

GENERAL DATA PROTECTION REGULATION (GDPR) POLICY

CANDIDATE FAIR PROCESSING NOTICE

Department	Information Technology & Support
Policy Owner	IT Director
Policy Title	GDPR – Candidate Fair Processing Notice
Version	V2
Issue Date	April 2019
Last Review Date	March 2019

1. **What is this document and why should you read it?**

1.1 This privacy notice explains how and why Production Resource Group UK Limited including each of its operating entities (also referred to as “**PRG**”, “**we**”, “**our**” and “**us**”) uses personal data about our candidates (referred to as “**you**”).

1.2 You should read this notice, so that you know what we are doing with your personal data.

2. **PRG’s data protection responsibilities**

2.1 “**Personal data**” is any information that relates to an identifiable natural person. Your name, address, contact details, salary details and CV are all examples of your personal data, if they identify you.

2.2 The term “**process**” means any activity relating to personal data, including, by way of example, collection, storage, use, consultation and transmission.

2.3 PRG is a “**controller**” of your personal data. This is a legal term – it means that we make decisions about how and why we process your personal data and, because of this, we are responsible for making sure it is used in accordance with data protection laws.

3. **Processing of your personal data**

3.1 We collect different types of personal data about you for job recruiting and placement purposes, and, for successful candidates, for employment purposes. Where we don’t need your personal data, we will make this clear, for instance we will explain if any data fields in our application are optional and can be left blank.

3.2 Further details of the personal data we collect, where we get it from and what we do with it are set out in **Schedule 1**.

3.3 You provide us with personal data directly when you apply for a job with us and when you correspond with us for recruitment purposes. We may also obtain it from other people and organisations, including publically available directories, recruitment agencies and your previous employer(s). You can read more about the sources of personal data in **Schedule 1**.

3.4 We process your personal data for particular purposes in connection with your engagement with us, and the management and administration of our business. Your data will be used to manage your job application and arrange interview(s) with you. In short, the processing is necessary for us to enter into a contract with you.

3.5 Please note that where we have indicated in the table at **Schedule 2** that our processing of your personal data is either:

3.5.1 necessary for us to comply with a legal obligation; or

3.5.2 necessary for us to take steps, at your request, to potentially enter into an employment contract with you, or to perform it

and you choose not to provide the relevant personal data to us, we may not be able to enter into our contract of employment or engagement with you.

3.6 If any of the personal information you have given to us changes, such as your contact details, please inform us without delay by contacting the HR Department.

4. **Who do we share your personal data with, and why?**

4.1 Sometimes we need to disclose your personal data to other people.

Inside the PRG group

4.2 We are part of the PRG group of companies. Therefore, we will need to share your personal data with other companies in the PRG group for our general business and workforce management purposes, for authorisations/approvals with relevant decision makers, parental reporting and where systems and services are provided on a shared basis.

4.3 Access rights between members of the PRG group are limited and granted only on a need to know basis, depending on job functions and roles.

4.4 Where any PRG group companies process your personal data on our behalf (as our processor), we will make sure that they have appropriate security standards in place to make sure your personal data is protected and we will enter into a written contract imposing appropriate security standards on them.

Outside the PRG group

4.5 In certain circumstances, we will disclose your personal data to third parties who will receive it as controllers of your personal data in their own right for the purposes set out above, in particular if we need to disclose your personal data in order to comply with a legal obligation, to enforce a contract or to protect the rights, property or safety of our employees, customers or others.

4.6 We have set out below a list of the categories of recipients with whom we may share your personal data:

4.6.1 employment-related benefits providers and other third parties in connection with your benefits (such as pension trustees);

4.6.2 clients;

4.6.3 consultants and professional advisors including legal advisors and accountants;

4.6.4 courts, court-appointed persons/entities, receivers and liquidators;

4.6.5 business partners and joint ventures;

4.6.6 trade associations and professional bodies;

4.6.7 insurers; and

4.6.8 governmental departments, statutory and regulatory bodies including the Department for Work & Pensions, Information Commissioner's Office, the police and Her Majesty's Revenue and Customs.

