

TC Personnel Limited is registered as a data controller in the United Kingdom for the purposes of the Data Protection Act 1998. TC Personnel's website and online services are designed to protect the privacy of all users. We ensure that the data you supply to us is processed fairly and lawfully, and with skill and care. This Data Protection Policy governs how we process all personal data provided to us, in all forms. By registering your details with us and using our website, you consent to us collecting and processing personal data supplied by you and disclosing this information to prospective employers and clients in connection with the recruitment process.

## **INTRODUCTION**

This Privacy Notice provides you with clear information as to how we process your personal data. We are obliged to use your information in line with all applicable laws, and in a manner that is fair and appropriate. This means we use your information in a way that you would reasonably expect when providing it (for example work-finding services or recruiting personnel for you) and are transparent with you on how it will be used. This Privacy Notice sets out the types of personal data that we collect about you; how and why we use it; how long we will keep it for; when, why, and who we will share it with; the legal basis for us using your personal data; and your rights in relation to us storing and processing your personal data. It also explains how we may contact you and how you can contact us. Part of the recruitment process will involve sharing your personal data with our clients (independent data controllers) who have potential work opportunities that may be suitable for you. These third parties will have their own privacy policies and will also need to comply with all applicable laws – we encourage you to contact them directly if you have any concerns or questions about your data.

## **WHO WE ARE**

TC Personnel Limited (Company Registration number 1261 0441) is an employment business and agency. We provide both temporary and permanent recruitment services to clients looking to recruit personnel for their business and provide work-finding services to candidates looking for job opportunities. We are registered as a data controller with the ICO in the United Kingdom for the purposes of the Data Protection Legislation and General Data Protection Regulation (GDPR). Our address is: TC Personnel Limited 16 Seax Court, Basildon, Essex SS15 6SL. You can also contact us at [info@tcpersonnel.co.uk](mailto:info@tcpersonnel.co.uk) if you have any queries relating to data protection.

## **LEGAL BASIS FOR PROCESSING YOUR DATA**

For prospective candidates, contractors, referees and clients, our data processing is necessary for legitimate interests - we need the information to be able to assess suitability for potential roles, to find potential candidates and to contact clients and referees. We take into consideration the reasonable expectations of individuals who are actively applying for jobs or making their personal information publicly accessible on professional networking sites. If you are submitted as a candidate or requested for interview, then this may involve the processing of more detailed personal data,

including sensitive data such as health information or any unspent criminal convictions that you or others provide about you. We will ask for your consent before undertaking such processing if we are required to do so. For clients, we may also rely on our processing being necessary to perform a contract for you if one is in place, for example in contacting you.

## **WHAT INFORMATION WILL WE COLLECT ABOUT YOU?**

We collect, and process personal data only as far as is necessary to facilitate the recruitment process and provide you with work-finding services. We need your personal data to find you suitable opportunities and further information may be needed to assess your eligibility through the different stages of the recruitment process. The information we collect may include your name, email address, telephone number, CV's, identification and right to work documents, educational records, work history, employment and references. In general, we will not ask you about sensitive personal data but there may be times that it is necessary for information to be disclosed to us and for us to share that with potential employers. We will only share the information you give us when you have provided your explicit consent. We are also under an obligation with our clients to provide suitable candidates. Part of that assessment will include asking you about any unspent criminal convictions you may have. We consider this to be highly confidential information and will only share it when you have provided your explicit consent.

## **WHERE DOES THE INFORMATION WE COLLECT ABOUT YOU COME FROM?**

The data we collect about you is obtained from the following sources: Directly from you. This may be via our registration process, information requests and/or applications via our website. An agent or third party acting on your behalf. This may be where you are consulting via another limited company. Publicly available sources. We may also obtain your information from professional networking sites or job boards, where you have actively published or submitted your information. Reference or word of mouth. You may be recommended by a friend, former employer or colleague.

