

## Privacy notice

### Introduction

We at Adolphus Group Limited (“Adolphus Group”) are committed to protecting the privacy of our candidates, clients and users of our website. When you use Adolphus Group, you trust us with your information and we are committed to preserving that trust and providing a safe and secure user experience. We will ensure that the information you submit to us via our website or through any of our offices is only used for the purposes set out in this Data Privacy Notice.

The General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679) replaces the Data Protection Regulation (Directive 95/46/EC) from 25 May 2018. The Regulation aims to harmonise data protection legislation across EU member states, enhancing privacy rights for individuals and providing a strict framework within which commercial organisations can legally operate. Even though the UK has expressed its intention to leave the EU in March 2019, the GDPR will be applicable in the UK from 25th May 2018.

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.

#### Who controls your personal data?

- The Data Controller is Adolphus Group Limited (Adolphus Group) a company registered in the UK: Company Number 5980977
- Address: 2 Canfield Place, London, NW6 3BT
- The Data Controller’s data protection representative is the Legal Director
- You can contact them at [gdpr@adolphusgroup.com](mailto:gdpr@adolphusgroup.com)
- You can call them on 020 7625 2931
- Any reference to our companies means our subsidiaries, our ultimate holding company and its subsidiaries, our associated companies as defined in section 1159 of the UK Companies Act 2006 (our Group)

#### What is personal data?

Personal data is data that can identify you as a living individual. There is general personal data such as name, address, National Insurance number and online identifiers/location data. There is also sensitive personal data which includes information on physical and mental health, sexual orientation, race or ethnic origin, religious beliefs, trade union membership and criminal records. Sensitive personal data must be protected to a higher level.

#### Who we are, what we do and how we get your data

Adolphus Group is a recruitment agency and recruitment business as defined in the Employment Agencies Act 1973 (our business). We also provide training, event organisation and consultancy services from time to time. We collect the personal data from 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 (including referee contacts provided by candidates);

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- Supplier contacts to support our services;
- Employees, consultants, temporary workers and contractors;

You may have applied directly to us or we may have found your details from a jobs board or social networking site. We are able to process your data if we have a legal basis for doing so. There are six legal bases for processing data but we will rely on (1) your consent to send direct marketing messages about services other than our recruitment services, (2) that the processing is necessary for the performance of a contract with you, or (3) that we have a legitimate interest in processing your personal data.

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

### Section 1:

#### The data we collect and how we use it

**This section applies to individuals wishing to use or using our Recruitment Services or looking for a role to work with us ('a candidate'):**

**The personal data we collect or receive includes the following as applicable:**

- Name
- Address
- Email and other contact details
- Date of birth
- Job history (including information relating to placements through us)
- Educational history, qualifications & skills
- Visa and other right to work or identity information
- Passport
- Bank details
- National insurance and tax (payroll) information
- Next of kin and family details
- Contact details of referees
- Personal information relating to hobbies, interests and pastimes
- Information contained in references and pre-employment checks from third parties
- Other sensitive personal information such as health records (see 'Sensitive Personal Data' section below)
- Your marketing preferences

**We may obtain your personal data from the following sources (please note that this list is not exhaustive):**

- You (e.g. a Curriculum Vitae, application or registration form)
- A client
- Other candidates
- Online jobsites
- Marketing databases
- The public domain
- Social Media such as LinkedIn
- At interview
- Conversations on the telephone or video conferencing (which may be recorded)
- Notes following a conversation or meeting
- Our websites and software applications

Where you are a Candidate and we have obtained your personal data from a third party such as an online job board, it is our policy to advise you of the source when we first communicate with you.

**How we will use your personal data:**

The processing of your personal information may include:

- Collecting and storing your personal data, whether in manual or electronic files
- Notifying you of potential roles or opportunities
- Assessing and reviewing your suitability for job roles
- Introducing and/or supplying you to actual or potential Clients
- Engaging you for a role with us or with our Clients, including any related administration e.g. timesheets and payroll
- Collating market or sector specific information and providing the same to our Clients
- Sending information to third parties with whom we have or intend to enter into arrangements which are related to our Recruitment Services
- Providing information to regulatory authorities or statutory bodies, and our legal or other professional advisers including insurers
- To market our Recruitment Services
- Retaining a record of our dealings
- Establishing quality, training and compliance with our obligations and best practice for the purposes of backing up information on our computer systems

**Why we process your personal data and our legal justification for doing so:**

Our legal basis for the processing of personal data is our legitimate business interests, described in more detail below, although we will also rely on contract, legal obligation and consent for specific uses of data.