5. **Where in the world is your personal data transferred to?**

5.1 Our processing activities will sometimes require your personal data to be transferred outside the European Economic Area, in particular to the United States of America, where the head-quarters for the PRG Group is located.

5.2 We have put in place appropriate safeguards to protect your personal data. Whenever we need to share your personal data, we will only do so on a need to know basis and with selected employees for tasks within their job responsibilities.

- 5.3 Your personal data will in particular be shared with:
- 5.3.1 Production Resource Group LLC for e.g. for senior/shared role recruitment decision making.
6. **How long do we keep your personal data for?**
- 6.1 We will only retain your personal data for a limited period of time. This will depend on a number of factors, including:
- 6.1.1 any laws or regulations that we are required to follow;
- 6.1.2 whether we are in a legal or other type of dispute with each other or any third party;
- 6.1.3 the type of information that we hold about you; and
- 6.1.4 whether we are asked by you or a regulatory authority to keep your personal data for a valid reason.
- 6.2 Recruitment data for unsuccessful candidates will be kept for up to 12 months after the end of the recruitment process. For successful candidates, any personal data collected and processed throughout the recruitment process will be transferred to your personnel file and kept in line with our Retention Periods, set out in our Data Protection Policy.
7. **What are your rights in relation to your personal data and how can you exercise them?**
- 7.1 You have certain legal rights, which are briefly summarised at **Schedule 3**, in relation to any personal data about you which we hold.
- 7.2 Where our processing of your personal data is based on your **consent**, you have the right to withdraw your consent at any time. If you do decide to withdraw your consent we will stop processing your personal data for that purpose, unless there is another lawful basis we can rely on – in which case, we will let you know. Your withdrawal of your consent won't impact any of our processing up to that point.
- 7.3 Where our processing of your personal data is necessary for our **legitimate interests**, you can object to this processing at any time. If you do this, we will need to show either a compelling reason why our processing should continue, which overrides your interests, rights and freedoms or that the processing is necessary for us to establish, exercise or defend a legal claim.
- 7.4 If you wish to exercise any of your rights please contact PRG's HR department in the first instance.
- 7.5 You also have the right to lodge a complaint with the Information Commissioner's Office, which is the UK data protection regulator. More information can be found on the Information Commissioner's Office website at <https://ico.org.uk/>.
8. **Updates to this notice**
- We may update this notice from time to time to reflect changes to the type of personal data that we process and/or the way in which it is processed.
9. **Where can you find out more?**
- 9.1 If you want more information about any of the subjects covered in this privacy notice or if you would like to discuss any issues or concerns with us, you can contact us in any of the following ways:
- By email at: ukhr@prg.com
- By telephone at: 0121 477 1100
- By post at: Production Resource Group UK Ltd
Unit 2, The Cofton Centre
Groveley Lane
Birmingham
B31 4PT

SCHEDULE 1

Categories of personal data

Type of personal data	Collected from
a) Contact Information	
<ul style="list-style-type: none"> • Name(s) • Address(es) • Email address(es) • Contact details including mobile telephone number(s) 	You
b) Personal Information	
<ul style="list-style-type: none"> • Date of birth • Gender • Next of kin or other dependants • Marital or relationship status • Lifestyle and social circumstances • Emergency contact information 	You
c) Identity and Background Information	
<ul style="list-style-type: none"> • Details of education and qualifications and results • Career history, experience and skills • Passport information • Driving licence information • Psychometric test results • Right to work, residency and/or other visa information (where unrelated to your race or ethnicity) • Curriculum Vitae (CV) or resume and professional profile • Image or photographs • Application form • Evaluative notes and decisions from job interviews • Preferences relating to job location and salary • Conflicts of interests (including where related to family networks) 	<ul style="list-style-type: none"> • You • Recruitment consultants and agencies • Your previous employers • Publically available information from online resources
d) Financial Information	
<ul style="list-style-type: none"> • Salary, compensation and other remuneration information • National insurance number and/or other governmental identification numbers 	<ul style="list-style-type: none"> • You • Your previous employer
e) Special Category Personal Data	
<ul style="list-style-type: none"> • Racial or ethnic origin (including your nationality and visa information) • Political opinions • Religious or philosophical beliefs • Trade union membership • Data concerning physical and/or mental health (including occupational health requirements, accident reports, day-to-day health concerns such as diabetes or epilepsy conditions which we should be aware of, dietary requirements, allergies, drug and alcohol test results and reasons for any short term or long term absence) • Sexual orientation • Health and safety and accident records and reports 	<ul style="list-style-type: none"> • You • Your emergency contact(s)

