

PRIVACY NOTICE – DIRECT EMPLOYEES

THE COMPANY AND THE COMPANY POLICY

This policy is applicable to all businesses, offices and operations within the gap personnel group www.gap-personnel-group.com (referred to as The Company), including:

- BeNext Uk Holdings Limited – Company Reg – 8044442 - ZB066799
- gap personnel Holdings Limited (including Hawk 3 Talent) – Company Reg – 3589208 – ICO - Z2057848 - <https://www.gap-personnel.com/>
- global personnel Limited – Company Reg – 11828264 – ICO - ZA841201 - <https://global-personnel.com/>
- gap technical Limited – Company Reg – 5646432 – ICO – ZA230558 - <https://www.gap-technical.com/>
- gap personnel (TELFORD) LTD – company Reg – 13377649 – ICO – ZB346100 - <https://www.gap-personnel.com/>
- Quattro Recruitment Limited t/a gap personnel – Company Reg – 7131120 – ICO – ZA015243 - <https://www.gap-personnel.com/>
- Quattro Healthcare Ltd t/a gap healthcare – Company Reg - 9389534 – ICO – ZA127351 - <https://www.gap-healthcare.com/>
- Driving Force Recruitment Limited - company Reg – 06538808 – ICO - Z1709668 - <https://www.driving-force.co.uk/>
- Ascend Talent Limited Company Reg - 15063281 <http://www.ascend-talent.co.uk/>
- Circle Support Limited Coimpany Reg - 15063240 <http://www.circlesupport.co.uk/>

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 so that it can provide these services – 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:

- You may give your personal details to us directly e.g by seeking employment from us, via an online application or submitting your CV.
- 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 the resources that you access.
- 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.
- 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.
- Your personal details may have been provided to us by another person for us to consider employment/opportunities suitable to you, e.g. a referral from one of our existing employees.
- 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.
- Data may also be collected throughout the course of your employment e.g. from a third party training provider engaged to deliver training services within 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 BASES

The legal bases we rely upon when providing and/or offering to provide these services to you 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. To prevent modern slavery by promoting and fulfilling our commitment to Stronger Together (e.g. stronger together questionnaire)

Legal base	Example of purpose
Consent	Where we have explicitly obtained your consent to share your data with other potential employees 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 RECIPIENTS/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:

- Our parent company and any of our group companies;
- 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 REC, GLAA, ALP, Sedex and Stronger Together;
- Our clients where you are taking part in the recruitment process and/or you accept an offer of an assignment and/or you undertake an assignment;
- 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;
- Our social networking platforms, groups and therefor any other members of the public who view those platforms;
- 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;
- 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;
- 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)
- Third party, where necessary to protect your vital interests, e.g. emergency services;
- Individuals and organisations who hold information related to reference contacts you have provided;
- 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;
- 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

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.

3. AUTOMATED DECISION-MAKING DRAFT AMENDS

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 individual's 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:

- Validates an individual's right to work, the services may be provided.
- 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 therefor whether or not services can be provided.
- Determines the individual does not have the right to work, services will not be able to be provided.
- 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.

4. DATA ACCESS RESTRICTION AND RETENTION

Circle Support 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.

4.1 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 requires us to preserve it.

4.2 WHERE SERVICES HAVE BEEN PROVIDED

Your personal details may be included in several documents created during the course of our contract with you. To comply with legal requirements e.g. HMRC, UK Visas and Immigration, The Conduct of Employment Agencies and Employment Businesses Regulations 2003, Agency Workers Regulation, HSE and tax legislation, your data will be kept by The Company 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 Circle Support.

5. SECURITY PRECAUTIONS IN PLACE TO PROTECT THE LOSS, MISUSE OR ALTERATION OF DATA

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.

Our systems are placed on servers dedicated to The Company, running on an industry-standard virtualization platform based on VMware. Our server provider, where we store most of the data, is ISO 27001 accredited, follows industry best practices, and regularly patches and upgrades platforms. All servers that we use to store your data are located in the UK and comply with the General Data Protection Regulation. Our security systems are kept up to date and align with the guidance to security information.

Devices: All the computers/laptops are enrolled and managed centrally through Microsoft Entra ID. The security is enhanced using Device Management Policies, Conditional Access, Endpoint Protection, Remote Device Management, ESET Antivirus, and Multi-Factor Authentication.

Emails: All our users use Office 365 emails protected with several layers like Encryption in Transit, Anti-Malware Protection, Anti-Spam Filtering, Multi-Factor Authentication, and a few more to safeguard against various threats.

Candidates are stored in Mobile Rocket via a @circlesupport login, ensuring compliance with company policies. This is subject to the candidate completing the work finder agreement. For candidates who have submitted a CV but haven't been moved across to Mobile Rocket, this is subject to the candidate completing the work finder agreement.

6. 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 emailing dpo@circlesupport.co.uk

7. 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@circlesupport.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.