

GDPR Policies

Company Name:	First Choice Corporate T/A First Choice Staff
Company Contact details:	8 Station Approach, Ashford, Middlesex, TW15 2QN
Document FCS CAPN:	Privacy Notice (when personal data is obtained directly from the data subject)
Topic:	Data Protection
Date:	25 th May 2018
Version:	One (1)

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

You may give your personal details to the Company 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. The Company 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**

The Company will collect your personal data (which may include sensitive and 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 also to comply with laws that apply to us. We may also use your information during the course of 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 the Company 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 the Company 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 clients where they have to demonstrate an interest in doing that particular type of work but not expressly consented to you passing on their CV

- Passing work-seeker's information to debt collection agencies

c. **Recipient/s of data**

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

- Businesses requiring Recruitment solutions
- Candidates former or prospective new employers that we obtain or provide references to.
- The Recruitment and Employment Federation (and any other trade body)
- Payroll services providers who manage our payroll on your behalf
- Our insurers & Legal advisers
- IT and CRM providers
- Any public information sources and third-party organisations that we may use to carry out suitability checks on work-seekers e.g. Companies House, the Disclosure and Barring Service (DBS), DVLA, credit reference agencies
- Government, law enforcement agencies and other regulators e.g. the Police, Home Office, HMRC, Employment Agencies Standards, Inspectorate (EASI), Local Authority Designated Officers (LADO's), GLAA

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 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:

- Personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract. Recruitment businesses must collect certain personal data to meet statutory obligations, such as the Conduct of Employment Agencies and Employment Businesses Regulations 2003 – for example; they have to check identity, right to work, suitability for the role, qualifications and experience.

2. **Overseas Transfers**

The Company may transfer only the information you provide to us to countries outside the European Economic Area ("EEA") for the purposes of providing you with work-finding services. We will take steps to ensure adequate protections are in place to ensure the security of your information. The EEA comprises the EU member states plus Norway, Iceland and Liechtenstein.

3. **Data retention**

The company 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 two years from (a) the date of their creation or (b) after the date on which we last provided 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 the company has obtained your consent to process your personal data, we will do so in line with our retention policy i.e. CV/Application Form. Upon expiry of that period the Company will seek further consent from you. Where consent is not granted the Company will cease to process your 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 the Company processes on you;

- The right to access to the personal data the Company 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 the Company processing your personal data you have the right to withdraw that consent at any time by contacting Chas Downton.

There may be circumstances where the Company 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.

If you believe that any of your data that the Company 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 Chas Downton.

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.