

## **WATERMAN ASPEN LTD - CANDIDATE PRIVACY NOTICE**

Waterman Aspen Ltd (the Company) operates as a recruitment business providing work-finding services to work seekers and clients. In many instances we recruit candidates directly into our own employment with the intention of finding them a secondment within a client organisation. The Company must process personal data (including sensitive personal data) so that it can provide these services and in doing so, the Company acts as a data controller.

This means that we are responsible for deciding how we hold and use personal information about you. You are being sent a copy of this privacy notice because you are applying for work with us (whether as an employee, worker or contractor) or for the opportunity for work to be found with one of our clients. It makes you aware of how and why your personal data will be used, namely for the purposes of the recruitment exercise and / or the job search, and how long it will usually be retained for. It provides you with certain information that must be provided under the General Data Protection Regulation ((EU) 2016/679) (GDPR).

### **DATA PROTECTION PRINCIPLES**

We will comply with data protection law and principles, which means that your data will be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

### **THE KIND OF INFORMATION WE HOLD ABOUT YOU**

In connection with your application, we will collect, store, and use the following categories of personal information about you:

- The information you have provided to us in your curriculum vitae and covering letter.
- The information you have provided on our registration form, including name, title, address, telephone number, personal email address, date of birth, national insurance number, gender, employment history, qualifications,
- Any information you provide to us during an interview.

We may also collect, store and use the following types of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation

and political opinions.

- Information about your health, including any medical condition, health and sickness records.
- Information about criminal convictions and offences.

### **HOW IS YOUR PERSONAL INFORMATION COLLECTED?**

We collect your personal details by a variety of means: you may give your personal details to the Company directly, such as on a 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.

### **HOW WE WILL USE INFORMATION ABOUT YOU**

We will use the personal information we collect about you to:

- Assess your skills, qualifications, and suitability for work or roles
- Carry out background and reference checks, where applicable.
- Communicate with you about the recruitment/ job finding process.
- Keep records related to our hiring processes.
- Comply with legal or regulatory requirements.

It is in our legitimate interests to decide whether to appoint you to a role or to offer you for work with a particular client since it would be beneficial to our business to appoint someone to that role or to provide you to work for a client.

We also need to process your personal information to decide whether to enter into a contract with you.

Having received your CV and covering letter **OR** your registration form, we will then process that information to decide whether you meet the basic requirements to be shortlisted for the role. If you do, we will decide whether your application is strong enough to invite you for an interview. If we decide to call you for an interview, we will use the information you provide to us at the interview to decide whether to offer you the [role **OR** work]. If we decide to offer you the [role **OR** work], we will take up references before confirming your appointment.

### **IF YOU FAIL TO PROVIDE PERSONAL INFORMATION**

If you fail to provide information when requested, which is necessary for us to consider your application (such as evidence of qualifications or work history), we will not be able to process your application successfully. For example, if we require a credit check or references for this role and you fail to provide us with relevant details, we will not be able to take your application further.

## **HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION**

We will use your particularly sensitive personal information in the following ways:

- We will use information about your disability status to consider whether we need to provide appropriate adjustments during the recruitment process, for example whether adjustments need to be made during a test or interview.
- We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

## **AUTOMATED DECISION-MAKING**

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

## **COLLECTION AND USE OF PERSONAL DATA**

### **PURPOSE OF PROCESSING AND LEGAL BASIS**

The Company 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. The legal basis we rely upon to offer these services to you are:

### **LEGITIMATE INTEREST**

Where the Company has relied on a legitimate interest to process your personal data our legitimate interests is/are as follows:

- Our company provides work - finding services.

### **CHANGE OF PURPOSE**

We will only use your Data for the purpose for which it was collected, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purposes. If we need to use your Data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so. We may also process your Data without your knowledge or consent, in compliance with the above rules, where this is permitted or required by law

### **RECIPIENT/S OF DATA**

The Company will process your personal data with the following recipients:

- (i) Parent, Associated Employers or Group Companies
- (ii) Clients who are seeking suitably qualified personnel
- (iii) Regulators and Professional bodies
- (iv) HMRC
- (v) Government or statutory bodies



We may share your personal data with various parties, in various ways and for various reasons. Primarily we will share your information with our clients to increase your chances of securing a suitable secondment. We may also share your information with any of our group companies where we feel this will help us to provide you with the best possible service.

All our third-party service providers and other entities in the group and clients are required to take appropriate security measures to protect your Data in line with our policies and the law generally. We do not allow our third-party service providers to use your Data for their own purposes. We only permit them to process your Data for specified purposes and in accordance with our instructions.

### **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:

Inability to provide work - seeking services.

### **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. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need-to-know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality. [Details of these measures may be obtained from [POSITION].]

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**

The Company will retain your personal data only for as long as is necessary. Different laws require us to keep different data for different periods of time. We will retain your data for a maximum of seven years in line with our data retention policy.

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

### **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 of 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.

If you would like to exercise any of these rights, please contact Mark Nuckey, Data Protection Manager at the Data Controller office address, or by emailing [mark.nuckey@watermangroup.com](mailto:mark.nuckey@watermangroup.com)

If you believe that the Company has not complied with your data protection rights, you can complain to the UK's data supervisory authority (e.g. The Information Commissioner).