

CLAY PRIVACY NOTICE (When personal data is obtained from data subject)

Company name:	Clay Recruitment Ltd t/a Clay ('the Company', 'we', 'us', 'our')
Contact details:	Carl Anderson
Document:	Privacy Notice (when personal data is obtained from data subject)
Subject:	Data protection
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Clay Recruitment Ltd t/a Clay is a data controller for the purposes of the General Data Protection Regulation (**GDPR**) (Regulation (EU) 2016/679). We are responsible for ensuring that any processing of your personal information by us is done fairly and lawfully. Processing your personal data includes holding, obtaining, recording, using or sharing it. We take your privacy very seriously and will only process your personal data for the purposes set out in this notice.

The person responsible for data protection enquiries is **Carl Anderson** who can be contacted – Carl@clayrecruitment.com

Details about the purposes for which your personal data may be processed and the basis processing your personal data, together with details of your rights in relation to the processing of your data can be found at:
<https://www.clayrecruitment.com/privacy-policy>

The purposes for which your personal data will be processed

We will need to process your personal data for the purposes of providing recruitment and related services to our clients, and work-finding and related services to work-seekers.

The basis for processing your personal data

The legal bases upon which we may rely to process your personal data are:

- Contractual obligation
- Legal obligation
- Legitimate interest

In certain circumstances we are required to process certain categories of personal data in order to comply with our legal obligations under relevant legislation, including the Conduct of Employment Agencies and Employment Businesses Regulations 2003 and other relevant tax, social security or other legislation. You are not under any obligation to provide us with your personal data, but if you do not we may be unable to meet our legal obligations and so may not be able to provide you with work-finding or recruitment services.

We also need to process certain categories of your personal data in order to enter into an agreement with you and to comply with our obligations under that agreement.

Where no contractual or legal obligation exists, we may still need to process your personal data in order to pursue our legitimate business interests. Our business involves providing work-finding and related services to work-seekers and recruitment and related services to our clients and so we may need to process your personal data in order to pursue our legitimate interests in achieving this. We may also need to retain personal data in case we need to establish or defend a legal claim. We will balance our legitimate interests against your rights and legitimate interests and expectations.

We may rely on your consent in certain circumstances, for example to process your data for the purposes of sending you direct marketing by email or text message, to use cookies when you visit our website, or to process sensitive personal data.

The bases upon which we may lawfully process your personal data are listed in the table on the next page.

Document/Personal Data	Why we need it	Our lawful ground for processing it
Name, Address, DOB	To verify your identity and CV or employment history, qualifications and authorisations	Legal obligations (if applicable). Contractual obligations (if applicable) Legitimate interests.
Contact details	To communicate with you	Legal obligations (if applicable). Contractual obligations (if applicable) Legitimate interests.
Role Requirements	To find you the right role or assignment	Legal obligations (if applicable). Contractual obligations (if applicable) Legitimate interests.
CV, employment history, qualifications, authorisations	To check your suitability for a role or assignment	Legal obligations (if applicable). Contractual obligations (if applicable) Legitimate interests.
ID and immigration checks	To verify your identity and right to work	Legal obligations (if applicable). Contractual obligations (if applicable) Legitimate interests.
Confirmation that you are willing to work in a particular role	To find you the right role or assignment	Legal obligation (if applicable). Legitimate interests.
Notes, assessments, comments, feedback from interview	To find you the right role or assignment	Contractual obligation (if applicable). Legitimate interests.
Interview details	To set up interviews with hirers	Contractual obligation (if applicable). Legitimate interests.
Emails and correspondence with you and with potential hirers and intermediaries	To find you the right role or assignment	Contractual obligation (if applicable). Legitimate interests.
References (collected from third parties with your prior consent)	To verify your experience and suitability for a particular role or assignment	
Details of placement/assignment and hirer	To keep records of placements made or assignments arranged by us	Legal obligations (if applicable). Contractual obligations (if applicable) Legitimate interests.
Candidate/work-finding Agreement	To set out the basis of the relationship between you and us	Legal obligation (if applicable). Legitimate interests.
Bank details (temp only)	To pay you	Legal obligation (If applicable) Contractual performance.
Social security information, NI number (temp only)	To report to HMRC	Legal obligation (If applicable) Contractual performance.
Information about your pay and conditions (temp only)	To protect your rights	Legal obligations (if applicable). Contractual obligations (if applicable) Legitimate interests.
Other necessary, relevant personal information	To perform our services for you	Contractual obligation (if applicable). Legitimate interests.

