

PRIVACY NOTICE – DIRECT EMPLOYEES

Our parent company is BeNext Uk Holdings Limited – Company Reg 8044442 ICO ZB066799.

Driving Force Recruitment limited ('the Company') is a recruitment business which provides work-finding, recruitment, training and related services to its clients and work-seekers.

The Company must process personal data relating to those employed directly by company for employment purposes, in doing so, the Company acts as a data controller.

We will only use your personal data in accordance with the terms outlined in our contracts and our privacy notice.

1.) COLLECTION AND USE OF PERSONAL DATA

The company will collect your personal data and process your personal data, which may include sensitive data, for the purposes of providing you with employment/opportunities during the course of your employment. This includes for example contacting you about job opportunities, assessing your suitability for those opportunities, updating our databases, arranging payments to you and providing training, development and support to you during the course of your employment.

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. We may also use your information during the course of audits to demonstrate our compliance with certain industry standards.

1.1 COLLECTION OF DATA

The company will collect your personal data via a number of routes, including but not limited to the methods detailed below:

- a) You may give your personal details to us directly e.g. by seeking employment from us, via an online application or submitting your CV.
- b) We may collect personal data on your visits to our website including but not limited to, your IP address, browser, timestamp, content from surveys and contact forms and other communication data and resources that you access.
- c) Your details may have been identified via publicly available sources in relation to your professional history e.g. LinkedIn or a jobs board where you have posted your CV for recruiters to consider you for opportunities
- d) We may collect data from interactions you conduct with our social media platforms, including but not limited to posts, likes, comments, shares, tags and direct messages. This data may be utilised within the social media platforms themselves and may at times be required to be transferred to our internal databases and CRM systems, for the purposes of demographics, trackers for targeted advertising and recording and reporting systems e.g. where you have entered and won a competition.
- e) Your personal details may have been provided to us by another person or us to consider employment/opportunities suitable to you e.g. a referral from one of our existing employees.
- f) During the course of your employment data about you may be provided to us by government or regulatory sources e.g. CSA, DVLA or HMRC.
- g) Data may also be collected throughout the course of your employment e.g. from a third party training provider engaged to deliver training services with The Company.



In any case the Company must have a legal basis for processing your personal data, which may include sensitive data. We will only use your personal data in accordance with the terms of a contract and our privacy notice.

1.2 PURPOSE OF PROCESSING AND LEGAL BASIS

The legal bases we rely upon when processing your personal data are:

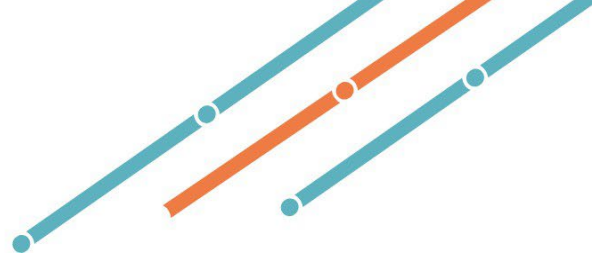
LEGAL BASE	EXAMPLE OF PURPOSE
LEGAL OBLIGATION	To comply with law, e.g. HMRC, Tax legislation, UK Visas and Immigration, HSE, The Conduct of Employment Agencies and Employment Businesses Regulations 2003
CONTRACTUAL OBLIGATION	For employment purposes; To process payroll; To assist us / you to establish / exercise or defend legal claims. Where required for the role to process information in relation to your criminal convictions
LEGITIMATE INTEREST	For marketing and public relations in relation to our services; To improve aspects of the organisation, enhance employee engagement and retention For statistical purposes e.g. to monitor Equality and Diversity.
CONSENT	Where we have explicitly obtained your consent to share your data with other potential candidates e.g. to provide a testimonial and/or reference about employment with us. To monitor Equality and Diversity. Where required for the role to process information in relation to your criminal convictions
PUBLIC INTEREST	Does not apply
VITAL INTEREST OF DATA SUBJECT	Third Party, where necessary to protect your vital interest and/or where it is believed that you are in immediate danger, e.g. emergency services, police / GLAA / Modern Slavery Helpline

1.3 RECIPIENT/S OF DATA

Where we need to share your personal and/or sensitive data, we have contracts and data sharing agreements in place with the recipients that require them to treat your information as confidential and ensure the continued protection of your data whilst in their possession.