We will rely on contract if we are negotiating or have entered into a placement agreement with you or your organisation or any other contract to provide services to you or receive services from you or your organisation.

We will rely on legal obligation if we are legally required to hold information on to you to fulfil our legal obligations.

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 permission to introduce you to a client (if you are a candidate).

**1. Entering into and performing a contract with you:**

In order to provide our Recruitment Services, we may enter into a contract with you and/or a third party. In order to enter into a contract, we will need certain information, for example your name and address. A contract will also contain obligations on both your part and our part and we shall process your data as is necessary for the purpose of those in order to process payroll on your behalf.

**2. Compliance with legal obligations (regulatory and statutory obligations):**

We must comply with a number of statutory provisions when providing our Recruitment Services, which necessitate the processing of personal data. These include the Conduct of Employment Agencies and Employment Businesses Regulations 2003, which amongst other things requires us to:

- Verify your identity
- Assess your suitability for an external job role
- Maintain records for specific periods

Where we engage a person to work for us (whether directly or as supplied to a Client), there are other statutory obligations that must be complied with including payroll, tax, social security, HMRC reporting requirements, and any other law or regulation.

We are also required to comply with statutory and regulatory obligations relating to business generally, for example complying with tax, bribery, fraud/crime prevention and data protection legislation, and co-operating with regulatory authorities such as HMRC or the Information Commissioner's Office.

### **3. Our legitimate interests (carrying on the commercial activity of the provision of Recruitment Services):**

In providing our Recruitment Services, we will carry out some processing of personal data which is necessary for the purpose of our legitimate interests, which include:

- Retaining records of our dealings and transactions and where applicable, use such records for the purposes of
  - establishing compliance with contractual obligations with Clients or suppliers
  - addressing any query or dispute that may arise including establishing, exercising or defending any legal claims
  - protecting our reputation
  - maintaining a backup of our system, solely for the purpose of being able to restore the system to a particular point in the event of a system failure or security breach
  - evaluating quality and compliance including compliance with this Privacy Notice
  - determining staff training and system requirements
- Using your personal data to:
  - assess suitability and contact you regarding potential opportunities and/or our services
  - collate market information or trends including providing analysis to potential or actual Clients
  - source potential opportunities or roles as part of our Recruitment Services
  - personalise your experience and our offering, whether via our website or otherwise

This means that for our commercial viability and to pursue these legitimate interests, we may continue to process your personal data for as long as we consider necessary for these purposes.

### **4. Consent to our processing of your data:**

We may process your personal data on the basis that you have consented to us doing so for a specific purpose, for example, if you apply for a specific role you may have consented to our processing of the data that has been provided for the purpose of progressing your application and considering your suitability for that role. In other cases, you may have provided your written or verbal consent to the use of your data for a specific reason such as receiving marketing updates on some of our additional services.

You may withdraw your consent to our processing of your personal information for a particular purpose at any stage. However, please note that we may continue to retain, or otherwise use your personal information thereafter where we have a legitimate interest or a legal or contractual obligation to do so. Our processing in that respect will be limited to what is necessary in furtherance of those interests or obligations. Withdrawal of consent will not have any effect on the lawfulness of any processing based on consent before its withdrawal.

### **What if we obtain your personal data from a third party?**

Part of our business activity involves researching information relating to individuals for the purposes of filling job roles. This may include obtaining personal data from online sources, for example we may obtain information from

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social media sites such as LinkedIn and job boards, some information being publicly available but others being from sites or providers to which we subscribe. From time to time we may also receive personal information about you from hiring organisations, colleagues and former employers, or from persons for whom you have provided services or been otherwise engaged.

