

## **Clear Engineering Recruitment LTD – Privacy Notice Clients, Job Applicants, Employees**

Clear Engineering Recruitment LTD (CER) is aware of its obligations under the General Data Protection Regulation (GDPR) and is committed to processing your data securely and transparently. This privacy notice sets out, in line with GDPR, the types of data that we collect and hold on you, either as a client of ours (current or former) or as an individual whose data we have collected in the conduct of our business (job applicant or candidate) or as an employee. This privacy notice also sets out how we use that information, how long we keep it for and other relevant information about your data.

### Data controller details

CER is a data controller, meaning that it determines the processes to be used when using your personal data. Our address is Kingfisher House Business Centre, 21 – 23 Elmfield Road, Bromley, Kent, BR1 1LT

### Data protection principles

In relation to your personal data, we will:

- Process it fairly, lawfully and in a clear, transparent way
- Collect your data only for legitimate reasons during the course of your engagement with us in the ways that have been explained to you.
- Only use it in the way that we have told you about
- Ensure it is correct and up to date
- Keep your data for only as long as we need it
- Process it in a way designed to ensure it will not be lost, destroyed or used for anything that you are not aware of

## Types of data we process

The types of data we hold about you may be provided by: you, any online platform used by you to access our job adverts, credit reference agencies and your nominated referees and agents. This information may consist of the following:

- Your personal details including your name, address, email address (personal or professional), phone numbers;
- Copies of your photographic identification;
- Details of your employment and employer(s); and
- Gender
- Marital Status
- Health issues you declare
- Information included on your CV including references, education history and employment history
- Passport and/or VISA
- Drivers Licences or any other ID you have provided us

## How we collect your data

We collect data about you in a variety of ways including the information you would normally include in a CV or a job application cover letter, or notes made by our recruiting officers during a recruitment interview. Further information will be collected directly from you when you complete application forms as part of your registration with us, for example, your references. Other details may be collected directly from you in the form of official documentation such as your driving licence, passport or other right to work evidence.

In some cases, we will collect data about you from third parties, such as employment job boards, company website, database marketing companies, LinkedIn, social media, online directories such as Applegate, former employers when gathering references or credit reference agencies.

Personal data is kept in personnel files or within the Company's CRM (Evolve) system or on CER registered emails which are password protected and access to the information is restricted to those at CER who require access to undertake their job.

## Why we process your data

The law on data protection allows us to process your data for certain reasons only:

- In order to perform the contract that we are party to
- In order to carry out legally required duties
- In order for us to pursue the legitimate interests of CER or our Clients • To protect your vital interests or those of another natural person
- Where something is done in the public interest.

All of the processing carried out by us falls into one of the permitted reasons. We will need to collect your personal data in order to carry out the contract that we have entered into with our clients and to pursue both their and our legitimate interests.

We also need to collect your data to ensure we are complying with legal requirements such as:

- carrying out checks in relation to your right to work in the UK and
- making reasonable adjustments for disabled employees.

## Special categories of data

Special categories of data are data relating to your:

- health
- sex life
- sexual orientation
- race
- ethnic origin
- political opinion
- religion
- trade union membership and
- genetic and biometric data.

We must process special categories of data in accordance with more stringent guidelines. Most commonly, we will process special categories of data when the following applies:

- you have given explicit consent to the processing
- we must process the data in order to carry out our legal obligations • we must process data for reasons of substantial public interest
- you have already made the data public.

We will use your special category data:

- for the purposes of equal opportunities monitoring

We do not need your consent if we use special categories of personal data in order to carry out our legal obligations or exercise specific rights under employment law. However, we may ask for your consent to allow us to process certain particularly sensitive data. If this occurs, you will be made fully aware of the reasons for the processing. As with all cases of seeking consent from you, you will have full control over your decision to give or withhold consent and there will be no consequences where consent is withheld. Consent, once given, may be withdrawn at any time. There will be no consequences where consent is withdrawn.

## Criminal conviction data

We will only collect criminal conviction data where it is appropriate given the nature of your role and where the law permits us. This data will usually be collected via an application form you will fill out during the recruitment stage, however, may also be collected during your employment should you be successful in obtaining employment. We use criminal conviction data in the following ways:

We process this data because of our legal obligation to inform a client (if applicable or request) of previous criminal conviction where relevant and with your permission.

## If you do not provide your data to us

One of the reasons for processing your data is to allow us to carry out our duties in line with our contracts to our clients.

If as a client, you do not provide us with the data needed to do this, we will unable to perform those duties.

Another reason for processing your data is to allow us to carry out an effective recruitment process. Whilst you are under no obligation to provide us with your data, we may not be able to process, or continue with (as appropriate), your application.

## Sharing your data

Your data will be shared with colleagues within CER where it is necessary for them to undertake their duties. Your data may also be shared with our clients, with your permission when making a job application on your behalf.

We do not share your data with bodies outside of the European Economic Area.

## Protecting your data

We are aware of the requirement to ensure your data is protected against accidental loss or disclosure, destruction and abuse. We have implemented processes to guard against this.

Where we share your data with third parties, we have a written agreement with them to ensure that your data are held securely and in line with GDPR requirements. Third parties must implement appropriate technical and organisational measures to ensure the security of your data.

## How long we keep your data for

In line with data protection principles, we only keep your data for as long as we need it. We need to keep your data for the duration of any agreement or outstanding obligations under an agreement between us or between you and one of our clients or in order to carry out our legitimate business interests. Your data can be completely removed from our systems within 7 days of your request.

## Automated decision making

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.

## Your rights in relation to your data

The law on data protection gives you certain rights in relation to the data we hold on you. These are:

- The right to be informed. This means that we must tell you how we use your data, and this is the purpose of this privacy notice
- The right of access. You have the right to access the data that we hold on you. To do so, you should make a subject access request. the right for any inaccuracies to be corrected. If any data that we hold about you is incomplete or inaccurate, you are able to require us to correct it
- The right to have information deleted. If you would like us to stop processing your data, you have the right to ask us to delete it from our systems where you believe there is no reason for us to continue processing it
- The right to restrict the processing of the data. For example, if you believe the data we hold is incorrect, we will stop processing the data (whilst still holding it) until we have ensured that the data is correct
- The right to portability. You may transfer the data that we hold on you for your own purposes
- The right to object to the inclusion of any information. You have the right to object to the way we use your data where we are using it for our legitimate interests
- The right to regulate any automated decision-making and profiling of personal data. You have a right not to be subject to automated decision making in way that adversely affects your legal rights.

Where you have provided consent to our use of your data, you also have the unrestricted right to withdraw that consent at any time. Withdrawing your consent means that we will stop processing the data that you had previously given us consent to use. There will be no consequences for withdrawing your consent. However, in some cases, we may continue to use the data where so permitted by having a legitimate reason for doing so.

If you wish to exercise any of the rights explained above, please contact any of the directors at CER.

## Making a complaint

The supervisory authority in the UK for data protection matters is the Information Commissioner (ICO). If you think your data protection rights have been breached in any way by us, you are able to make a complaint to the ICO.