

Data Protection Privacy Notice: personal data obtained from a third-party

Introduction

Step Ahead Social Enterprise Community Interest Company ('the Company') is a recruitment business which provides work-finding services to its clients and work-seekers. An established and respected Company with a reputation for providing high-quality recruitment and employment services, the Company must process personal data (including sensitive personal data) so that it can provide these services – in doing so, the Company acts as a data controller.

You may give your personal details to the Company directly, such as on an application or registration form or via our website, or we may collect them from both publicly available sources such as, but not limited to; job boards, third party employer websites and LinkedIn, submissions of information to our website via candidates directly and from telephone conversations and meetings with candidates where the information was directly disclosed to our staff. The Company 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

The Company has collected 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, 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 purposes 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 and processing is necessary for the performance of a contract with you or to take steps at your request to enter into a contract;
- To comply with a legal obligation that we have;
- To fulfil a contractual obligation that we have;
- Processing is necessary for carrying out our 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.

a. Categories of data

The Company collects the following personal data on you:

Personal data:

- Name and contact details, including address, phone number(s), email]
- National Insurance no
- Nationality (from what may be specified on information you publish or from a right to work check)
- Recruitment and selection history in respect of our work-seeking services
- Work history and employment status
- Education history
- Qualifications, skills and experience
- Benefits status (including being a recipient of benefits relevant to eligibility for our employability programmes)
- Familial and similar relationships relevant to eligibility for our employability programmes, e.g. you are a lone-parent, are or have been a carer, care-leaver

Sensitive personal data:

- Health information, including whether you have a disability
- Criminal conviction (and also similar information, e.g. exposure to gang-culture or knife-crime, troubled-families etc relevant to our employability programmes)
- Race
- Ethnic origin
- Religion
- Biometrics (where used for ID purposes)
- Sexual Orientation

Source of the personal data

We collect data from both publicly available and accessible sources and non-publicly available and accessible sources including:

- A job board or similar site on which it was published, including Indeed, Reed, CV Library, LinkedIn
- A referee whose details you previously provided to us
- A software provider who we use to support our services including Oxford Software, Keybridge, PAM Internet (Sprint)
- Referral and similar partners to whom you are known, including clients, former employees, commercial and charity organisations, DWP/JCP, local government organisations, education and training organisations, business improvement district, and funding bodies who engage with the Company to provide employability and training services
- Training providers
- Procurement organisations
- Natural or legal persons to whom you owe a debt, e.g. in relation to Attachments of Earnings Orders and similar
- Statutory organisations including HMRC and the Home Office's Employer Checking Service

b. Legitimate interest

Where the Company has relied on a legitimate interest to process your personal data our legitimate interest(s) is/are as follows:

- Providing you with work-finding services and our clients with relevant candidates, including sending your information to our clients where you have demonstrated an interest in doing that particular type of work but not expressly consented to our passing on your cv or application
- Contacting you with information about products or services similar to those which you have used from us recently
- Managing our database and keeping work-seeker records up to date;
- Contacting you to seek your consent where we need it;
- IT security
- Prevention of fraud and disclosing information about possible criminal acts or security threats to the authorities

c. Recipient/s of data

The Company will process your personal data and/or sensitive personal data with the following recipients.

- Clients we introduce or supply individuals to
- Your former or prospective new employers that we obtain references from or provide references to
- Trade bodies that we are a member of and any other third parties who may have access to our data or who carry out audits to ensure we run our business correctly
- Umbrella companies
- Master/neutral vendors, managed services and recruitment agencies in our supply chain
- Public information sources and third-party organisations we may use to carry out suitability checks on work-seekers, e.g. the Disclosure and Barring Service (DBS)
- Government, law enforcement agencies and other regulators e.g. the Police, Home Office, HMRC, Employment Agencies Standards Inspectorate (EASI), Local Authority Designated Officers (LADOs), GLAA,
- Our parent company, and
- any other organisations you ask us to share your data with.

Furthermore, the Company reserves the right to work with suppliers providing services including, but not limited to: database, server and/or website hosting; proprietary software support (e.g. for our CRM/Timesheet systems); IT consulting and support services; legal advice; insurance; background screening; payroll/umbrella services; legal advisers; accountancy/financial services; quality management/accreditation, and administrative and back-office support services. Such third parties will have access to personal information only so far as is necessary to carry out the services.

d. Statutory/contractual requirement

Your personal data is required by law and/or a contractual requirement, e.g. our client may require this personal data, and/or a requirement necessary to enter into a contract or as part of a statutory requirement, such as the Conduct of Employment Agencies and Employment Businesses Regulations 2003. You are obliged to provide the personal data and if you do not the consequences of failure to provide the data are:

- We may not be able to introduce you to Clients, supply you with work-seeking services or employ you.

2. Overseas Transfers

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

3. Data Retention

The Company will retain your personal data only for as long as is necessary. Different laws 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, pensions and tax legislation.

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

4. Your Rights

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

- The right to be informed about the personal data the Company processes on you;
- The right of access to the personal data the Company 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 the Company processing your personal data/sensitive personal data you have the right to withdraw that consent at any time by contacting our Data Protection Officer. Contact details are provided at the end of this notice.

There may be circumstances where the Company 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 your data that the Company processes is incorrect or incomplete, please contact us using the details at the end of this notice and we will take reasonable steps to check its accuracy and correct it where necessary. You can also use these details to contact us if you want 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.

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.

Kathy O'Callaghan
Step Ahead
235 High Holborn
London
WC1V 7LE
Email: kathy@stepahead.co.uk
Tel: 020 7400 6287

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.