Where information from third party sources is of no use to us, or where you have notified us that you do not want us to provide you with services, we shall discard it. However, we may maintain a limited record in order to avoid the duplication of process. Where we consider that information may be of use to us in pursuance of the provision of our Recruitment Services, any processing will be in accordance with this Privacy Notice. You do have the right to object to processing, please see **Section 4 'Your rights'**.

### *Sensitive Personal Data (SPD)*

Sensitive personal data is information which is intensely personal to you and is usually irrelevant to our consideration of your suitability for a job role. Examples of SPD include information which reveals your political, religious or philosophical beliefs, sexual orientation, race or ethnic origin, or information relating to your health.

Regardless of the basis for your dealings with us, we request that you do not provide us with any sensitive personal data unless absolutely necessary. However, to the extent that you do provide us with any sensitive personal data, such as data which you choose to share with us in conversation, we shall only use that data for the purposes of our relationship with you or for the provision of our Recruitment Services. This will be for one or more of the following reasons:

- You have explicitly consented to the processing
- For the purpose of our assessment of your suitability for job roles or working capacity
- Where processing is necessary for the purpose of obligations or rights under employment, social security or social protection law to maintain records of our dealings to address any later dispute, including but not limited to the establishment, exercise or defence of any legal claims

### **Who we share personal data with:**

We shall not share your personal information unless we are entitled to do so. The categories of persons with whom we may share your personal information include:

- Individuals, hirers and other third parties, necessary for the provision of our Recruitment Services
- Any regulatory authority or statutory body pursuant to a request for information or any legal obligation which applies to us
- Parties who process data on our behalf include:
  - IT support
  - storage service providers including cloud
  - background screening providers
- Legal and professional advisers
- Insurers

### **Automated decisions**

We may use software to review the personal data of individuals recorded on our database, or who have applied for specific roles. The software may determine suitability for a specific role via targeted questions relating to the role, and/or may identify and select individual personal information according to the stored characteristics. For example, the software may enable us to quickly identify individuals from our database who have specific skills, e.g. an engineer and exclude individuals whose characteristics do not match particular requirements of a job role.

Where we use software to assist us with our assessment of your suitability for a particular job role and you consider that any such assessment has been made wrongly or incorrectly, you may ask for an explanation.

#### Section 2:

This section applies where you are an individual working for a third party (such as a client employer) with whom we have dealings.

#### **We may collect your personal data in the course of our dealings and this may include the following:**

Your contact information, which may include your full name, job role, contact telephone number and email

- Your statements and opinions about candidates and/or other personnel e.g. a reference
- Information relating to our relationship with you or the party for whom you work including records of any meetings or discussions
- Your marketing preferences

#### **We may obtain your personal data from the following sources (please note that this list is not exhaustive):**

You, including where you have provided us with your contact details or other information for the purposes of using our Recruitment Services

- Staff or other representatives of the organisation you represent
- Candidates
- Marketing databases
- Social media
- The public domain
- Conversations, with you or others, on the telephone or video conferencing (which may be recorded) or in meetings
- Notes following a conversation, with you or others, or meetings you attend

#### **How we will use your personal data:**

We will process your personal data in the context of our dealings with the third party for whom you work and as part of our Recruitment Services. Processing may include:

- Collecting and storing your personal data, whether in manual or electronic files
- Using the data to communicate with you
- Sending information to third parties with whom we have or intend to enter into arrangements which are related to our Recruitment Services
- Actions necessary to further any obligation on us pursuant to a contract between ourselves and the third party you work for

- Collating market or sector specific information and providing the same to our clients
- Providing information to regulatory authorities or statutory bodies and our legal or other professional advisers including insurers
- Retaining records of our dealings with you and the organisation whom you represent
- Establishing quality, training and compliance with our obligations and best practice

**Why we process your personal data:**

**1. Compliance with legal obligations (regulatory and statutory obligations)**

We must comply with a number of statutory provisions when providing our Recruitment Services, which necessitate the processing of personal data. These include the Conduct of Employment Agencies and Employment Businesses Regulations 2003, which amongst other things requires us to assess suitability of candidates and obtain information from Clients.

