

Privacy Notice

(When personal data is obtained directly from the data subject)

ACCOUNTABILITY, DOCUMENT AND VERSION CONTROL

Policy Name	Privacy Notice
Company Name	Elwood Recruitment
Policy Number	5
This document is effective from:	04/04/2022
This document is approved by:	Craig Wood
For questions or queries about this document, contact:	Craig Wood Managing Director Jenna Gorton HR/Payroll and Compliance Manager

The following table details any updates, changes or developments made to this document:

Version Number	Detail	Date	Approved by
2	Version 1 original policy created	04/04/2022	Craig Wood
2	Reviewed – no changes	04/04/2023	Craig Wood
2	Reviewed – No changes	17/01/2024	Craig Wood

Policy Statement

Elwood Recruitment is a recruitment business which provides work-finding services to its clients and work-seekers. Elwood Recruitment must process personal data (including sensitive personal data) so that it can provide these services – in doing so, Elwood Recruitment acts as a data controller.

You may give your personal details to Elwood Recruitment directly, such as on an application or registration form or via our website, or we may collect them from another source such as a jobs board. Elwood Recruitment must have a legal basis for processing your personal data. For the purposes of providing you with work-finding services and/or information relating to roles relevant to you we will only use your personal data in accordance with the terms of the following statement.

1. Collection and use of personal data

a. Purpose of processing and legal basis

Elwood Recruitment will collect your personal data (which may include sensitive personal data) and will process your personal data for the purposes of providing you with work-finding services. This includes for example, contacting you about job opportunities, assessing your suitability for those opportunities, updating our databases, putting you forward for job opportunities, arranging payments to you and developing and managing our services and relationship with you and our clients.

In some cases, we may be required to use your data for the purpose of investigating, reporting and detecting crime and to comply with laws that apply to us. We may also use your information during internal audits to demonstrate our compliance with certain industry standards.

The legal bases we rely upon to offer these services to you are:

- Your consent
- Where we have a legitimate interest

- To comply with a legal obligation that we have
- To fulfil a contractual obligation that we have with you

b. Legitimate interest

This is where Elwood Recruitment has a legitimate reason to process your data provided it is reasonable and does not go against what you would reasonably expect from us. Where Elwood Recruitment has relied on a legitimate interest to process your personal data our legitimate interests is/are as follows:

- Managing your database and keeping work-seeker records up to date.
- Contacting the individual to seek your consent where you need it.
- Providing work-finding services to the individual, including sending their information to your clients where they have demonstrated an interest in doing that particular type of work but not expressly consented to you passing on their cv;
- Contacting the individual with information about similar products or services that they have used from you recently; and
- Passing work-seeker's information to debt collection agencies.
- To gain feedback in order to improve aspects of the organisation
- Enhance employee engagement and retention
- For statistical purposes
- To monitor Equality and Diversity
- To prevent modern slavery
- 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

c. Recipient/s of data

Elwood Recruitment will process your personal data and/or sensitive personal data with the following recipients:

- a) Elwood Recruitment
- b) Our clients where you agreed for supplied references to be shared when necessary
- c) Our clients where you are assigned to offer / provide services to
- d) Training providers where you are undertaking any training services provided by us
- e) Neutral vendor when applicable.
- f) Governing bodies and authorities as required by law.
- g) Our software providers.
- h) Third party suppliers, e.g., business associates and professional advisers, such as external consultants, technical and IT support functions, independent auditors
- i) Third party, where necessary to protect our applicant / worker / employee vital interest, e.g., emergency services.
- j) Payroll provider
- k) Insurers
- l) Legal advisers
- m) Social networks
- n) Marketing technology platforms and suppliers
- o) Pension provider.
- p) Third party, where necessary to protect your vital interest, e.g., emergency services
- q) Government, law enforcement agencies and other regulators e.g., the Police, Home Office, HMRC, Employment Agencies Standards Inspectorate (EASI), Local Authority Designated Officers (LADOs), GLAA,
- r) We may transfer your personal information to a third party as part of a sale of some or all 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.

d. Statutory/contractual requirement

Your personal data is required by law and/or a contractual requirement (e.g., our client may require this personal data), and/or a requirement necessary to enter a contract. You are obliged to provide the personal data and if you do not the consequences of failure to provide the data are:

- We will be unable to find you work assignments

2. Overseas Transfers

Elwood Recruitment will not transfer the information you provide to us to countries outside the European Economic Area ('EEA') for the purposes of providing you with work-finding services. The EEA comprises the EU member states plus Norway, Iceland and Liechtenstein.

