

# PRIVACY POLICY

For us at **NST CONSULTANTS LTD**, securing your privacy is our top priority. We collect and process your information to ensure your job search is as secure, transparent and easy as possible.

## **Visitors to our website:**

When someone visits [nst-consultants.com](https://nst-consultants.com) we use a third party service, Google Analytics, to collect standard internet log information and details of visitor behaviour patterns. We do this to find out things such as the number of visitors to the various parts of the site. This information is only processed in a way which does not identify anyone. We do not make, and do not allow Google to make, any attempt to find out the identities of those visiting our website. If we do want to collect personally identifiable information through our website, we will be up front about this. We will make it clear when we collect personal information and will explain what we intend to do with it.

## **How we use your personal information:**

Your personal information will be held by NST CONSULTANTS LTD. Our privacy notice explains what information we may obtain from you or about you, how we will use your information, and how we will look after your information.

## **Our Commitment:**

### **We will:**

- Only ask for and keep personal information about you which we feel is necessary to deliver the best recruitment service we can; which is in your interests, our business interests, and the business interests of potential future employers.
- Only use your personal information in connection with the provision of our recruitment services both now and in the future (including administering contract assignments that you agree to).
- Only share your personal information with prospective employers and those persons we have confirmed to you in our privacy notice. We will never sell your information to any person.
- We may store and process your personal information outside of Europe where it is necessary for us to do so or where our IT systems are cloud-based services provided by third party service providers. We will only process your personal information outside of

Europe where we have adequate safeguards in place with our clients and third-party service providers or we have obtained your explicit consent to handle your information in this way.

- Only retain your personal information for as long as we consider it necessary in order that we can continue to provide the best recruitment service to you now and in the future.
- Ensure that your personal information is held securely.
- Not make any decision about your application for a vacancy based solely on automated decision-making. Your application will be considered, and any decision taken, by our recruitment consultants.
- Comply with all applicable laws in the provision of our recruitment services to you and our processing of your personal information.
- Only contact you about relevant temporary, contract, and permanent vacancies we have now and in the future by post, phone, email, or by other means of electronic mail.
- Only send you marketing communications by post, email, or by other means of electronic mail which relate to our recruitment services or other similar services which we believe will be of interest to you.

## **Your personal information and the law**

### **About us:**

NST CONSULTANTS LTD, a registered company in England under company number **12571190** with our registered address at **3 The Mount, Trumpsgreen Road, Virginia Water, GU25 4EJ**

We act as an “employment agency” for the introduction and placement of candidates for permanent and or fixed term roles with our clients for the purposes of the Conduct of Employment Agency and Employment Businesses Regulations (2003) (Conduct Regulations) and as an “employment business” in respect of the introduction and supply of contract resource for temporary and or contract roles with our clients for the purposes of the Conduct Regulations.

We are required to comply with the Conduct Regulations and other employment related laws in the provision of our respective temporary and or permanent recruitment services.

### **Our services:**

We are an Information Technology recruitment business in the Software Engineering and DevOps space with a global presence.

**How to contact us:**

If you have any queries or questions about this privacy notice, please contact us at [info@nst-consultants.com](mailto:info@nst-consultants.com)

Should you wish to contact us more formally to exercise any of your rights in law or to request information about our use of your personal information please refer to Your Rights and How to Complain and Contact Us-Your Rights below.

**Your personal information:****Personal data including special categories of data and criminal convictions and offences data (sensitive information):**

Any information we hold about you which identifies you as an individual (personal data under the General Data Protection Regulations (GDPR) which came into force on the 25th May 2018) may only be used by us in accordance with the requirements of the GDPR. Any personal data that we hold manually or electronically in a relevant filing system is within scope of GDPR. If we use particularly sensitive personal data about you (special categories of data under GDPR) or we use personal data relating to criminal convictions and offences, we must comply with additional rules under the Data Protection Act 2018.

**Special categories of data are data which reveal an individual's:**

- Racial or ethnic origin
- Religion or political views
- Data relating to their health
- Genetic and biometric data
- Membership to a trade union
- Sex life or sexual orientation

When we refer to your "personal information" in this privacy notice, we refer to personal data as defined under GDPR and which include the sensitive information defined above and which is also protected under data protection laws.

**Whose Personal Information do we collect and use:**

We collect, use, and store personal information in respect the following types of individuals:

- **Candidates** (i.e. job applicants/work-seekers)

Individuals who approach us seeking a new role or to discuss a role that they have become aware of, who respond to an advertisement we publish in respect of a role, or who we approach as someone who may be interested in a role we are currently seeking to fulfil for a client organisation or who may be interested in future roles we may have.