We are also required to comply with statutory and regulatory obligations relating to business generally, for example tax, bribery and fraud/crime prevention legislation, and co-operating with regulatory authorities such as HMRC.

**2. Our legitimate interests (carrying on the commercial activity of Recruitment Services):**

In providing our Recruitment Services, we will carry out some processing of personal data, which is necessary for the purpose of our legitimate interests, which include:

- Using your personal data:
  - to contact you regarding our Recruitment Services
  - to assess suitability of Candidates and roles, for example, referencing or other feedback
  - to collate market information or trends including providing analysis to potential or actual Clients
  - as otherwise necessary to provide our Recruitment Services and/or to meet our obligations towards either the party whom you represent, or other Clients or suppliers
  - to personalise your experience and our offering, whether via our website or otherwise
- Retaining records of our dealings and transactions and where applicable, use such records for the purposes of:
  - establishing compliance with contractual obligations with Clients or suppliers
  - addressing any query or dispute that may arise including establishing, exercising or defending any legal claims
  - protecting our reputation
  - maintaining a backup of our system, solely for the purpose of being able to restore the system to a particular point in the event of a system failure or security breach
  - evaluating quality and compliance including compliance with this Privacy Notice
  - determining staff training and system requirements

For our commercial viability and to pursue these legitimate interests, we may continue to process your personal information for as long as we consider reasonably appropriate for these purposes.

### **3. Consent**

We may process your personal data on the basis that you have consented to us doing so for a specific purpose. For example, if you have provided your contact details in order that we may use these to provide you with details of our additional services, you may have consented to our processing of the data for that purpose. In other cases, you may have provided your written or verbal consent to the use of your data for a specific reason, for example for requesting references from you.

You may withdraw your consent to our processing of your personal data for a particular purpose at any stage. Please see **Section 4 'Your rights'**. However, please note that we may continue to retain, or otherwise use your personal information thereafter where we have a legitimate interest or a legal or contractual obligation to do so. Our processing in that respect will be limited to what is necessary in furtherance of those interests or obligations. Withdrawal of consent will not have any effect on the lawfulness of any processing based on consent before its withdrawal.

#### **What if we obtain your personal data from a third party?**

Part of our business activity involves researching information for the purposes of finding and filling job roles. This may include obtaining personal data from sources including job boards, advertisements, LinkedIn or other social media, some information being publicly available but others being from sites or providers to which we subscribe. From time to time we may also receive personal data about you from hiring organisations, colleagues and former employers, or from persons for whom you have provided services or been otherwise engaged.

Where information from third party sources is of no use to us we shall discard it, however we may maintain a limited record in order to avoid the duplication of process. Where we consider that information may be of use to us for the provision of our Recruitment Services, any processing will be in accordance with this Privacy Notice. You do have the right to object to processing, please see **Section 4 'Your rights'**.

#### *Sensitive Personal Data (SPD)*

Sensitive personal data is information which is intensely personal to you and is usually irrelevant to our dealings with you in respect of our Recruitment Services. Examples of SPD include information which reveals your political, religious or philosophical beliefs, sexual orientation, race or ethnic origin, or information relating to your health.

Regardless of the basis for your dealings with us, we request that you do not provide us with any sensitive personal data unless absolutely necessary. However, to the extent that you do provide us with any sensitive personal data, such as data which you choose to share with us in conversation, we shall only use that personal data for the purposes of our relationship with you or for the provision of our Recruitment Services. This will be for one or more of the following reasons:

- You have explicitly consented to the processing
- Where processing is necessary for the purpose of obligations or rights under employment, social security or social protection law
- To maintain records of our dealings to address any later dispute, including but not limited to the establishment, exercise or defence of any legal claims

#### **Who we share personal data with:**

We shall not share your personal data unless we are entitled to do so. The categories of persons with whom we may share your personal information include:

Candidates and other third parties, necessary for the provision of our Recruitment Services

- Any regulatory authority or statutory body pursuant to a request for information or any legal obligation which applies to us
- Parties who process data on our behalf may include
  - outsourced payroll providers
  - IT support
  - storage service providers including cloud providers
  - background screening providers
- Legal and professional advisers
- Insurers

Section 3:

This section applies to all personal data

#### **Transfer of data to other jurisdictions**

In the course of the provision of our Recruitment Services we may transfer data to countries or international organisations outside of the European Economic Area (EEA). This may, for example, be to Clients or Candidates, or third parties who provide support services to us. Where information is to be so transferred, it may be to a country in respect of which there is an adequacy decision from the EU Commission. However, if this is not the case, it is our policy to take steps to identify risks and in so far as is reasonably practicable, ensure that appropriate safeguards are in place.

