

EES Privacy Notice

(when personal data is obtained directly from the data subject)

Company Name: Engage Education Services Limited

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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 the terms of the following statement.

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.

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 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. Recipient/s of data

Engage Education Services Limited will process your personal data and 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

d. Statutory/contractual requirement

Your personal data is required by law and a contractual requirement (e.g. our client may require this personal data), and a requirement necessary to enter into a contract. You are obliged to provide the personal data and if you do not, then we will not be able to find you suitable work.

Overseas Transfers

The Company may transfer only 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.

2. 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.

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.

Where Engage Education Services Limited has obtained your consent to process your personal and sensitive personal data, 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 personal data and sensitive personal data.

3. 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 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 Engage Education Services Limited processing your personal data and [sensitive personal data you have the right to withdraw that consent at any time by contacting our Data Protection Officer: Andy Carter GDPR@engagepartners.co.uk

There may be circumstances where Engage Education Services Limited 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 the 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.

4. Automated decision-making

If your Company uses automated decision-making, including profiling, the Company will provide meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the individual.

5. Complaints or queries

If you wish to complain about this privacy notice or any of the procedures set out in it please contact our Data Protection Officer: Andy Carter 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
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