- **Contract Resource** (e temporary workers or contractors)

Individuals who are Candidates and whom are subsequently supplied on a contract assignment to a Client, and whether engaged by us as directly as a PAYE Worker or engaged under contract through their personal service company (PSC) or employed or engaged via an umbrella company.

- **Client Contacts**

Employees within the HR function, hiring managers, and other employees within our client organisations that we have dealings with when providing our recruitment service.

- **Referees**

Work and or personal referees whom our candidates may provide to us either within their CV or directly in the course of the delivery of our recruitment services or any other person that we approach to verify candidates employment history as part of our suitability and employment checks undertaken in the provision of our recruitment services.

- **Emergency Contacts/Next of Kin**

Members of family whom a Candidate may provide to us in the course of the delivery of our recruitment services.

- **Referred Contacts**

Friends, colleagues, and other contacts whom a Candidate, Client or other third party with whom we have had dealings within the provision of our recruitment service may refer to us or recommend we contact with respect to a role or the delivery of our recruitment services

- **Supplier Contacts**

Employees and other authorised individuals within organisations whom have dealings with us as a consequence of their organisation delivering business and/or support services to us as a supplier to maintain and/or operate our recruitment services.

We are committed to protecting and respecting the privacy of those individuals to whom we deliver our services to and those individuals whom our business or our services may affect.

**Personal Information we may collect:**

## **Candidates**

We may collect and process a range of personal information about you, whether obtained directly from you or obtained from a third-party source, and which includes but is not limited to contact details, work and employment history, education, professional qualifications and your personal interests that we believe are relevant to deliver our recruitment services and or to administer any contract assignments that you undertake through us.

## **Client Contacts and Supplier Contacts**

We may collect and process personal information for our Client Contacts and Supplier Contacts and which will typically include Contact details and Service communications. We will only collect such personal information either directly from you as a Client Contact or Supplier Contact as a consequence of our communications with you, indirectly during negotiations with a Client or Supplier, indirectly from the contract with our Client or our Supplier, or indirectly from a Job Board or via a Networking Site. We may use such personal information to contact you to discuss our recruitment services with you now and in the future, to deliver our recruitment services to you, to perform our obligations under a contract with the Client, and to keep in touch with you regarding future vacancies that you may have for which you wish to find suitable Candidates for.

## **Referees**

We may collect and process personal information relating to Contact details for Referees who are provided to us by a Candidate.

We will only collect such information directly from a Candidate or from a Job Board which the Candidate has published their details on or profile of the Candidate from a Networking Site. Referee details will be shared with our Clients in the delivery of our recruitment services when a Candidate is introduced for roles with our Clients. Clients may therefore contact you to seek a reference on a Candidate when they are considering offering a role or upon the offer of a role to a Candidate.

We will only use your Contact details for the purpose of taking up a reference for a Candidate, where we are required to do so by a client for a role that a Candidate has been introduced for.

## **Emergency Contacts/Next of Kin**

We may collect and process personal information relating to your Contact details provided to us by a Candidate.

We will only use such personal information to contact you as a direct consequence of an emergency relating to a Candidate arising during the recruitment process or during a

contract assignment with us and where we reasonably believe it necessary to contact you for the immediate health or safety interests of the Candidate.

### **Referred Candidates**

We may collect and process personal information relating to Contact details for Referred Candidates who are provided to us by a Candidate, Client or other third party.

We will receive personal information about you directly from the individual who referred you or from a Job Board or profile for a Networking Site that you may be subscribed to.

We will only use such personal information to contact you as a direct consequence of you being referred to us.

We will typically ask the person referring you to confirm that you are willing to be contacted by us or in the alternative we will ask the person referring you to introduce you to us. If you express an interest in discussing a role with us now or in the future as a consequence of our contact with you as a Referred Candidate, we will register you and you will be considered a Candidate for the purposes of this privacy notice. If you are not interested in discussing a role with us and confirm that you do not wish to receive further communications from us as a consequence of you being referred to us by a Candidate, we will not retain your personal information.