#### **If you do not wish to provide us with necessary data**

There may be circumstances where we require you to provide data which is necessary for us to meet statutory or contractual obligations, or perform our Recruitment Services. If you do not wish to provide us with information we request then please notify us. However, please be aware that as a result we may be unable to provide you, or the party you represent, with a Recruitment Service, and in some cases, this may result in a breach of the contract we have with you or a third party you represent.

#### **Group companies & transfer**

Although this Privacy Notice applies to Adolphus Group Limited, your data may be accessible to, and shared with other organisations within our group including Adolphus Group Limited for any of the purposes set out within this Privacy Notice, or where we have shared administration systems and staff.

In the event of a sale, merger, liquidation, receivership or the transfer of all or part of our assets to a third party, we may need to transfer your information to a third party. Any transfer will be subject to the agreement of the third party to this Privacy Notice and any processing being only in accordance with this Privacy Notice.

#### **Data Security and Confidentiality**

It is our policy to ensure, in so far as is reasonably practicable, that our systems and records are secure and not accessible to unauthorised third parties in line with contemporary practice.

## Cookies

A cookie is a small file of letters and numbers that is downloaded on to your computer when you visit a website, which enables the website to tailor its offerings to your preferences when you visit it.

We use cookies to help us:

- Make our website work as you'd expect
- Remember your settings during and between visits
- Improve the speed/security of the site
- Monitor user traffic patterns
- Understand how our visitors use our website
- Make our marketing more efficient

What all of this means is that you get the best possible user experience and the most relevant information based on your needs. Cookies enable us to constantly evolve, develop and improve functionality to provide you with the best possible user experience.

### **The cookies we use**

- Strictly necessary

Just as it says, these are the essential cookies to enable you to use the site effectively i.e. applying for a job or submitting a CV. Accepting these cookies is a condition of using the site

- Functionality

These cookies help our site remember the choices you made, for example, username, and also help make the most of our enhanced features, such as providing news or updates relevant to you.

- Performance

These cookies help us monitor the performance of our site, providing us with the information to constantly optimise and develop our site to get the best user experience for you, for example site visits or source of visitors.

- Personalisation

We use personalisation or targeting cookies to make sure we advertise the jobs that we think may be of interest to you, making your user experience a personalised one.

- Third party

As you use our site, you will notice that we have content from other sites, for example, YouTube or Google Maps. We also facilitate the opportunity to engage with us further through social media channels, for example Twitter and Facebook. We use third party cookies to help deliver relevant information to you and integrate content with social networks.

- Google Analytics

These cookies are used to collect information about how visitors use our site. We use the information to compile reports and to help us improve the site. The cookies collect information in an anonymous form, including the number of visitors to the site, where visitors have come to the site from and the pages they visited.

### **What we don't use cookies for**

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We don't use cookies to gather any personal information that could be used to advertise products or services to you on other websites.

### Your permission to use cookies

If the settings on your browser that you are using to view our website are adjusted to accept cookies, we take this, and your continued use of our website, to mean that you are happy to have cookies enabled.

### Turning cookies off

Please be aware that by not accepting cookies you will not be able to use some of the key functions of [www.adolphusgroup.com](http://www.adolphusgroup.com) website including:

- Registering with [adolphusgroup.com](http://adolphusgroup.com)
- Signing in to [adolphusgroup.com](http://adolphusgroup.com)
- Applying for jobs on [adolphusgroup.com](http://adolphusgroup.com)
- Submitting a CV

If you don't want us to store a cookie on your PC to make your journey on our website the best it can be, you can switch cookies off by adjusting your browser settings to stop it from accepting cookies. Each browser acts differently so remember to check your browsers 'help' settings.

