

EES Privacy Notice

(including for use on the company's website)

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Document: Privacy Notice (including for use on Engage Education Services Limited website)

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

You may give your personal details to Engage Education Services Limited 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. Engage Education Services Limited 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 this privacy statement. At all times, we will comply with current data protection laws.

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1. Collection and use of personal data

a. Purpose of processing and legal basis

Engage Education Services Limited 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.

If you have opted in, we may also send you marketing information, event invitations and job alerts via email. You can opt out of receiving these at any time by clicking “unsubscribe” when you receive these communications from us.

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.

We must have a legal basis to process your personal data. The legal bases we rely upon to offer our work-finding services to you is/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 Engage Education Services Limited 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 Engage Education Services Limited has relied on a legitimate interest to process your personal data our legitimate interests is/are as follows:

- Managing our database and keeping work-seeker records up to date;
- Providing work-finding services to you and our clients;
- Contacting you to seek your consent where we need it;
- Giving you information about similar products or services that you have used from us recently;

c. Statutory/contractual requirement

Engage Education Services Limited has certain legal and contractual requirements to collect personal data (e.g. to comply with the Conduct of Employment Agencies and Employment Businesses Regulations 2003, immigration and tax legislation, and in some circumstances, safeguarding requirements.) Our clients may also require this personal data, and/or we may need your data to enter into a contract with you. If you do not give us the personal data we need to collect, we may not be able to continue to provide work-finding services to you.

d. Recipient/s of data

Engage Education Services Limited will process your personal data and/or sensitive personal data with the following recipients:

- Clients (whom we may introduce or supply you to)

- Former employers from whom we may seek references
- Payroll service providers who manage payroll on our behalf, or other payment intermediaries whom we may introduce you to
- Other recruitment/employment agencies in the supply chain
- Auditors who are assessing the compliance and processes of the business to ensure its adherence to all relevant legislation and good practice guidance.
- Where required by law, including but not limited to sharing relevant information with the local authority, social services and the Police

2. Information to be provided when data collected not from the data subject

Categories of data: Engage Education Services Limited has collected the following personal data on you:

Personal data:

- Name, address, mobile no., email
- National insurance no.
- Right to work information
- Compliance information
- Statutory Legal Checks (eg, Police checks)

Sensitive personal data:

- Disability/health condition relevant to the role
- DBS Check/Criminal Conviction Information
- Overseas police check
- Relevant Payroll Information

Source of the personal data: Engage Education Services Limited sourced your personal data/sensitive personal data:

- From a selection of jobs boards, events and personal references
- A relevant former employer
- A referee whose details you have previously provided to us
- Software providers that we use to support our services, including but not limited to Hubspot, Engage Now, and HireAira
- Cookies listed in section 7

This information can come from a publicly accessible source.

3. Overseas Transfers

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

4. Data retention

Engage Education Services Limited will retain your personal data only for as long as is necessary for the purpose for which it was collected. Different laws may also require us to keep different data for different periods of time. For example, 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. This is currently 3 to 6 years.

Where Engage Education Services Limited has obtained your consent to process your sensitive personal data with the view to finding you work, we will do so in line with our retention policy. Upon expiry of that period Engage Education Services Limited will seek further consent from you. Where consent is not granted Engage Education Services Limited will cease to process your sensitive personal data.

In line with our Child Safeguarding policy, we are obliged to hold certain information where appropriate.

5. Your rights

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

- The right to be informed about the personal data Engage Education Services Limited processes on you;
- The right of access to the personal data Engage Education Services Limited 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 o 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 Engage Education Services Limited processing your sensitive personal data, you have the right to withdraw that consent at any time by contacting Andy Carter - gdpr@engagepartners.co.uk.

Please note that if you withdraw your consent to further processing, that does not affect any processing done prior to the withdrawal of that consent, or which is done according to another legal basis.

There may be circumstances where Engage Education Services Limited will still need to process your data for legal or official reasons. Where this is the case, we will tell you and we will restrict the data to only what is necessary for those specific reasons.

If you believe that any of your data that Engage Education Services Limited 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.

7. Cookies

We may obtain data about you from cookies. These are small text files that are placed on your computer by websites that you visit. They are widely used in order to make websites work, or work more efficiently, as

well as to provide information to the owners of the site. Cookies also enable us to deliver more personalised content.

The table below explains the cookies we use and why.