Direct Marketing

We would like to use your contact details to contact you about job opportunities, news and information which we think may be of interest to you. However we will not contact you with marketing material unless you consent to our doing so, and you have the right to unsubscribe at any time, by clicking the link which appears in the email footers of marketing emails.

Sharing your personal data

Your personal information will be processed by our staff and our subcontractors (including IT providers) and will be provided to appropriate third parties such as potential hirers and intermediaries in order to provide you with work-finding services or to work-seekers in order to provide you with recruitment services. Please let us know if you do not want your personal information to be disclosed to a particular third party or category of third parties.

We may also share your personal details with your previous or current employers or other third parties identified by you to us as potential referees.

We may be required by law to share certain categories of your personal data with tax authorities and other government agencies such as HMRC.

We may use a third party organisation to operate our payroll. We will need to provide them with certain categories of your personal data and they will be under an obligation to process it as instructed by us and in accordance with relevant data protection legislation. We may also need to provide certain categories of personal data to your pension provider, if appropriate.

We will not share your personal data with any other organisation unless it is necessary and in connection with providing our work-finding and recruitment services.

Overseas transfers

Data will be stored within the EEA on either local or cloud-based servers and will be subject to technical and organisation safeguarding protection measures. The EEA comprises the EU member states plus Norway, Iceland and Liechtenstein.

Some categories of data may be transferred outside the EEA. If it is necessary to transfer your data to a country outside the EEA to assist us in providing work-finding and recruitment services, we will take all reasonable steps to ensure that your data is subject to the same protection as that provided by the EU and that it is subject to technical and organisation safeguarding protection measures.

Accuracy of your data

We will endeavour to keep your personal data accurate and up to date and will only process it for the specific purposes notified above. Data that is inaccurate or out of date will be deleted. Please notify us if your personal details change or if you become aware of any inaccuracies in the personal data we hold about you.

Retaining your data

Different laws require us to keep different data for different periods of time. For example, we are required by the Conduct of Employment Agencies and Employment Businesses Regulations 2003 to keep work-seeker records for at least one year from the date of their creation or the date upon which we last provide a work-seeker with work-finding services.

We must also keep work-seekers' payroll records, holiday pay, sick pay and pensions auto-enrolment records for as long as legally required by tax authorities and relevant social security and tax legislation.

We may also retain your personal data in order to pursue our legitimate business interests. We will not store your data for any longer than is necessary to comply with our legal obligations or to pursue our legitimate business interests. We will delete your data in line with our retention policy.

Your rights

Whilst we are processing your data, you have the right to:

1. request access personal data we hold about you;
2. object to the processing of your personal data;
3. ask to have inaccurate data held about you removed;
4. ask to have inaccurate data held about you or corrected;
5. if processing of your personal data is based only on consent, to withdraw that consent;
6. request that your personal data is shared with a third party.

Data security

We will ensure that appropriate measures are taken against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data. We have in place procedures and technologies to maintain the security of all personal data from the point of collection to the point of destruction.

We will only transfer personal data to a third party if they agree to comply with those procedures and policies, or put in place adequate measures prior to receiving it. Maintaining data security means guaranteeing the confidentiality, integrity and availability (for authorised purposes) of the personal data.

Further information and breach reporting

If you require any information about the way in which we process your data or if you wish to report a complaint or a data breach, please contact **Carl Anderson** at Carl@clayrecruitment.com as soon as possible. All enquiries will be responded to as quickly as possible and all data breaches will be taken very seriously. If for any reason you are dissatisfied with the way in which your personal data has been processed, you can complain to the appropriate supervisory authority for data protection: