

## Brian Durham Recruitment Services Ltd PRIVACY NOTICE (when personal data is obtained from third party)

Company name:	Brian Durham Recruitment Services Ltd ('the Company', 'we', 'us', 'our')
Contact details:	David Berman
Document:	Privacy Notice (when personal data is obtained from third party)
Subject:	Data protection
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Brian Durham Recruitment Services is a data controller for the purposes of the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679). We are responsible for ensuring that any processing of your personal information by us is done fairly and lawfully. Processing your personal data includes holding, obtaining, recording, using or sharing it. We take your privacy very seriously and will only process your personal data for the purposes set out in this notice.

The person responsible for data protection enquiries is David@briandurham.com who can be contacted on David@briandurham.com

Source of your personal data

We obtained the following categories of personal data from Reed, Totaljobs, Cityjobs, E Financial Careers, Secs in the City and CWjobs which is a publicly accessible source:

- Your contact details
- Your CV and/or employment and education history
- Your approximate location

Referral:-

Details about the purposes for which your personal data may be processed and the basis processing your personal data , together with details of your rights in relation to the processing of your data can be found at Privacy Policy

The purposes for which your personal data will be processed

We will need to process your personal data for the purposes of providing recruitment and related services to our clients, and work-finding and related services to work-seekers.

The basis for processing your personal data

The legal bases upon which we may rely to process your personal data are:

- Contractual obligation
- Legal obligation
- Legitimate interest
- Consent

We need to process certain categories of your personal data in order to enter into an agreement with you and to comply with our obligations under that agreement.

We are also required to process certain categories of personal data in order to comply with our legal obligations under relevant legislation, including HMRC, Nest Pension Provider, and Department of Social Security. You are not under any obligation to provide us with your personal data, but if you do not we may be unable to meet our legal obligations and so may not be able to provide you with work-finding or recruitment services.

Our business involves providing work-finding and related services to work-seekers and recruitment and related services to our clients and so we may need to process your personal data in order to pursue our legitimate interests in achieving this. We may also need to retain personal data in case we need to establish or defend a legal claim.

We rely on your consent in certain circumstances, for example to process your data for the purposes of sending you direct marketing by email or text message, to use cookies when you visit our website, or to process sensitive personal data.

The bases upon which we may lawfully process your personal data are listed in the table below, with the most appropriate basis listed first.

Document / Personal Data	Why we need it	Our lawful ground for processing it
Information about your pay and conditions (temp only)	To protect your rights	Legal obligation (if applicable). Contractual obligation (if applicable). Legitimate interests.
Other necessary, relevant personal information	To perform our services for you	Contractual obligation (if applicable). Legitimate interests.
Name, address, DOB	To verify your identity and CV or employment history, qualifications and authorisations	Legal obligation (if applicable). Contractual obligation (if applicable). Legitimate interests.
Contact details	To communicate with you	Legal obligation (if applicable). Contractual obligation (if applicable). Legitimate interests.
Role requirements	To find you the right role or assignment	Legal obligation (if applicable). Contractual obligation (if applicable). Legitimate interests.
CV, employment history, qualifications, authorisations	To check your suitability for a role or assignment	Legal obligation (if applicable). Contractual obligation (if applicable). Legitimate interests.
ID and immigration checks	To verify your identity and right to work	Legal obligation (if applicable). Contractual obligation (if applicable). Legitimate interests.
Confirmation that you are willing to work in a particular role	To find you the right role or assignment	Legal obligation (if applicable). Legitimate interests.
Interview details	To set up interviews with hirers	Contractual obligation (if applicable). Legitimate interests.
Notes, assessments, comments, feedback from interview.	To find you the right role or assignment	Contractual obligation (if applicable). Legitimate interests.
Emails / Txt / WhattApp and correspondence with you and with potential hirers and intermediaries	To find you the right role or assignment	Contractual obligation (if applicable). Legitimate interests.
References (collected from third parties with your prior consent)	To verify your experience and suitability for a particular role or assignment	Legal obligation (if applicable). Contractual obligation (if applicable). Legitimate interests.
Details of placement/assignment and hirer	To keep records of placements made or assignments arranged by us	Legal obligation (if applicable). Contractual obligation (if applicable). Legitimate interests.
Credit history	Suitability checks	Legal obligation (if applicable). Contractual obligation (if applicable). Legitimate interests.
Candidate/work-finding Agreement	To set out the basis of the relationship between you and us	Legal obligation (if applicable). Legitimate interests.
Sensitive personal data – criminal convictions	To check your suitability for certain roles or assignments	Legal obligation (if applicable). Contractual obligation (if applicable). Legitimate interests. Explicit consent or necessary for the performance of our employment or

		social security obligations
Bank details (temp only)	To pay you	Legal obligation (If applicable) Contractual performance.
Social security information, NI number (temp only)	To report to HMRC	Legal obligation (If applicable) Contractual performance.
Information about your pay and conditions (temp only)	To protect your rights	Legal obligation (if applicable). Contractual obligation (if applicable). Legitimate interests.
Other necessary, relevant personal information	To perform our services for you	Contractual obligation (if applicable). Legitimate interests.

