

<https://www.ogdenscott.com/transparency-notice>

GDPR transparency notice for candidates

Ogden Scott (“we” or “us”) is the trading name of Ogden Scott Limited, company number 12088855 and registered office at 8 Marsden Park, York, YO30 4WX.

What is the purpose of this document?

This notice explains what personal data (information) we hold about you, how we collect it, and how we use and may share information about you during our relationship with you and after it ends. We are required to notify you of this information under data protection legislation.

We will comply with the data protection principles when gathering and using personal information. It is therefore important that you read this notice (sometimes referred to as a ‘Transparency Notice’), together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information.

We are a ‘data controller’ and gather and use certain information about you. This notice applies to all contractors and permanent role candidates, including fixed and full-time contractors and PAYE candidates (working directly via an agency or through an umbrella company); as well as people who have supplied a speculative CV to Ogden Scott not in relation to a specific job. Individual contractors, freelance workers and employees of suppliers or other third parties put forward for roles with clients (“Clients”) as part of a managed service provider programme or recruitment processing outsourcing service offering or otherwise will be treated as candidates for the purposes of this Transparency Notice (hereinafter referred to collectively as “Candidates”).

Whilst the reference to Clients in this Transparency Notice is, in itself self-explanatory, this category covers our customers, clients (which includes managed service providers and recruitment processing outsourcing companies) and others to whom Ogden Scott provides services in the course of its business.

What personal information are we collecting?

Personal data, or personal information, means any information relating to an identified or identifiable natural person. An identifiable natural person is one who can be identified, directly or indirectly. It does not include data where the identity has been removed (anonymous data).

There are special categories of more sensitive personal data which require a higher level of protection, please see section 3 for more information.

For Candidates we will collect, store and use the following categories of personal information about you:

- your name, title, addresses, telephone numbers, and personal email addresses;
- age/date of birth;
- gender information;
- next of kin and emergency contact information;
- social security number/national insurance (or equivalent in your country) and any other tax-related information;
- your salary, annual leave, pension and benefits information;
- your right to work documentation (for example a passport number, driving licence or Immigration Status Document as set out in the Home Office's right to work checklist, which can be found here (or equivalent in your country):
<https://www.gov.uk/government/publications/right-to-work-checklist>)
- your references and other information included in a CV or cover letter or as part of the application process (including psychometric test scoring and results);
- your work history and employment records (including job titles, working hours, training records and professional memberships);
- financial information (where we need to carry out financial background checks);

- CCTV footage and other information obtained through electronic means such as swipe card records;
- 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;
- IP address;
- photographs;
- feedback from Clients on your performance;
- extra information that you choose to tell us;
- extra information that your referees choose to tell us about you; and
- extra information that our Clients may tell us about you, or that we find from other third-party sources such as job sites.

Particularly sensitive personal information

We process special categories of personal information in the following circumstances:

- We process health information, including information relating to any disability, to comply with our legal obligation to make reasonable adjustments to our services, for example, if we need to make special arrangements for interview.
- We process information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to comply with our legal obligations to ensure meaningful equal opportunity monitoring and reporting. We make every effort to anonymise such information.
- We process information about you relating to criminal convictions for the purpose of carrying out a DBS check. We only do this where required by law or where this is a condition of contract imposed by a Client for the position you have applied for. We will contact you prior to carrying out such checks. If there is no legal obligation to undertake these checks we only do so with your consent.
- If you voluntarily provide us with special category information we may share this with our Client. Our lawful basis for processing in this case is that you have voluntarily made the information public.

- Less commonly, we may process special category information where it is needed to protect your vital interests (or someone else's interests) and you are not capable of giving your consent, or where it is in the substantial public interest.
- Otherwise we will only process special category information with your consent.

How will we collect your personal information?

We will collect personal information from you directly when you register with us or contact us about our services or when we make contact with you. This may be by telephone or email.

We will collect information throughout the application and recruitment process, either directly from you or from a recruitment agency, background check provider, job boards or third-party referrals.

We will sometimes collect additional information from third parties including former employers, credit reference agencies or other background check agencies.

We will collect information from publicly available sources including social media sites such as LinkedIn.

We will collect feedback from our Clients on your performance during the course of your engagement.

We may from time to time collect information automatically.

For what purpose will we use your personal information?

When you apply for a post, we will use your personal information to perform our contract with you, or to take steps prior to entering into this contract, with you. To do this, we will process your personal information in the following situations:

- to provide our services to you. Our services consist of locating work for persons registered on our database of Candidates and introducing such Candidates to our Clients; and
- to contact you about jobs that we think you may be interested in and to keep in touch with you; and
- to manage our relationship with you.
- We will also use your personal information to:
 - check you are legally entitled to work in the UK or the country where you are assigned or employed.
 - ascertain your fitness to work;
 - carry out pre-employment screening checks;
 - verify information about you which we may do using publicly available sources;
 - monitor your use of our information and communication systems to ensure compliance with our IT policies;
 - ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution; and
 - conducting data analytics studies to review and better understand employee retention and attrition rates.

the above processing is necessary for the legitimate interests of the smooth running of our business, and to enable us to provide services to you.