### **Sources of Personal Information:**

In respect of our communications with you and the delivery of our recruitment services, we may obtain personal information from you arising from:

- Your use of our website
- Applications you make to roles we advertise for (via our website, LinkedIn or via a job board)
- Your attendance at any networking event we host or sponsor
- Your attendance at any recruitment fair where we are promoting our recruitment services
- When you talk to us over the phone, via email, or through any text or email messaging service

We may obtain personal information about you from third party sources:

- Job boards (the most common job boards we use are; Indeed, CW Jobs, Jobsite, LinkedIn)
- Networking Sites (LinkedIn, Instagram, Facebook & Twitter)
- Referrals – a personal or professional recommendation from a third party (typically family member, friend, colleague or former employer)
- PSC or umbrella company – whom you supply your services through and whom is acting on your behalf

We may collect further personal information about you in anticipation of or as part of on-going compliance with a contract assignment from third party sources referred to in the Candidate personal information table.

### **How Personal Information is protected**

#### **GDPR rules on processing personal information:**

Under data protection law, we are only able to use personal information for specific reasons and always provided we are using personal information fairly and we have advised you of our use. Specifically, we must have one or more of the following lawful reasons to process your personal information;

- We are required to comply with a legal or regulatory requirement (Legal Obligations);
- It is necessary to enter into and or perform our contract with you (PAYE workers only) (Contract Necessity)
- It is in our legitimate interest i.e. we have a business or commercial reason to use your personal information and our use is not unfair to you and does not adversely affect your rights and freedoms (Legitimate Interest); or
- You consent to our processing (Consent)

For special categories of data or data relating to criminal convictions and or offences (which are considered more sensitive personal information), there are additional requirements that we must fulfil. We will not collect or use more sensitive personal information without your consent unless the law allows us to do so. If we do seek to collect and or use such information, it will only be when it is necessary and for one of the following reasons:

- We obtain your explicit consent to our processing (Explicit Consent)
- We are required to comply with or exercise our rights in the field of employment laws (Employment Law Obligations);
- It is for reasons of substantial public interest (SBT); or
- It is to establish, exercise or defend legal claims (Legal Claims)

#### **Reasons for processing personal information:**

##### **Candidates/Contract Resource**

We will use your personal information to:

- Register your Contact details and other personal information in our database in order to consider you and discuss with you any relevant vacancies that we are instructed to submit candidates for now and in the future (LI)

- Assess your skills, qualifications, and suitability for a relevant vacancy, and which may include but not be limited to interviewing you (LI)
- Undertake compliance requirements with the Conduct Regulations (Legal Obligations)
- Notify you of and carry out any standard pre-screening and or background checks that we require for any contract assignment roles (LI)
- Discuss any potential role identified with you and ascertain your willingness to work in the role concerned for Conduct Regulations purposes (Legal Obligations)
- Introduce you to a Client for a role that we have discussed with you (directly or via an Intermediary) (LI).
- Discuss you as a potential suitable candidate with a Client for vacancies (directly or via an Intermediary) (LI).
- Notify you of and carry out any background screening, employment verification, and or reference checks relevant to a role but only where it has been instructed by a Client (LI).
- Communicate with you and the Client (or any Intermediary) about the recruitment process and during each stage of such recruitment process (LI).
- Administer and manage your contract with us (PAYE Workers), performance guarantee or other personal undertaking by the Contract Resource, or your contract with us via your PSC or your umbrella company (LI) or (Contract Necessity)
- To provide confirmation (by way of verification) of your engagement with us as a Contract Resource to any future employers where we receive a reference request for you (we can only provide this for as long as we hold personal information unless you request us retain your personal information for a longer period) (LI)
- To keep you updated in respect of all applications that you made to us or roles that you have been submitted for by us (LI).
- Keep records related to your introductions and the outcome of those submissions (LI)
- Comply with our legal or regulatory requirements in respect of contract assignments and the introduction of candidates for temporary and or permanent roles (including but not limited to our compliance with Conduct Regulations, Agency Workers Regulations 2010 (AWR), Equality Act 2010, Health and Safety legislation) – (Legal Obligations)
- Share your personal information with third parties where required by law or where necessary in pursuit of our legitimate interests (LI)
- We may use your personal information to help us to establish, exercise or defend legal claims (LI).
- Keep you informed of future relevant vacancies that may arise now and in the future by post, email, telephone and or other electronic means (marketing communication) (LI).



- Contact you individually regarding a role which we believe will be of interest to you whether by email, telephone, and or other electronic means (marketing communication) (LI).
- Keep you informed of developments in our recruitment services that we believe will be of interest to you by post, email, telephone, and or other electronic means (marketing communication) (LI).
- Ask you for your help in finding Candidates for roles that we have e.g. through a refer a friend promotion (marketing communication) (LI)
- Keep you informed about relevant professional information; published salary surveys relevant to you, networking events, and other relevant information about the industry sector or your skills sector which we believe may be of interest to you (marketing communication) (LI).