#### Direct Marketing

We would like to use your contact details to contact you about job opportunities, news and information which we think may be of interest to you. However, we will not contact you with marketing material unless you consent to our doing so, and you have the right to unsubscribe at any time, by clicking the link which appears in the email footers of marketing emails.

#### Sensitive personal data

Sensitive personal data includes information about your health, criminal convictions and allegations, sex life and orientation, racial origin, ethnic origin, religious views, political opinions and /or any trade union membership. We may need to process certain categories of sensitive personal data about you for the following purposes:

- a) information about temporary work-seekers' health in order to provide them with a safe place of work;
- b) information about temporary or permanent work-seekers' health and/or criminal convictions in order to comply with legal and/or industry-specific requirements.

We acknowledge the sensitivity of this type of data and will normally only ever process it with your express consent, unless the processing of your sensitive personal data is necessary for other reasons permitted by law. Please do not disclose any sensitive personal data about yourself to us unless we request it or it is essential to do so. Unsolicited personal data will be deleted.

#### Sharing your personal data

Your personal information will be processed by our staff and our subcontractors (including IT providers) and will be provided to appropriate third parties such as potential hirers and intermediaries in order to provide you with work-finding services or to work-seekers in order to provide you with recruitment services. Please let us know if you do not want your personal information to be disclosed to a particular third party or category of third parties.

We may also share your personal details with your previous or current employers or other third parties identified by you to us as potential referees.

We may be required by law to share certain categories of your personal data with tax authorities and other government agencies. HMRC, NEST.

We may use a third party organisation to check references, employment history and qualifications, undertake criminal record checks. We will need to provide them with certain categories of your personal data and they will be under an obligation to process it as instructed by us and in accordance with relevant data protection legislation. We may also need to provide certain categories of personal data to your pension provider, if appropriate.

We will not share your personal data with any other organisation unless it is necessary and in connection with providing our work-finding and recruitment services.

#### Overseas transfers

Data will be stored within the EEA on either local or cloud-based servers and will be subject to technical and organisation safeguarding protection measures. The EEA comprises the EU member states plus Norway, Iceland and Liechtenstein.

Some categories of data may be transferred outside the EEA, including Interactive Manpower Solutions pvt Ltd/ IMS in India If it is necessary to transfer your data to a country outside the EEA to assist us in providing work-

finding and recruitment services, we will take all reasonable steps to ensure that your data is subject to the same protection as that provided by the EU and that it is subject to technical and organisation safeguarding protection measures.

#### Retaining your data

Different laws require us to keep different data for different periods of time. We are required by GDPR to keep work- seeker records for at least two years from the date of their creation or the date upon which we last provide a work- seeker with work-finding services.

We must also keep work-seekers' payroll records, holiday pay, sick pay and pensions auto-enrolment records for as long as legally required by tax authorities and relevant social security and tax legislation.

We may also retain your personal data in order to pursue our legitimate business interests. We will not store your data for any longer than is necessary to comply with our legal obligations or to pursue our legitimate business interests. We will delete your data in line with our retention policy which is can be found at Privacy Policy

#### Your rights

Whilst we are processing your data, you have the right to:

1. request access personal data we hold about you;
2. object to the processing of your personal data;
3. ask to have inaccurate data held about you removed;
4. ask to have inaccurate data held about you or corrected;
5. if processing of your personal data is based only on consent, to withdraw that consent;
6. request that your personal data is shared with a third party.

#### Data security

We will ensure that appropriate measures are taken against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data. We have in place procedures and technologies to maintain the security of all personal data from the point of collection to the point of destruction. We will only transfer personal data to a third party if they agree to comply with those procedures and policies, or put in place adequate measures prior to receiving it. Maintaining data security means guaranteeing the confidentiality, integrity and availability (for authorised purposes) of the personal data.

If for any reason you are dissatisfied with the way in which your personal data has been processed, you can complain to the appropriate supervisory authority for data protection:

United Kingdom

Information Commissioner's Office (ICO)

Head office: Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF Scotland office: 45 Melville Street, Edinburgh EH3 7HL

Wales office: 2nd floor, Churchill House, Churchill way, Cardiff CF10 2HH Northern Ireland office: 3rd Floor, 14 Cromac Place, Belfast BT7 2JB Phone Number: 0303 123 1113 or

Website: <https://ico.org.uk/concerns/> ICO Website