter our database, subscribe to our services, apply to our advertised jobs, attend our events or open days, participate in discussion boards or other social media functions on our site, enter a competition, promotion or survey, and when you report a problem with our site. Please note that phone calls will be recorded for quality and training purposes and will be stored for a period of sixty days.

The information you give us or we collect about you may include:

- Personal contact details such as name, title, address, telephone numbers, private and corporate email addresses
- Date of birth
- Emergency contact information
- Gender

- National Insurance number
- Evidence of UK residential address
- Current salary information or hourly/daily rate
- Recruitment information - including copies of right to work documentation, references, and other information included in a CV or cover letter or as part of the application process
- Employment history - including job titles, work and education history, working hours, training records and professional memberships
- Disciplinary and grievance information
- Information obtained through electronic means, such as an electronic access device
- Bank account details, payroll records and tax status information
- Pension and benefits information
- Information about your use of our information and communications systems
- Links to your professional profiles available in the public domain, e.g. LinkedIn, Twitter, Facebook or corporate website

We may also collect the following "special categories" of more sensitive personal information:

- Information about your health, including any medical conditions and health and sickness records
- Information about criminal convictions and offences

#### **Information we collect about you when you visit our website.**

With regard to each of your visits to our site we will automatically collect the following information: information about your visit, including:

- The full Uniform Resource Locators (URL)
- Clickstream to, through and from our site (including date and time)
- Products or services you viewed or searched for
- Page response times
- Download errors
- Length of visits to certain pages
- Page interaction information (such as scrolling, clicks, and mouse-overs)
- Methods used to browse away from the page

#### **Information we obtain from other sources.**

This is information we obtain about you from other sources such as:

- LinkedIn
- Corporate websites
- Job board websites and online CV libraries such as Adzuna, CareerBuilder, CW Jobs, Experteer.com, Freelance.de, Freelancermap, Jobsite, Jobserve, Just Engineers, Topengineer, Reed.co.uk, Monster, CV Library, Milkround
- Facebook
- Twitter
- Your business card
- Personal recommendations
- Third party employment agencies
- Background check providers

In this case we will inform you, by sending you this privacy notice within a maximum of 30 days of collecting the data (unless an exemption applies under GDPR which means that sending the privacy

notice will be impossible or disproportionate) of the fact that we hold personal data about you, the source the personal data originates from and whether it came from publicly accessible sources, and for what purpose we intend to retain and process your personal data.

We are working closely with third parties including companies within our Group and companies under common ownership, business partners, sub-contractors in technical, professional, payment and other services, advertising networks, analytics providers, search information providers, credit reference agencies, and professional advisors. We may receive information about you from them for the purposes of our recruitment services and ancillary support services.

### **Purposes of the processing and the legal basis for the processing**

We use information held about you in the following circumstances:

- Where it is necessary for entering into or performing a contract with you
- Where we need to comply with a legal obligation
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests
- Where you have given us consent to use your personal data
- To provide you with the information, products and services that you request from us or we think will be of interest to you if we believe it is relevant to your career or to your organisation
- To provide you with information about other services we offer that are similar to those that you have already purchased, been provided with or enquired about

Our legal basis for the processing of personal data is our legitimate business interests (or those of a third party) described in more detail in the section below, although we may also rely on contract, legal obligation and consent, for specific uses of data.

We will rely on the contract ground if we are discussing/negotiating or have entered into a placement agreement with you or your organisation or any other contract of service or contract for services, contract to provide services to you or receive services from you or your organisation. We will also rely on contract where you apply for a specific job and it is necessary to process your data for the purposes of securing you that role and subsequently entering into a contract with us.

We will rely on the legal obligation ground if we are legally required to hold information on you to fulfil our legal obligations. For example for reasons related to HMRC or employment law.

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 obtaining your permission before introducing 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, employees and client contacts. If we discover your CV on a job board, CV database or other location in the public domain, we will rely on legitimate interests when adding your information to our database. We will also consider the use of your personal data in this manner to be within your reasonable expectations.

Once we have added your personal information to our database, we may contact you from time to time via phone or email with details of roles or vacancies which we believe may be of interest to you. If you have applied for a specific role which was unsuccessful, we may also contact you from time to time with alternative roles. You have the right to inform us at any time should you not wish to receive this kind of communication (see the section on Your Rights below).

To deliver our services we may need to use your data for the following purposes:

- Determining, based on your skills, qualifications, and experience, whether you are suitable for a vacancy either within our organisation or with one of our clients
- Determining any terms and conditions on which you engage with us
- Checking you are legally entitled to work in the UK (or other applicable jurisdiction)
- Paying you or your company, and if you are an employee, making deductions for tax and national insurance
- Liaising with your chosen Umbrella organisation, if you are a candidate and supplying services in this manner
- Administering the contract we have entered into with you
- Business management, including compliance auditing and accounting
- Making decisions about your continued engagement or employment
- Making arrangements for the termination of our working relationship
- Dealing with any legal disputes which may arise
- To ensure compliance with legal and regulatory requirements
- Ascertaining fitness to work
- Complying with health and safety obligations
- Monitoring and managing sickness absence
- Liaising with your pension provider
- Conducting performance reviews and managing performance
- Gathering evidence for possible grievance or disciplinary hearings

## **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.

## **Other Uses we will make of your data:**

- To notify you about changes to our service
- To ensure that content from our site is presented in the most effective manner for you and for your computer.