**Our reasons for processing your personal information:**

We use your personal information for the above purposes identified at the end of each processing activity which involve either processing on the basis of Contract Necessity, Legal Obligations, or Legitimate Interests (LI). Many of our activities are undertaken where we deem it relevant and necessary for our legitimate interests.

What do we mean by legitimate interests for processing Candidate personal information?

**Legitimate Interest**

Our processing of your personal information is necessary for us to ascertain your suitability for potential roles that we have and to ensure we are matching you to the right roles based on our understanding of your career aspirations and goals. We believe it is important that we have a rounded and informed understanding of your work history, technical and personal skills, and your outside interests in order to achieve these aims. Our sharing of your personal information with Clients regarding potential employment opportunities as well as introducing you for specific vacancies is necessary to ensure that we have the best chance of finding relevant employment opportunities for you and the best chance of us successfully filling vacancies for Clients.

Our assessment of your suitability and completion of our own pre-screening and background checks on you is necessary for us to ensure that you have the technical skills and ability to perform the contract assignment, to mitigate our exposure to claims arising from your negligent performance of the services, and to evidence how we

determine your suitability for the role if ever disputed and or audited by our Client; all of which are legitimate interests of ours.

We may collect and process personal information relating to you that we would not ordinarily undertake of our own volition, and we will advise you of any such requirements for a role when discussing the role with you. This may involve us asking you to comply with additional pre-screening requirements of a Client, in addition to those we have already undertaken for our assessment of your suitability and require you to enter into additional contractual obligations where related to contract assignments. We will only require the collection and processing of such personal information where we are asked to by the Client. (Client Requirements) Our collection and processing of such personal information is necessary for us to comply with our contractual obligations to our Client. We may process personal information relating to any Contract Resource to administer, perform, and or manage the contract with the PSC or umbrella company for the services of the Contract Resource which is in our legitimate business interests and including in particular our ability to process personal information of the Contract Resource to terminate any contract assignment and or to deal with any dispute arising under the contract with the PSC or umbrella company. To the extent that a Contract Resource has entered into a personal guarantee and or performance deed with us in respect of a contract assignment, we shall be entitled to administer, communicate, and threaten and or bring legal proceedings against the Contract Resource as is necessary to enforce our rights under such contract against the Contract Resource, which is in our commercial interests.

We may contact you by sending you marketing communications to you about potential roles, our services, and professional information which we believe are relevant to you and would be of interest to you. Our continued contact with you now and in the future on this basis is beneficial and necessary to ensure that you receive the best range and choice of employment opportunities; that we may assist and support you in your career aspirations at the various stages of your career; that our Clients continue to have access to a broad range of suitable Candidates for roles that they may have now and in the future, that Clients may receive introductions in faster timescales through our access to suitable Candidates, and that we may continue to fulfil roles for Clients to maintain a sustainable and profitable business.

We are willing to confirm by way of engagement verification details confirming that you were engaged by us during a particular period if requested by any future employer or other person whom you have been advised will seek references and or

engagement/employment verification for the period that we retain your personal information. We are not obliged to give a reference or verify your employment/engagement. Should you wish us to retain your information beyond the period concerned you are free to request this at any time before we erase your personal information however we will have no responsibility to maintain your details beyond the retention period advised.

### **Our Marketing Communications**

We have already clarified our grounds for sending you marketing communications under GDPR. Under existing rules on electronic marketing communications, if we wish to send you our marketing communications by electronic mail we are either required to obtain your consent (GDPR standard) to send marketing communications or we may treat you as an existing customer (who we can treat as opted-in to marketing communications). [We rely upon your consent (GDPR standard) to send marketing communications to you.] / [We will treat you as an existing customer on the basis that we have had dealings with you with respect to the provision of our recruitment services. We only send you marketing communications regarding relevant roles, or otherwise in connection with our recruitment services or similar services and provided that you have not opted out of receiving our email marketing communications. We do not share your personal information for marketing purposes with any other person. and provided you have not opted out of receiving our email marketing communications.] You have the right at any time to opt out of receiving future email marketing communications from us or otherwise object to our future marketing communications by emailing us directly.

### **Contract Necessity**

Our processing on this basis shall only apply to the extent that we have engaged Contract Resource as a PAYE workers. We are required to process certain Financial information that you have provided, in order to perform our contract with you and which includes but is not limited to make payments to you after statutory deductions to you and administering statutory entitlements and benefits.