3. Data retention

Elwood Recruitment will retain your personal data only for as long as is necessary for the purpose we collect it. Different laws may also require us to keep different data for different periods of time.

The Conduct of Employment Agencies and Employment Businesses Regulations 2003, require us to keep work-seeker records for at least one year from (a) the date of their creation or (b) after the date on which we last provide you with work-finding services.

We must also keep your payroll records, holiday pay, sick pay and pensions auto-enrolment records for as long as is legally required by HMRC and associated national minimum wage, social security and tax legislation.

Where Elwood Recruitment has obtained your consent to process your [personal/[and] sensitive personal data/specify which personal data], we will do so in line with our retention policy. Upon expiry of that period Elwood Recruitment will seek further consent from you. Where consent is not granted Elwood Recruitment will cease to process your personal data/[and] sensitive personal data.

4. Your rights

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

- The right to be informed about the personal data Elwood Recruitment processes on you.
- The right of access to the personal data Elwood Recruitment processes on you.
- The right to rectification of your personal data.
- The right to erasure of your personal data in certain circumstances.
- The right to restrict processing of your personal data.
- The right to data portability in certain circumstances.
- The right to object to the processing of your personal data that was based on a public or legitimate interest.
- The right not to be subjected to automated decision making and profiling; and
- The right to withdraw consent at any time.

Where you have consented to Elwood Recruitment processing your personal data/[and] sensitive personal data you have the right to withdraw that consent at any time by contacting Jenna Gorton – HR and Compliance Manager email: jenna@elwood-recruitment.co.uk

There may be circumstances where Elwood Recruitment will still need to process your data for legal or official reasons. We will inform you if this is the case. Where this is the case, we will restrict the data to only what is necessary for the purpose of meeting those specific reasons.



Elwood Recruitment

If you believe that any of your data that Elwood Recruitment processes is incorrect or incomplete, please contact us using the details above and we will take reasonable steps to check its accuracy and correct it where necessary.

You can also contact us using the above details if you want us to restrict the type or amount of data we process for you, access your personal data or exercise any of the other rights listed above.

5. Complaints or queries

If you wish to complain about this privacy notice or any of the procedures set out in it, please contact: Jenna Gorton HR and Compliance Manager is the person in Elwood Recruitment who handles data protection issues

Jenna Gorton

Office 28, 28 Cleveland Street, Wolverhampton, WV1 3HT

Email: jenna@elwood-recruitment.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.

Annex A

a) **The lawfulness of *processing* conditions for *personal data* are:**

1. *Consent* of the individual for one or more specific purposes.
2. *Processing* is necessary for the performance of a contract with the individual or in order to take steps at the request of the individual to enter a contract.
3. *Processing* is necessary for compliance with a legal obligation that the controller is subject to.
4. *Processing* is necessary to protect the vital interests of the individual or another person.
5. *Processing* is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the *data controller*.
6. *Processing* is necessary for the purposes of legitimate interests pursued by the controller or a third party, except where such interests are overridden by the interests or fundamental rights or freedoms of the individual which require protection of *personal data*, where the individual is a child.

b) **The lawfulness of *processing* conditions for *sensitive personal data* are:**

1. Explicit *consent* of the individual for one or more specified purposes, unless reliance on *consent* is prohibited by EU or Member State law.
2. *Processing* is necessary for carrying out data controller's obligations under employment, social security or social protection law, or a collective agreement, providing for appropriate safeguards for the fundamental rights and interests of the individual.
3. *Processing* is necessary to protect the vital interests of the individual or another individual where the individual is physically or legally incapable of giving *consent*.
4. During its legitimate activities, *processing* is carried out with appropriate safeguards by a foundation, association or any other not-for-profit body, with a political, philosophical, religious or trade union aim and on condition that the *processing* relates only to members or former members (or those who have regular contact with it in connection with those purposes) and provided there is no disclosure to a third party without the *consent* of the individual.
5. *Processing* relates to *personal data* which are manifestly made public by the individual.
6. *Processing* is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity.
7. *Processing* is necessary for reasons of substantial public interest based on EU or Member State law which shall be proportionate to the aim pursued, respects the essence of the right to

data protection and provide for suitable and specific measures to safeguard the fundamental rights and interests of the individual.

8. *Processing* is necessary for the purposes of preventative or occupational medicine, for assessing the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services based on EU or Member State law or a contract with a health professional and subject to the necessary conditions and safeguards.
9. *Processing* is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of healthcare and of medicinal products or medical devices, based on EU or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the individual, in particular professional secrecy.
10. *Processing* is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard fundamental rights and interests of the individual.