We will use this information:

- to administer our site and for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes
- to improve our site to ensure that content is presented in the most effective manner for you and for your computer
- to allow you to participate in interactive features of our service, when you choose to do so
- as part of our efforts to keep our site safe and secure
- to measure or understand the effectiveness of advertising we serve to you and others, and to deliver relevant advertising to you
- to make suggestions and recommendations to you and other users of our site about goods or services that may interest you or them

We do not undertake automated decision making or profiling. 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. We will notify you if this changes in the future.

### **Cookies**

Our website uses cookies to distinguish you from other users of our website. This helps us to provide you with a good experience when you browse our website and also allows us to improve our site. For detailed information on the cookies we use and the purposes for which we use them see our Cookie notice <http://www.redkingresourcing.com/legal>.

### **Disclosure of your information outside of the EEA**

We may share your personal information with:

Any member of our group both in the EEA and outside of the EEA. We will only transfer data outside of the EEA where permitted by law. For further information, please contact [gdpr@redkingresourcing.com](mailto:gdpr@redkingresourcing.com).

### **Disclosure of your information within the EEA**

We will share your personal information with any member of our group, and to selected third parties.

Selected third parties may include:

- 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 (or intend to enter into)
- Sub-contractors including email marketing specialists, event organisers, payment and other financial service providers and Umbrella companies
- Analytics and search engine providers that assist us in the improvement and optimisation of our site
- 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
- Professional advisors and consultants such as legal and human resource functions

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 Red King Resourcing, or a substantial amount 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 it is necessary 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, our terms and conditions for supply of services or to protect or enforce the rights, property, or safety of Red King Resourcing, 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.

### **Where we store and process your personal data**

The data that we collect from you may be transferred to, and stored at, a destination outside the European Economic Area ("EEA"). It may be transferred to third parties outside of the EEA for the purpose of our recruitment services. It may also be processed by staff operating outside the EEA who work for us or for one of our customers or suppliers. This includes staff engaged in, among other things, our recruitment services and the provision of support services. By submitting your personal data, you agree to this transfer, storing or processing. We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this privacy notice.

We make sure that security measures are in place to protect your personal data. Measures are also in place to discover any breaches and to enable us to notify the ICO.

### **Retention of your data**

We understand our legal duty to retain accurate data and only retain personal data for as long as we need it for our legitimate business interests and that you are happy for us to do so. 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.

We do the following to try to ensure our data remains accurate and up to date:

- Prior to making an introduction or arranging an interview we check that we have accurate information about you
- We keep in touch with you so you can let us know of 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 and its perceived accuracy
- Our legal obligations
- Whether an interview or placement has been arranged (or requested)
- Whether there has been ongoing communication between you and us
- Whether you are a candidate or an employee

- Our recruitment expertise and knowledge of the industry by country, sector and job role

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 Management (CRM) system. We may pseudonymise parts of your data, particularly following a request for suppression or deletion of your data, to ensure that we do not re-enter your personal data on to our database, unless requested to do so.

For your information, Pseudonymised Data is created by taking identifying fields within a database and replacing them with artificial identifiers, or pseudonyms. Pseudonymised data is still personal data however, and we will treat it as such.

Our current retention policy is available upon request, by contacting [gdpr@redkingresourcing.com](mailto:gdpr@redkingresourcing.com).

### Your rights

You have the right to ask us not to process your personal data for marketing purposes. You can exercise the right at any time by contacting us at [gdpr@redkingresourcing.com](mailto:gdpr@redkingresourcing.com)

Our site may, from time to time, contain links to and from the websites of our partner networks, advertisers and affiliates. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for these policies. Please check these policies before you submit any personal data to these websites.

### The GDPR provides you with the following rights. To:

- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party in certain formats, if practicable.
- **Make a complaint** to a supervisory body which in the United Kingdom is the Information Commissioner's Office. The ICO can be contacted through this link: <https://ico.org.uk/concerns/>

### Access to information

You have the right to access information held about you. We also encourage you to contact us to ensure your data is accurate and complete.

Your right of access can be exercised in accordance with the Act (and the GDPR once it is in force). Prior to 25<sup>th</sup> May 2018 any access request under the Data Protection Act will be subject to a fee of £10

to meet our costs in providing you with details of the information we hold about you (except in certain situations, where we may be entitled to charge a reasonable administration fee)

A subject access request should be submitted to [gdpr@redkingresourcing.com](mailto:gdpr@redkingresourcing.com). No fee will apply once the GDPR comes into force.

### **Changes to our privacy notice**

Any changes we make to our privacy notice in the future will be posted on this page and, where appropriate, notified to you by e-mail. Please check back frequently to see any updates or changes to our privacy notice.

### **Contact**

Questions, comments and requests regarding this privacy notice are welcomed and should be addressed to [gdpr@redkingresourcing.com](mailto:gdpr@redkingresourcing.com).