### **Legal Obligations**

Our processing on this basis shall apply to the extent that we are required to process personal information to comply with our obligations under the Conduct Regulations, the AWR and to process financial information to comply with our obligations under UK tax, social security, and payroll legislation in respect of PAYE workers, with our obligations

for tax intermediary reporting for PSCs, with our obligations to comply with the agency legislation in respect of any Contract Resource engaged as self-employed, and or applying the rules of public sector IR35 for PSCs.

## **Our reasons for processing sensitive personal Information**

### **Candidates**

We do not as part of our own assessment of your suitability for a role seek to collect any special categories of data or data relating to criminal convictions and offences in respect of Candidates for roles. However, we may collect such personal information in respect of a Client Requirement or through information you disclose to us.

### **Health Information**

Employment Law Obligations – We will only use information that you provide to us about any disability status to consider whether we need to provide appropriate adjustments during the recruitment process, for example where adjustments need to be made during a test or interview for a role. If the role you wish to be considered for requires us to ascertain your ability to carry out certain duties which are intrinsic to that role, we may require you to provide health information to help us in that assessment during the recruitment process.

We are entitled to process health information after an offer for a contract assignment has been made but will only do so where it is a Client Requirement for the contract assignment role. We may process health information during a contract assignment, to the extent that we have legal obligations to comply with and in the field of employment law and which shall include but not be limited to our obligations under the Equality Act 2010, Health and Safety legislation, Conduct Regulations, AWR, and Working Time Regulations 1998.

Legal Claims – We may process your personal information to establish, exercise and or defend legal claims.

Consent – We will only process health information for any other reason outside of those specified above if we have your explicit consent.

We will delete any record of such health information we collect and use whether you are successful in being placed into a permanent and or fixed term role or unsuccessful in obtaining that role in accordance with our retention policy except to the extent we are required to comply with the Equality Act 2010 for any future roles and or to defend legal claims.

### **Criminal Convictions and offences**

Employment Law Obligations – To the extent that we are entitled to rely upon our rights as an employer to consider unspent convictions of a proposed PAYE worker for a relevant contract assignment role, we may process unspent criminal convictions on this basis. To the extent that we are entitled to arrange the conduct an enhanced DBS check (for spent convictions) in respect of a contract assignment role for a PAYE worker and process information in relation to such DBS check, we are entitled to rely upon this basis.

Consent – We will only process criminal convictions and offences information (whether spent or unspent as applicable) for any other reason outside of those specified above if we have your explicit consent to collect and process such information.

### **Processing of other special categories of data**

Employment Law Obligations – We may collect and use a photograph of you to confirm your identity for Conduct Regulations purposes for contract assignment roles.

Consent – We may use a photograph provided by you to share with a Client so that a Client can check and confirm your identity when they attend the Client's premises on the first day of your contract assignment, however, we will only process your photograph for this purpose with your explicit consent.

### **Equal Opportunities Monitoring**

Consent – We do not currently process sensitive personal information about race or ethnicity, sex or sexual orientation, or religious beliefs for equal opportunities monitoring purposes. If a Client contractually requires us to undertake such monitoring in respect of all Candidates introduced and processed for vacancies and this cannot be processed on an anonymous basis (which would naturally fall outside of the requirements of GDPR) we will only collect and process such sensitive personal information with your explicit consent. We may in the future introduce equal opportunities monitoring, but any such monitoring shall be undertaken on the basis that any disclosure of such data which will be collected on an anonymous basis and used as anonymised data, falling outside of the requirements of GDPR.

### **Client Contacts**

We may use personal information to contact you to discuss our recruitment services with you now and in the future, to deliver our recruitment services to you, to perform our obligations under a contract with the Client, to keep in touch with you regarding developments in our recruitment services which we believe will be of benefit to you, and

to keep in touch with you regarding future vacancies that you may have for which you wish to find suitable Candidates for.

Legitimate Interest – We have a legitimate interest in processing your personal data to ensure that we find suitable Candidates for you for vacancies that you have, to deliver recruitment services to you under contractual terms and conditions, and to ensure that you always receive the most appropriate services from us to deliver your recruitment needs.

Legal Obligations or Legitimate Interest – Less commonly, we may need to process your Contact details in the event we are required to comply any legal and or statutory obligations, and or for which we may rely upon grounds relating to Legal Obligations.

### **Supplier Contacts**

We may use personal information to administer our rights and obligations under our contract with the Supplier, to ensure the delivery of the Supplier's services to us, and to manage the commercial relationship between the Supplier and us.

Legitimate Interest – all of the above activities reflect processing which is in our legitimate business interests to process based upon the relationship between us and our Supplier.