SCHEDULE 2

Purposes of processing personal data

For some processing activities, we consider that more than one lawful basis may be relevant – depending on the circumstances.

	Purposes of processing	personal data	Lawful basis				
			We are permitted to process your personal data because...				
			1. You have given your consent to the processing (Please also see paragraph 7.2)	2. It is necessary to perform your employment contract	3. It is necessary for us to comply with a legal obligation	4. It is necessary for our legitimate interests or those of third parties	5. It is necessary to protect your vital interests (or those of someone else)
a) Recruitment and workforce planning							
1.	Administering your application for a job with us and considering your suitability for the relevant role	Contact Information				✓	
		Personal Information				✓	
2.	Obtaining, considering and verifying your employment references and employment history	Identity and Background Information				✓	
3.	Reviewing and confirming your right to work in the UK	Special Category			✓		
4.	Making a job offer to you and entering into a contract of employment with you	Personal Data		✓			
5.	Identifying and assessing PRG's strategic business direction and resourcing needs, current employees and areas for development					✓	
6.	Promotion and succession planning					✓	
7.	Developing, operating and collecting feedback on recruitment activities and employee selection processes					✓	

SCHEDULE 3

Your rights in relation to personal data

Your right	What does it mean?	Limitations and conditions of your right
Right of access	Subject to certain conditions, you are entitled to have access to your personal data (this is more commonly known as submitting a "data subject access request").	If possible, you should specify the type of information you would like to see to ensure that our disclosure is meeting your expectations. We must be able to verify your identity. Your request may not impact the rights and freedoms of other people, eg privacy and confidentiality rights of other staff.
Right to data portability	Subject to certain conditions, you are entitled to receive the personal data which you have provided to us and which is processed by us by automated means, in a structured, commonly-used machine readable format.	If you exercise this right, you should specify the type of information you would like to receive (and where we should send it) where possible to ensure that our disclosure is meeting your expectations. This right only applies if the processing is based on your consent or on our contract with you and when the processing is carried out by automated means (ie not for paper records). It covers only the personal data that has been provided to us by you.
Rights in relation to inaccurate personal or incomplete data	You may challenge the accuracy or completeness of your personal data and have it corrected or completed, as applicable. You have a responsibility to help us to keep your personal information accurate and up to date. We encourage you to notify us of any changes regarding your personal data as soon as they occur, including changes to your contact details, telephone number, immigration status.	Please always check first whether there are any available self-help tools to correct the personal data we process about you. This right only applies to your own personal data. When exercising this right, please be as specific as possible.
Right to object to or restrict our data processing	Subject to certain conditions, you have the right to object to or ask us to restrict the processing of your personal data.	As stated above, this right applies where our processing of your personal data is necessary for our legitimate interests. You can also object to our processing of your personal data for direct marketing purposes.
Right to erasure	Subject to certain conditions, you are entitled to have your personal data erased (also known as the " <i>right to be forgotten</i> "), eg where your personal data is no longer needed for the purposes it was collected for, or where the relevant processing is unlawful.	We may not be in a position to erase your personal data, if for example, we need it to (i) comply with a legal obligation, or (ii) exercise or defend legal claims.
Right to withdrawal of consent	As stated above, where our processing of your personal data is based on your consent you have the right to withdraw your consent at any time.	If you withdraw your consent, this will only take effect for future processing.