### Retaining your data

In most circumstances your data will not be retained for more than 6 years from the last point at which we provided any services or otherwise engaged with you and it is our policy to only store your personal data for as long as is reasonably necessary for us to comply with our legal obligations and for our legitimate business interests. The following sets out the lengths of time we are required by law to retain your data or certain elements of your data:

- a) for 12 months from the date we last provided our recruitment services to you for the purposes of providing evidence of the recruitment services we provided to you (Regulation 29 of the Conduct of Employment Agencies and Employment Businesses Regulations 2003);
- b) for 2 years from the end of your last period of engagement or employment for the purposes of providing evidence that right to work checks were carried out under The Immigration (Restrictions of Employment) Order 2007;
- c) for 3 years from the end of the relevant year for the purposes of any parental/adoption leave records or statutory maternity or paternity pay; and
- d) for 6 years from the end of each tax year for the purposes of retaining payroll records under the Income Tax (Employment and Pensions) Act 2003,
- e) for 6 years from the end of each tax year for the purposes of keeping VAT records for any VAT registered limited company contractors.

However, we may retain data for longer than a 6 year period where we have a legal or contractual obligation to do so, or we form the view that there is otherwise a continued basis to do so, for example where your personal information identifies specialist skill sets which may remain in demand, or we are subject to a legal obligation which applies for a longer period.

If however you believe that we should delete your personal data at an earlier date, please inform us in writing of your reasons. Please see **Section 4 'Your Rights'** below.

### Changes to this Privacy Notice

This Privacy Notice is regularly reviewed and may be updated from time to time to reflect changes in our business, or legal or commercial practice. Where an update is relevant to our processing of your data, we shall notify you of the same.

### Section 4:

#### Your Rights

We take the protection of your personal data very seriously and it is important that you know your rights within that context, which include rights to:

- **Request a copy** of the personal data that we hold about you. If you would like to make a request for information, please contact [gdpr@adolphusgroup.com](mailto:gdpr@adolphusgroup.com)
- **Object to our processing** of your data where that processing is based upon legitimate interest and there are no compelling grounds for the continued processing of that data
- **Request that we restrict processing** of your data in certain circumstances
- **Request that data is erased** where the continued use of that data cannot be justified. Agencies are required to keep certain records such as ID or right to work checks and payroll records for certain periods of time. These obligations will override any request to erase data or any objection to processing for so long as they must keep the data.
- **Object to any decision**, which significantly affects you, **being taken solely by a computer** or via another **automated process**
- **Withdraw your consent** to our processing of your personal data for a particular purpose at any stage. However, please note that we may continue to retain, or otherwise use your personal information thereafter where we have a legitimate interest or a legal or contractual obligation to do so. Our processing in that respect will be limited to what is necessary in furtherance of those interests or obligations
- **Request inaccurate or incomplete data is rectified**. We will respond to such a request within 1 month.
- **Request that data provided directly by you and processed by automated means is transferred to you or another controller**; this right only being applicable where our processing of your data is based either on your consent or in performance of a contract
- **Make a complaint to the Information Commissioner's Office** <https://ico.org.uk>
- Request that **direct marketing by us to you is stopped**:

Please note that should you exercise your right to request that we erase data or cease any processing activity, we may retain a record of this request and the action taken to both evidence our compliance, and to take steps to minimise the prospect of any data being processed in the future should it be received again from a third-party source.

If you have any questions concerning your rights or should you wish to exercise any of these rights please contact: [gdpr@adolphusgroup.com](mailto:gdpr@adolphusgroup.com)

#### Complaints

If you are dissatisfied about any aspect of the way in which your data is processed you may, in the first instance refer the matter to: [gdpr@adolphusgroup.com](mailto:gdpr@adolphusgroup.com). This does not affect your right to make a complaint to the Information Commissioner's Office: <https://ico.org.uk>

#### Contact

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**(updated 9 May 2018)**



If you have any enquiries you can contact us at: [gdpr@adolphusgroup.com](mailto:gdpr@adolphusgroup.com) or by writing to us at:

Data Protection Representative  
Adolphus Group Limited  
2 Canfield Place  
London NW6 3BT