Legal Obligations or Legitimate Interest – Less commonly, we may need to process your Contact details in the event we are required to comply any legal and or statutory obligations, and or for which we may rely upon grounds relating to Legal Obligations.

### **Referees**

We will only use your Contact details for the purpose of taking up a reference for a Candidate, where we are required to do so by a client for a role that a Candidate has been introduced for.

Legitimate Interest – It is in our legitimate interest to take up references where we are required to do so at the request of our Client to ensure we comply with the terms of our contract with a Client and to ensure that our Candidate has the best chance of being successful in the recruitment process where references are required to be taken prior to an offer.

Legal Obligations or Legitimate Interest – Less commonly, we may need to process your Contact details in the event we are required to comply any legal and or statutory obligations, and or for which we may rely upon grounds relating to Legal Obligations.

## **Referred Candidates**

We will only use your Contact details for the purpose of contacting you as a consequence of you being referred to us and in connection with our recruitment services.

Legitimate Interest – We have a legitimate interest in ensuring that we identify potential suitable Candidates that are not currently registered with us for roles that we are working on now and in the future so that we can fill vacancies that we have open and we can ensure we register and maintain details of suitable Referred Candidates for future roles to ensure that we can best meet the vacancy requirements of our Clients as they arise and so we can meet the needs of our Referred Candidates locating new employment opportunities and keeping Referred Candidates informed of suitable opportunities in the future. Upon registering with us, Referred Candidates will be considered Candidates for the purpose of this privacy notice.

Legal Obligations or Legitimate Interest – Less commonly, we may need to process your Contact details in the event we are required to comply any legal and or statutory obligations, and or for which we may rely upon grounds relating to Legal Obligations.

## **Automated decision-making**

As an employment agency, we may use search functionality available within our systems or through Networking Sites to help identify Candidates who may be suitable for us to consider for introduction for a vacancy. Search functionality is used in the ordinary course of business to assist us in finding Candidates who meet the requirements of the vacancy concerned. Any decision to introduce a Candidate or not for a role is considered and made by the recruitment consultant responsible for introducing Candidates to the Client concerned.

No decision whether or not to introduce a Candidate who meets the requirements for a vacancy is made without human intervention and no decision is based solely on automated decision-making. You will therefore 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. Whilst we do not envisage that any decisions will be taken about you using automated means, we will notify you in writing if this position changes.

## **Security of your personal information**

We have put in place measures to protect the security of your information.

Third-party providers will only process your personal information in accordance with our instructions and upon terms under which they have agreed to treat the information confidentially and to keep it secure.

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.

Candidates – our Clients are data controllers in their own right for the purposes of data protection laws, and therefore are required to comply with the requirements of security under GDPR. Our terms of business require the Client to comply with the requirements of GDPR and they will have their own privacy notice and policy with respect to their own processing of personal information they collect and use. Should you wish to understand what other personal information, if any, they collect about you, and or process outside of our expectations in this privacy notice, or any queries in relation to their processing of your personal information as a data controller you should contact the Client directly.

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.

### **How long we keep your personal information**

We will retain your personal information only for as long as is necessary and in accordance with the legitimate interests of our Clients, our Candidates and our own commercial needs to maintain a sustainable and profitable business but subject always to any overriding law which requires us to retain certain information for longer periods. We believe that it is reasonable and fair that we retain personal information in accordance with the following periods:

Candidates – From the date of collection of your personal information, we expect to have on-going discussions and communications with you during your career with respect to existing and future permanent and fixed term roles however those discussions arise (Career Discussions). However, we understand that there may be periods during which we have no Career Discussions with you and after a period of time it may be reasonable to expect that your personal information is no longer of interest or relevance to us and should be deleted. Given the nature of our recruitment services and the skills and



sectors that we operate in, if we have not had any Career Discussions with you for more than 5 years since our last Career Discussion, we will remove your personal information from our CRM and systems. We will retain any personal information (including any sensitive personal information) regarding a permanent or fixed term role that you have been introduced for, irrespective of whether or not you have been successful, for at least 5 years in order to comply with any Legal Obligations and or to ensure we can deal with any Legal Claims that may arise during this time as is necessary and in our legitimate interest. Should you request the deletion of your personal information before this date, we will not erase your personal data until the period above has expired.

Contract Resource – We will retain any personal information collected and used for a particular contract assignment for a period of up to 7 years in order to comply with our Legal Obligations, to deal with any Legal Claims, and to reply to any employment verification requests received from any new employer or recruitment agency whom requests confirmation of your work history through us. Should you be placed on a further contract assignment and any personal information collected and used for the purpose of your previous contract assignment is relevant and valid for processing for the same purposes for the new contract assignment, we shall be entitled to use such personal information for the current assignment.

Client Contacts/Supplier Contracts – We will retain your personal information for as long as we receive services from you or we provide recruitment services to you and for a period of up to 5 years thereafter.

Referees – We will retain your personal information for as long as a Candidate's personal information is held by us in accordance with the above retention period.

Referred Candidates – If you do not wish for us to discuss potential roles with you having contacted you as a consequence of a referral as described in this privacy notice, we will not retain your personal information. If you express an interest in discussing potential roles when we contact you, you will become a Candidate for the purposes of retention.

**If you choose not to give personal information:**

You can choose not to give us personal information when we seek to collect personal data from you at any stage in the recruitment process. We may need to collect personal information by law in certain circumstances. If you choose not to give us this personal information, it may delay or prevent us from delivering our recruitment services to you or prevent us from continuing with any particular application for a role or require us to

terminate our contract with you, your PSC or umbrella company on the basis we cannot comply with the law.

If you choose not to give us information that we require to undertake our assessment of your suitability for roles, we may not be able to proceed to register you and or otherwise introduce you to roles through us or continue to administer our contract with you or your PSC or umbrella if this has already commenced for a contract assignment, but we can advise you of the implications of not giving us information at the time we request it.

It may also be the case that a role requires us to fulfil Client Requirements to facilitate a Candidate's introduction and or progression through the recruitment process for a particular role. If you do not wish to give us personal information in response to a Client Requirement, this could mean that we cannot progress your application with the Client concerned or we cannot introduce you to a Client where we notify you prior to your introduction. We will make this clear as soon as we are aware of any Client Requirement which affects a permanent and or fixed term role you are interested in. Whilst not providing the personal information will affect the role relevant to the Client concerned, it will not affect your ability to be introduced for other roles we may have with other Clients.

## **Sharing your personal information**

Sharing personal information with third parties

### **Candidates**

We will share personal information in the provision of our recruitment service that we have collected about you with:

- Our Clients in order that we can discuss you as a potential and suitable Candidate for a vacancy with the Client, in order to introduce you for a role, to allow the Client to assess your suitability for an interview and or offer of a vacancy, and in order to facilitate the recruitment process (e.g. for the purpose of arranging interviews, undertaking tests etc.) and which shall include the Client's end customer for a particular contract assignment.
- We may be required to work with a master vendor, neutral vendor, or managed supplier of recruitment services to a Client (Intermediary), and in this circumstance we will share your personal information with the Intermediary who is managing the recruitment process for the Client and the Client. For the purposes of this privacy notice, reference to "Client" shall include any Intermediary.
- With job boards, job aggregators and other third-party partners we utilise to give you the best opportunity of finding a relevant and suitable role for you.

- Our own third-party service providers who deliver services on our behalf and who may process your personal information in the performance of those services under our instruction (subject to agreements with our third-party service providers) and which include but not be limited to our accountants, auditors, legal advisors and IT service provider.
- Those third-party sources identified in the Candidate personal information table whom deliver services to us as we require to comply with any Client Requirements we are obliged to comply with under our contract with the Client
- Any authority; which may include but is not limited to; central and local government departments, law enforcement and fraud prevention agencies, HM Revenue & Customs, regulators and other tax authorities; other statutory regulators;
- Any potential purchaser of our business or the potential owners of any other business we may potentially wish to merge with in the future.

We will share your personal information with the above third parties where required by law or where we have a legitimate interest in doing so. We have a legitimate interest in:

- 1.complying with our obligations under the law
- 2.assisting the Authorities in the prevention of crime and fraud
- 3.assisting the Authorities in maintaining national security and protecting public security
- 4.where we believe it is necessary in connection with the establishment, defence, and or exercise of legal claims.

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.

### **Client Contacts and Supplier Contacts**

We will share personal information in the provision of our recruitment service or receipt of your service (as applicable) that we have collected about you with:

- Our own third-party service providers who deliver services on our behalf and who may process your personal information in the performance of those services under our instruction (subject to agreements with our third-party service providers) and which include but not be limited to our accountants, auditors, legal advisors and IT service provider.