## **HOW WILL WE USE THE INFORMATION COLLECTED ABOUT YOU?**

We will use your information in such ways to facilitate the recruitment process and provide you with work-finding services, including but not limited to: To provide our services by using your details to match your skills, experience and education with a role that suits your requirements (we use technology in ways to help identify the most suitable candidates for a specific role, but this does not constitute automated decision making); To make you aware of current opportunities that may suit your requirements; To contact and update you about applications you have made or roles you have been submitted for; To share your details with clients with the aim of securing you a potential role (our client may be the company you will provide your services to, or an intermediary company that directly supplies to the company you will provide your services to). If you are selected by the client for an interview, or the next stage of the recruitment process, we will need further information from you. This is likely to come directly from you but may also be from third parties such as a referee. We

may also analyse the data internally so that we can offer a more relevant service, for marketing and strategic development purposes or for research purposes to improve our service.

## **HOW AND WHEN WILL WE CONTACT YOU?**

We may contact you by phone, email or social media. Some examples of when we will contact you are: Upon receipt of a CV or your personal data, it will be reviewed to determine whether we are likely to be able to provide you with work-finding services and we will notify you if you are added to our database. When one of our consultants considers you for a suitable job opportunity or to find out more about the type of role you are looking for. Before we put you forward for a role. During and following an assignment we have placed you in. In relation to any correspondence we receive from you. To update you on any material changes to our policies and practices.

## **WHO WILL WE SHARE YOUR INFORMATION WITH?**

To provide work-finding services to you, it is necessary for us to share your personal data with our clients (independent data controllers) who have potential work opportunities that may be suitable for you. Once your data has been shared with them, they will determine how they use, store and process your data and will have their own privacy policy. There may also be circumstances where disclosure is required or permitted by law (such as to government bodies and law enforcement bodies). As an example, we are under an obligation to report pay details of all workers we place with clients to HMRC. Generally, we will process your information within TC Personnel Limited. There may be occasions where we use third parties to process your information on our behalf. In such situations, these third parties will be under strict instructions and they will not be permitted to use your information for their own business purposes.

## **WILL WE NOT TRANSFER YOUR DATA OUTSIDE THE EEA?**

TC Personnel Limited is based in the UK and our back-up systems are stored in the UK. We do not generally transfer your data out of the EEA. If we do need to make transfers to countries outside the EEA, we will ensure appropriate safeguards are in place.

## **HOW LONG WILL WE KEEP YOUR PERSONAL INFORMATION?**

TC Personnel will only retain information for as long as necessary for the relevant activity. This may be determined by legislation or a decision as to what we consider necessary for the business based on several factors. If you have not registered with us, your data will be retained for 12 months from when it was added to our database or from when you were last contacted. You can request to have your record deleted (see below). If you do register with us, your data will be retained for 2 years from the last contact or activity on your record. You can request to have your record deleted (see below). If we place you in a temporary assignment or permanent role we will be required to keep certain information for specific lengths of time up to a maximum of 6 years. The purpose of keeping

this information is to comply with our legal obligations. Client contact details are retained for 3 years. You can request to have your record deleted (see below).

## **LAWFUL BASIS FOR PROCESSING “SPECIAL CATEGORIES” OF SENSITIVE DATA**

“Special categories” of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances: Consent: You have given clear consent for us to process your personal data for a specific purpose. Contract: The processing is necessary for a contract we have with you, or because we have asked you to take specific steps before entering into a contract. Legal Obligation: The processing is necessary for us to comply with the law (not including contractual obligations) and meets the obligations under our data protection policy. Vital Interests: the processing is necessary to protect someone’s life. Public task: the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law. and meets the obligations under our data protection policy. (For example, in the case of equal opportunities monitoring). Legitimate interests: the processing is necessary for our legitimate interests or the legitimate interests of a third party unless there is a good reason to protect your personal data which overrides those legitimate interests (For example to assess your capacity to work on the grounds of ill health). Occasionally, special categories of data may be processed where you are not capable of giving your consent, where you have already made the information public or during legitimate business activities or legal obligations and in line with the appropriate safeguards. Examples of the circumstances in which we will process special categories of your particularly sensitive personal information are listed below to protect your health and safety in the workplace. To assess your physical or emotional fitness to work. To determine if reasonable adjustments are needed or are in place. To fulfill equal opportunity monitoring or reporting obligations. Where appropriate, we may seek your written authorisation to process special categories of data. Upon such an occasion we will endeavor to provide full and clear reasons at that time for you to make an informed decision. In any situation where consent is sought, please be advised that you are under no contractual obligation to comply with a request. Should you decline to consent you will not suffer a detriment.