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

- Back office Providers e.g. Sparks HR
- Governing bodies, law enforcement, regulators and any other authorities as required by law;
- Any organisations including trade bodies, associations, business partners of which we are registered members or licence holders, such as the REC
- Our clients where you are assigned to offer / provide services to
- Master/Neutral vendor and/or other recruitment agencies and/or Employment Business within the supply chain, when applicable;
- Training provider where you are undertaking any training services provided by us or our clients to which you are assigned.
- Our software providers, including IT, CRM, Website, Marketing technology platforms and suppliers;



- h) Our social networking platforms, groups and therefore and other members of the public who view these platforms;
- i) Third party suppliers, e.g. business associates and professional advisers, such as external consultants, technical and IT support functions, payroll companies, pension provider, insurers, legal advisors, independent auditors and intermediaries;
- j) Third party company at your request e.g. landlord or alternative prospective employer where you have requested us to act as a referee for you;
- k) Third party organisations and public information sources that we may use to carry out suitability checks e.g. in relation to validating right to work, skills, qualifications or experience where necessary, and validating that there are not restrictions on work or the types of work that may be undertaken. Types of organisations this may include are Companies House, Disclosure and Barring Service (DBS), General Medical Council (GMC), Driver and vehicle licensing agency (DVLA)
- l) Third party, where necessary to protect your vital interest, e.g. emergency services;
- m) Individuals and organisations who hold information related to reference contacts you have provided;
- n) We may transfer your personal information to a third party as part of a TUPE transfer under The Transfer of Undertakings (Protection of Employment) Regulations 2006;
- o) We may transfer your personal information to a third party as part of a sale of some or all of our business and assets to any third party or a part of any business restructuring or reorganisation. However, we will take steps with the aim of ensuring that your privacy rights continue to be protected.

1.4 STATUTORY/CONTRACTUAL REQUIREMENTS

Your data is required by law and/or 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 that any and all services will cease to be provided to you.

2. OVERSEAS TRANSFERS

- 3. The Company may transfer the information you provide to us to countries outside the European Economic Area ('EEA'). The EEA comprises the EU member states plus Norway, Iceland and Liechtenstein.

Whenever your data is shared, inside or outside of the EEA, we will take every step possible to ensure adequate protections are in place to ensure the security of your information.

4. AUTOMATED DECISION MAKING

To a limited extent, certain activities within the screening and suitability process will include automated decision-making. The primary function where automated decision-making processes are utilised is via technology platform implemented to validate an individuals Right to work in line with government legislation.

The outcomes of the technology implemented may produce legal effects on the individual or similarly significant affects for the individual. Where the automated decision-making process:

- a) Validates an individual's right to work, the services may be provided
- b) Is unable to be validated and an alert is issued by the technology platform, a manual checking process will be engaged in order to identify if the right to work of the individual can be established and therefore whether or not services can be provided.
- c) Determines the individual does not have the right to work, services will not be provided

- d) Identifies the right to work documentation submitted for validation does not belong to the individual presenting it or it is stolen, fraudulent or counterfeit this will be reported to the necessary authorities and services will not be able to be provided

5. DATA ACCESS RESTRICTION AND RETENTION

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

5.1 WHERE SERVICES HAVE NOT BEEN PROVIDED

If we have not provided you with our services, or had valuable contact with for two consecutive years, your personal data will be deleted from our systems save where we believe in good faith that the law or other regulation require us to preserve it.

5.2 WHERE SERVICES HAVE BEEN PROVIDED

Your personal details may be included in several documents created during the course of your employment with us. To comply with legal requirements e.g. HMRC, UK Visas and Immigration, The Conduct of Employment Agencies and Employment Businesses Regulations 2003, HSE and tax legislation, your data will be kept by Driving Force for 7 tax years from the last date on which services were provided to you.

Where the Company has obtained your consent to process your personal data and sensitive personal data we will do so in line with the relevant schedule detailed above. After expiry of that period your data will no longer be kept by Driving Force.

6. SECURITY PRECAUTIONS IN PLACE TO PROTECT THE LOSS, MISUSE OR ALTERATION OF YOUR INFORMATION

We are committed to taking all reasonable and appropriate steps to protect the personal information that we hold from misuse, loss, or unauthorised access. We do this by having in place a range of appropriate technical and organisational measures, e.g.:

- a) encryption of our services and data;
- b) review our information collection, storage and processing practices, including physical security measures;
- c) restrict access to personal access to personal information;
- d) internal policies setting out our data security approach and training for employees, these include measures to deal with any suspected data breach

7. YOUR RIGHTS

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

- a) The right to be informed about the personal data the Company processes on you;
- b) The right of access to the personal data the Company processes on you;
- c) The right to rectification of your personal data;
- d) The right to erasure of your personal data in certain circumstances;
- e) The right to restrict processing of your personal data;
- f) The right to data portability in certain circumstances;
- g) The right to object to the processing of your personal data that was based on a public or legitimate interest;
- h) The right not to be subjected to automated decision making and profiling; and
- i) 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 completing on-line request ([click here](#)) or emailing Data Protection Officer dpo@driving-force.co.uk

8. COMPLAINTS OR QUERIES

If you wish to complain about this privacy notice or any of the procedures set out in it please contact: Data Protection Officer by emailing dpo@driving-force.co.uk

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.