- Any authority; which may include but is not limited to; central and local government departments, law enforcement and fraud prevention agencies, HM Revenue & Customs, regulators and other tax authorities; other statutory regulators;
- Any potential purchaser of our business or the potential owners of any other business we may potentially wish to merge with in the future.
- We will share your personal information with the above third parties where required by law or where we have a legitimate interest in doing so. We have a legitimate interest in:
  - 1.complying with our obligations under the law
  - 2.assisting the Authorities in the prevention of crime and fraud
  - 3.assisting the Authorities in maintaining national security and protecting public security
  - 4.where we believe it is necessary in connection with the establishment, defence, and or exercise of legal claims.

### **Transfer of personal information outside of Europe (EU members & EEA members):**

#### **Candidates**

We do not envisage transferring your personal information outside of Europe. However, occasionally we may be instructed on roles which are based outside of Europe and therefore personal information may be processed outside of Europe. If processing of your personal data is required outside of the Europe, and the country concerned does not have an adequacy decision in place with the European Commission (which allows that country to be treated as a safe place to transfer and process data alongside other European country and to the standards equivalent to GDPR), we will ensure that your personal information does receive an adequate level of protection by requiring any recipient of your personal information to enter into contractual terms and conditions which requires the same level of protection afforded to processing inside of Europe (appropriate safeguards). If we are unable to put into place these appropriate safeguards, we will seek your written consent prior to introducing you for a role which requires processing outside of Europe having given you notice of the risks in having your personal data processed outside of Europe.

We confirm that your personal information is retained within our customer relationship management system which is held within our own local servers and your personal information is held securely on servers within Europe and backups of our system are also stored within Europe. To the extent that emails identifying you are personal data for

the purposes of GDPR, we confirm that our emails are held on our local servers based in UK/Europe.

### **Client and Supplier Contacts**

We confirm that your personal information is retained within our systems / software which is held within our own local servers and your personal information is held securely on servers within Europe.

If we need to transfer personal information outside of Europe in the future; whether due to any system changes, appointment of new third party service providers or otherwise, we will ensure that we have appropriate safeguards in place in order to transfer personal information outside of Europe or in the absence of appropriate measures we will only transfer such personal information outside of Europe with your written consent.

### **Your Rights and How to Complain**

Under data protection laws, you have a range of rights which help to protect you in respect of our processing of your personal information. If you are unhappy with how we deal with your request to exercise your rights, or you are unhappy with our response to your request, you may make a complaint to the Information Commissioner's Office (ICO) who is the supervisory authority responsible for enforcing data protection laws in the UK. You can contact the ICO by post, by email, telephone or live chat.

The ICO details are:

Tel: 03031231113

Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

Mail: ICO, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

We recommend that you read your right to make a complaint at <https://ico.org.uk/concerns/>

### **Your Rights**

#### **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. We may ask you to verify your identity as part of our security measures for the protection of personal information. We may also ask you for more information regarding your request in order to ensure that we meet our obligations fully. Whilst no fee is generally chargeable for access requests, we

reserve the right to charge a fee if you make repeated requests, ask for further copies of our disclosure, or your request is considered excessive in our reasonable view. We may also decline your request for access if we believe that your request is vexatious.

- **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). However, please note:
  - – we may not be able to erase certain personal information due to our continuing legal obligations or in other circumstances allowed under data protection laws.
  - – we cannot guarantee that you will not be contacted by us following erasure if your personal information remains in the public domain (e.g. if you have published or uploaded information to job boards and Networking Sites) and we suggest that you allow us to retain a personal identifier for our list of individuals we should not contact in an effort to prevent you being contacted again (if you request this as part of or as a consequence of any request to erase your personal information).
- **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. We have a right to reject your request if we decide that our interests in continuing to process your personal information override your interests, rights and freedoms in certain circumstances.
- **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. We can only store your personal information during this time and will not delete or otherwise use your personal information, except in relation to Legal Claims, where it is to protect the rights of another person, or it is for reasons of important public interest., or where you have consented to a particular use.
- **Right not to be subject to automated decision making and profiling**

- **Request the transfer** of your personal information to another party (this will only apply to personal information which is processed on the grounds of consent and which is processed by automated means by us)

### **Contact Us – Your Rights**

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 us in writing to:

Sam Gorvin at: [sam@nst-consultants.com](mailto:sam@nst-consultants.com)

Right to withdraw your consent – Where you have been asked for consent for processing, you can withdraw your consent at any time. If your consent relates to a Client Requirement, you understand that we may not be able to progress your application for the vacancy concerned. If this is the case, we will let you know. Please note that you can only withdraw your consent to processing activities to which you have consented.

You can withdraw your consent by emailing us at: [info@nst-consultants.com](mailto:info@nst-consultants.com)