## **INFORMATION ABOUT CRIMINAL CONVICTIONS**

We will only collect criminal convictions data where it is appropriate given the nature of your role and where the law permits us. This data will usually be collected at the recruitment stage, however, may also be collected during your engagement should you be successful. We may process such information to protect yours, or someone else’s, interests and you are not able to give your consent, or we may process such information in cases where you have already made the information public. Will we contact you for marketing purposes? We will only send you direct marketing emails that promote our company or services if you have opted-in to this. You will have the option to opt-in when you are provided with a copy of our Privacy Notice. You can also manage your direct marketing

preferences by contacting a TC Personnel Limited consultant, updating your preferences or clicking the unsubscribe link on an email. To clarify, contacting you about specific job opportunities is not marketing because we are not advertising or marketing our services.

## **CAN YOU REFUSE TO PROVIDE YOUR DATA TO US OR REQUEST THAT WE DELETE YOUR DATA?**

If you do not provide the personal data requested or use your right to withdraw your consent for the processing of your sensitive personal data, we may not be able to match you with available job opportunities. You have the right to object to us processing your data based on legitimate interest. If you have not been placed, then we will be able to delete your data. You will have the option to delete your data and you can do so by emailing [info@tcpersonnel.co.uk](mailto:info@tcpersonnel.co.uk) If you have been successfully placed then we will be under certain legal obligations to retain information for specified periods (up to 6 years), this includes, but is not limited to, ensuring you have the right to work in the UK and allowing us to comply with HMRC reporting requirements regarding payroll information. In such situations you do not have the right to object to us processing your data. You do have the right to restrict processing, which means that we will stop further use of your data but still store it. However, if we stop processing your data it will mean that any assignment you may currently be on will be terminated immediately, or in line with any notice period. Please note that we may require you to provide us with proof of your identity and answer security questions before processing your request and if your data is deleted we will have no record and you may be contacted again in the future.

## **CAN YOU FIND OUT WHAT DATA WE HOLD ABOUT YOU?**

You have the right to be informed and access a copy of the information comprised in your personal data. If any of the data we hold is inaccurate, you have the right to rectify it. You can contact us at [info@tcpersonnel.co.uk](mailto:info@tcpersonnel.co.uk) or your consultant directly to update your data. You can make a request to find out what personal data we hold about you. You may exercise this right by making a written subject access request (SAR) to [info@tcpersonnel.co.uk](mailto:info@tcpersonnel.co.uk). We require you to provide us with proof of your identity and answer security questions before processing your request. We usually act on such requests and provide information free of charge but may charge a reasonable fee to cover our administrative costs of providing the information for baseless or excessive/repeated requests, or further copies of the same information. Alternatively, we may be entitled to refuse to act on the request. Please consider your request responsibly before submitting it. We will respond as soon as we can. Generally, this will be within one month from when we receive your request but, if the request is going to take longer to deal with, we will let you know.

## **DO YOU HAVE THE RIGHT TO DATA PORTABILITY?**

The GDPR introduces a new right to data portability. This will enable individuals to both receive and transmit the personal data they have provided to a data controller in a structured, commonly used and machine-readable format to another data controller. The right to data portability only applies to the following: Personal data provided by the individual; personal data that is processed with the

individual's consent or based on a contract (excluding the other legal bases); and when processing is carried out through automated means. As we rely on the legal basis of legitimate interests, this right will not apply to the data we hold about you. In addition, references obtained directly from third parties about you will not be subject to the right of data portability.

## **COOKIES & EXTERNAL WEBSITES**

To provide better service to you on our website, we use cookies to collect your personal data when you browse. See our cookie policy on our website here for more details.

## **CHANGES TO THIS PRIVACY NOTICE**

We reserve the right to change our Privacy Notice at any time. Changes to our Privacy Notice will be displayed on our website.

## **COMPLAINTS**

If you have any issues or concerns, then we ask that in the first instance you set this out in writing and send this to [info@tcpersonnel.co.uk](mailto:info@tcpersonnel.co.uk). If we are unable to satisfactorily deal with your complaint you can complain to the ICO which is the UK supervisory authority.