

MPLOY SOLUTIONS LTD

Privacy Notice (Employer)

WHAT IS THE PURPOSE OF THIS DOCUMENT?

In order for us to provide services with you, we will need to hold and process personal information relating to you.

Mploy Solutions Ltd ("**we**" "**us**" "**our**") is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you before, during and after your engagement, in accordance with the General Data Protection Regulation (GDPR). We have set out a summary of the key points at the beginning with more detail following this if you wish to know more.

KEY POINTS

DATA PROTECTION PRINCIPLES

We will comply with data protection law. This says that the personal information we hold about you must be:

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

THE KIND OF INFORMATION WE HOLD ABOUT YOU

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are "special categories" of more sensitive personal data which require a higher level of protection.

HOW WE WILL USE INFORMATION ABOUT YOU

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to perform our obligations in respect of the services that we have agreed with you. .
2. Where we need to comply with a legal obligation.
3. Where it is necessary for our legitimate interests (being the lawful conduct of the provision of a work experience placement business).

We may also use your personal information in the following situations, which are likely to be rare:

1. Where we need to protect your interests (or someone else's interests).
2. Where it is needed in the public interest.

HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION

"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:

1. In limited circumstances, with your explicit written consent.
2. Where we need to carry out our legal obligations and in line with our Data Protection & Confidentiality Policy.
3. Where it is needed in the public interest, such as for equal opportunities monitoring, and in line with our Data Protection & Confidentiality Policy.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

INFORMATION ABOUT CRIMINAL CONVICTIONS

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our Data Protection & Confidentiality Policy.

Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

AUTOMATED DECISION-MAKING

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision-making in the following circumstances:

1. Where we have notified you of the decision and given you 21 days to request a reconsideration.
2. Where it is necessary to perform the services with you and appropriate measures are in place to safeguard your rights.
3. In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

If we make an automated decision on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

DATA SHARING

We may have to share your data with third parties, including third-party service providers and placement providers.

We require third parties to respect the security of your data and to treat it in accordance

with the law.

We may transfer your personal information outside the EU.

If we do, you can expect a similar degree of protection in respect of your personal information.

DATA SECURITY

We have put in place measures to protect the security of your information. Details of these measures are available upon request.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

DETAILED PROVISIONS

We are a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to current and former contacts. This notice does not form part of any contract to provide services. We may update this notice at any time.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

We will collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- Gender.
- Location of workplace.
- Information about your use of our information and communications systems.
- Photographs only where we have prior consent for case studies etc.

HOW IS YOUR PERSONAL INFORMATION COLLECTED?

We collect personal information about you through the engagement process, either directly from you or sometimes from others e.g. learners who may be approaching you for a work placement.

We may collect additional personal information in the course of the activities where necessary.

Situations in which we will use your personal information

We need all the categories of information in the list above primarily to allow us to deliver the services and to enable us to comply with legal obligations. In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below:

- Administering the work experience placements.
- Administering events e.g. Enterprise Days/Careers Fairs
- Gathering evidence for dealing with complaints.
- Making decisions about your continued engagement.
- Dealing with legal disputes involving you, learners, workers and contractors including accidents at work.
- Complying with health and safety obligations.
- To prevent fraud.
- To conduct data analytics studies to review and better understand employer engagement trends and attrition rates.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

If you fail to provide personal information

If you fail to provide certain information when requested, we may not be able to carry out the agreed service or we may be prevented from complying with our legal obligations (such as to ensure your health and safety and the health and safety of others).

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION

Do we need your consent?

We do not need your consent if we use special categories of your personal information in accordance with our written policy in this document to carry out our legal obligations or exercise specific rights whilst working with you. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

INFORMATION ABOUT CRIMINAL CONVICTIONS

We will only collect information about criminal convictions if it is appropriate given the nature of the service and where we are legally able to do so. Where appropriate, we will collect information about criminal convictions as part of the Enhanced DBS process or we may be notified of such information directly by you in the course of working with you. We will use information about criminal convictions and offences in the following ways:

- To discuss and conclude as to whether we are able to continue with the planned service, i.e. allowing a young person to work on a lone working basis on a placement

We are allowed to use your personal information in this way to carry out our obligations whilst working with you as a provider of a service, where it is needed in the public interest or where we need to protect your interests or someone else's interests.

AUTOMATED DECISION MAKING

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

DATA SHARING

Why might you share my personal information with third parties?

We will share your personal information with third parties where required by law, where it is necessary to administer work experience placements for example or where we have another legitimate interest in doing so.

Which third-party service providers process my personal information?

"Third parties" includes third-party service providers (including contractors and designated agents). The following third-party service providers process personal information about you for the following purposes:

- Organisations similar to us who we may ask to carry out Health and Safety Checks on our behalf
- Schools/Colleges and other educational establishments and organisations for whom we have contracts with
- Young people/learners who are to be engaged with the services provided
- Parents/carers of the afore mentioned young people/learners

How secure is my information with third-party service providers?

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

What about other third parties?

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. We may also need to share your personal information with a regulator or to otherwise comply with the law.

Transferring information outside the EU

We may transfer the personal information we collect about you to the following: United States outside the EU in order to provide file storage services and to produce and collect survey data. There is an adequacy decision by the European Commission in respect of this country. This means that the country to which we transfer your data are deemed to provide an adequate level of protection for your personal information.

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.

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

How long will you use my information for?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once we have completed our work with you, we will review the data we hold about you

annually and consider whether the data should still be retained or whether it is no longer relevant and/or required. Upon such a decision, the data will be securely destroyed.

RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes.

Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact Lauren Hodkinson, Mploy Solutions, Unit 9 Dalby Court, Gadbrook Park, Northwich, Cheshire, CW9 7TN in writing.

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

RIGHT TO WITHDRAW CONSENT

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact Lauren Hodkinson details as above and below. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

DATA PROTECTION OFFICER/PERSON RESPONSIBLE FOR DATA PROTECTION

We have appointed a person responsible for Data Protection and Confidentiality to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact Lauren Hodkinson (details as above).

INFORMATION COMMISSIONER

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

CHANGES TO THIS PRIVACY NOTICE

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this privacy notice, please contact Lauren Hodkinson, Mploy Solutions Ltd, Unit 9 Dalby Court, Gadbrook Park, Northwich, Cheshire, CW9 7TN

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