What are the legal bases for us to use your personal information?

We will only use your personal information when the law allows us to do so. Most commonly, we will use your personal information in the following circumstances:

- where we need to perform the contract, we have entered into with you;
- where we need to comply with a legal obligation; and
- where it is necessary for our legitimate interests (or those of a third party) to ensure the smooth running of our business as a recruitment agency. We are allowed to do this as long as our

activities do not disproportionately intrude your privacy. Where we rely on legitimate interests as the lawful basis for processing, the relevant interest is set out in this notice.

We will also use your personal information in the following situations, which are likely to be rare:

- where we need to protect your interests or someone else's interests;
- it is necessary in the public interest; or
- otherwise with your consent.

If you fail to provide personal information

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as introducing you to our Clients or providing you a benefit).

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, where this is required or permitted by law.

Automated Decision-Making

Although at present all our recruitment activities involve human-decision making during the process, we may in the future use fully automated technologies such as expert systems or machine learning to complete a Candidate selection process from end-to-end, where appropriate and in accordance with any local laws and requirements.

Where appropriate, we will seek your consent to carry out some or all of these activities. If you do not provide consent to profiling, your application will continue to be reviewed manually for opportunities you apply for, but your profile will not be automatically considered for alternative roles. This is likely to decrease the likelihood of us successfully finding you a new job.

Profiling

We will use an automated process to evaluate your personal information against positions that are available and consider whether you would be suitable for a position.

We will notify you of our search results and seek your consent to put forward your CV for positions that are of interest to you.

Who are we going to share your personal data with and for what purpose will they use your personal information?

We will share your personal information with the following third parties and they will process personal information about you for their own purpose:

- potential Clients to find you a suitable position;
- the Client that we place you with to manage our relationship and to make payment of invoices;
- other recruitment agencies and intermediaries, including your service company (if applicable) to place you for a position and for the management of our relationship;

- individuals and organisations who hold information related to your reference or application to work with us, such as current, past or prospective employers, educators and examining bodies and employment and recruitment agencies;
- third parties who we have retained to provide services such as reference, qualification and criminal convictions checks, to the extent that these checks are appropriate and in accordance with local laws (in the applicable country).

We may share the results of our diversity and inclusion monitoring on an anonymised basis.

We may share your data with third-party service providers (including contractors and designated agents), and other businesses that provide certain services on our behalf. The following activities are carried out by third-party service providers: IT support, mailing services, payroll; and website hosting.

We may also share your data with other third-party service providers who perform functions on our behalf (including external consultants, business associates and professional advisers such as lawyers, auditors and accountants, technical support functions and IT consultants carrying out testing and development work on our business technology systems).

We may share your data with tax, audit, or other authorities, when we believe in good faith that the law or other regulation requires us to share this data (for example, because of a request by a tax authority or in connection with any anticipated litigation).

All of our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes.

Where will we store your personal information?

We will store your information on our central database which is held on secure servers within the UK.

Your personal information will always be treated in a way that is consistent with and which respects the EU and UK laws on data protection.

If you require further information these protective measures you can request it from

GDPR@ogdenscott.com

Data Security

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Data Retention

How long will we use your personal information for?

We will only keep your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

We will retain your personal information for a number of purposes, as necessary to allow us to carry out our business. Your information will be kept for up to 3 years from the last point of contact on our main systems after which time it will be anonymised, archived or deleted.

Some of the archived information may be retained for up to 7 years for the purposes of satisfying any legal, accounting, or reporting requirements (or equivalent in your country such statutory requirement,

plus 1 year). Any retention of personal data will be done in compliance with legal or regulatory obligations and with industry standards. These data retention periods are subject to change without further notice as a result of changes to associated law or regulations.

If you have any questions in relation to the retention of your personal data, please contact

GDPR@ogdenscott.com

Your rights in relation to our processing of your personal data

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if any of your personal information changes during your relationship with us.

Your rights in connection with personal information

- You have the right to be informed about what we are doing with your personal data. This notice sets out how we use it. If we change what we are doing we will provide you with an updated version of this notice.
- You have the right to object to the processing of your personal data.
- You have the right to request access to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- You have the right to request us to update the personal information we hold about you.
- You have the right to request us to delete the information we hold about you. If you ask us to delete your personal information we will not be able to provide our services to you.
- You have the right to ask us to stop processing personal information where we are relying on a legitimate interest and there is something about your particular situation which makes you want to object to processing on this ground.

- You have the right to ask us to restrict how we use your personal data for a period of time. If you ask us to restrict our use of your personal data, we may not be able to provide you with our services.
- You have the right to request us to send another organisation, information that you have provided to us in a format that can be read by computer.
- If you want to exercise your rights please contact GDPR@ogdenscott.com

We will need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights).

Changes to this transparency notice

We reserve the right to update this transparency notice at any time, and we will provide you with a new transparency notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

Contact us

If you have any questions about this transparency notice, please contact GDPR@ogdenscott.com

If you consider that we have not acted properly when using your personal information, you can contact the Information Commissioner's Office: ico.org.uk.