Cookie	Purpose	More information
Category 1	<p>These cookies are essential in order to enable you to move around the site and use its features, such as accessing secure areas of the site. Without these cookies services you have asked for, like shopping baskets or e-billing, cannot be provided.</p>	<p>Explicit user consent is required for the delivery of those cookies which are strictly necessary to provide services requested by the user. Engage Education Services Limited collects these types of cookies.</p>
Category 2	<p>These cookies collect information about how visitors use a site, for instance, which pages visitors go to most often, and if they get error messages from web pages. These cookies don't collect information that identifies a visitor. All information these cookies collect is aggregated and therefore anonymous. It is only used to improve how a site works.</p> <p>Web analytics that use cookies to gather data to enhance the performance of a site fall into this category. For example, they may be used for testing designs and ensuring a consistent look and feel is maintained for the user. This category does not include cookies used for behavioural/ targeted advertising networks.</p>	<p>Engage Education Services Limited collects these types of cookies. By using our site you agree that we can place these types of cookies on your device.</p>
Category 3	<p>These cookies allow the website to remember choices you make (such as your user name, language or the region you are in) and provide enhanced, more personal features. For instance, a website may be able to provide you with local weather reports or traffic news by storing in a cookie the region in which you are currently located. These cookies can also be used to remember changes you have made to text size, fonts and other parts of web pages that you can customise. They may also be used to provide services you have asked for such as watching a video or commenting on a blog. The information these cookies collect may be anonymised and they cannot track your browsing activity on other sites.</p> <p>These cookies are used to remember customer selections that change the way the site behaves or looks. It might also include cookies that are used to deliver a specific function, but where that function includes cookies used for</p>	<p>Engage Education Services Limited collects these types of cookies by functional use. By using our site you agree that we can place these types of cookies on your device.</p>

	behavioural/targeted advertising networks they must be included in category 4 as well as this category.	
Category 4	<p>These cookies are used to deliver adverts more relevant to you and your interests. They are also used to limit the number of times you see an advertisement as well as help measure the effectiveness of the advertising campaign. They are usually placed by advertising networks with the website operator's permission. They remember that you have visited a site and this information is shared with other organisations such as advertisers. Quite often targeting or advertising cookies will be linked to site functionality provided by the other organisation.</p>	<p>Engage Education Services Limited does not collect these cookies, and will endeavour to obtain clear and informed explicit user consent depending on the purpose for which the category 4 cookies are to be used. Definitions supplied by the International Chamber of Commerce 'ICC UK Cookie Guide' November 2012.</p>

Most web browsers allow some control of most cookies through the browser settings.

8. Log Files

We use IP addresses to analyse trends, administer the site, track users' movements, and to gather broad demographic information for aggregate use. IP addresses are not linked to personally identifiable information.

9. Links to external websites

Engage Education Services Limited's website may contain links to other external websites. Please be aware that Engage Education Services Limited is not responsible for the privacy practices of such other sites. When you leave our site we encourage you to read the privacy statements of each and every website that collects personally identifiable information. This privacy statement applies solely to information collected by Engage Education Services Limited's website.

10. Sale of business

If Engage Education Services Limited's business is sold or integrated with another business your details may be disclosed to our advisers and any prospective purchasers and their advisers and will be passed on to the new owners of the business.

11. Data Security

Engage Education Services Limited takes every precaution to protect our users' information. Information is stored as either scanned files or data points in a secure Salesforce SAAS certified encrypted cloud/permission based CRM system which Engage Education Services Limited have complete control of, ie, no third party has any API into our data and we are able to ensure the highest level of security and data segmentation when it comes to ensuring candidates are cleared and kept compliant ongoing.

Only employees who need the information to perform a specific job (for example, consultants, our accounts clerk or a marketing assistant) are granted access to your information.

Engage Education Services Limited uses all reasonable efforts to safeguard your personal information. However, you should be aware that the use of email/ the Internet is not entirely secure and for this reason Engage Education Services Limited cannot guarantee the security or integrity of any personal information which is transferred from you or to you via email/ the Internet.

If you share a device with others we recommend that you do not select the “remember my details” function when that option is offered.

If you have any questions about the security at our website, you can email GDPR@engagepartners.co.uk

12. Changes to this privacy statement

We will update this privacy statement from time to time. We will post any changes on the statement with revision dates. If we make any material changes, we will notify you.

13. Complaints or queries

If you wish to complain about this privacy notice or any of the procedures set out in it please contact our Interim Data Protection Officer: **Joseph Raffell - GDPR@engagepartners.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 into 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*, in particular 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 UK 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. In the course of 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 on the basis of UK 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 on the basis of UK 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, on the basis of UK 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.

Key Contacts

Data Protection Officer [Interim] - **Joseph Raffell** - GDPR@engagepartners.co.uk

Technology Success Manager - **Amy Jones** - amy.jones@engagepartners.co.uk

Transformation Director - **Nina Boniface** - nina.boniface@engagepartners.co.uk

Customer Care Department - customercare@engage-education.com