

Source Privacy Notice for Candidates

1. What is the purpose of this document?

1.1 Source Personnel Limited is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. You are being provided with a copy of this privacy notice because you (or your company) are applying for or undertaking work with us either as a candidate/potential employee, worker, temporary worker, freelance worker or as someone working through a personal service company or umbrella company. It makes you aware of how and why your personal data will be used, namely for the purposes of the recruitment and contracting exercise, and how long it will usually be retained for. It provides you with certain information that must be provided under the General Data Protection Regulation ((EU) 2016/679) (GDPR).

2. Data protection principles

2.1 We will comply with data protection law and principles, which means that your data will be:

- (a) Used lawfully, fairly and in a transparent way.
- (b) Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- (c) Relevant to the purposes we have told you about and limited only to those purposes.
- (d) Accurate and kept up to date.
- (e) Kept only as long as necessary for the purposes we have told you about.
- (f) Kept securely.

3. The kind of information we hold about you

3.1 In connection with your application for work with us, we will collect, store, and use the following categories of personal information about you:

- (a) The information you have provided to us in your curriculum vitae and any covering letter.
- (b) The information you have provided on our application forms, including name, title, address, telephone number, personal email address, date of birth, gender, employment history and qualifications, copies of right to work documentation and references.
- (c) Any information you provide to us during an interview.
- (d) Information arising from your appointment to a role or you working as a contractor including (where relevant):
- (e) Your National Insurance number for tax purposes,
- (f) Your bank account details, payroll records and tax status information for payments,
- (g) Salary, annual leave, pension and benefits information.

- (h) Your start date.
- (i) The location of employment or workplace.
- (j) Employment records (including job titles, work history, working hours, training records and professional memberships).
- (k) Compensation history.
- (l) Performance information.
- (m) Disciplinary and grievance information.

3.2 We may also collect, store and use the following "special categories" of more sensitive personal information (see below), specifically:

- (a) information about your health, including any medical condition, health and sickness records.
- (b) information about your race or national or ethnic origin.

4. How is your personal information collected?

4.1 We may collect personal information about candidates from the following sources:

- (a) You.
- (b) Your named referees, such as the details of your previous roles, length of contract or service and your performance.
- (c) From third parties who are, for example, a publicly accessible source such as job boards or who have provided your information as a referrer of candidates.

5. How we will use information about you

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

- (a) Making a decision about putting you forward for recruitment or appointment.
- (b) Determining the terms on which you work for us.
- (c) Checking you are legally entitled to work in the UK.
- (d) Paying you and, if required, deducting tax and National Insurance contributions.
- (e) Administering the contract we have entered into with you.
- (f) Business management and planning, including accounting and auditing.
- (g) Assessing qualifications for a particular job or task.
- (h) Making decisions about your continued engagement.
- (i) Making arrangements for the termination of our working relationship.
- (j) Education, training and development requirements.

- (k) Dealing with legal disputes involving you, or others, including accidents at work.
- (l) Ascertaining your fitness to work.
- (m) Managing absence.
- (n) Complying with health and safety obligations.
- (o) To prevent fraud.
- (p) To conduct data analytics.

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

6. If you fail to provide personal information

6.1 If you fail to provide information when requested, which is necessary for us to consider your application (such as evidence of qualifications or work history), we will not be able to process your application successfully. For example, if we require a credit check or references for this role and you fail to provide us with relevant details, we will not be able to take your application further. Similarly, we may be unable to perform any contract we enter into with you.

7. Change of purpose

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

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

8. How we use particularly sensitive personal information

8.1 "Special categories" of particularly sensitive personal information require higher levels of protection. We have put in place appropriate safeguards which we are required by law to maintain when processing such data however we need to have further justification for collecting, storing and using this type of personal information. With this in mind we may process special categories of personal information in the following circumstances:

- (a) In limited circumstances, with your explicit written consent.
- (b) Where we need to carry out our legal obligations or exercise rights in connection with employment laws.
- (c) Where it is needed in the public interest.

8.2 Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public. We may also process such information about candidates or former candidates in the course of legitimate business activities with the appropriate safeguards.

8.3 We will use your particularly sensitive personal information in the following ways:

- (a) We will use information about your disability status to consider whether we need to provide appropriate adjustments during the recruitment or contracting process, for example whether adjustments need to be made.
- (b) We may use information about your race or national or ethnic origin for the purposes of assessing the right to work in the UK.
- (c) We may use information relating to absences, which may include sickness absence or family related leaves, to comply with employment and other laws.

9. Do we need your consent?

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

10. Information about criminal convictions

10.1 We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations. We do not envisage that we will hold information about criminal convictions.

11. Automated decision-making

11.1 You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

12. Data sharing

- 12.1 We may have to share your data with third parties, including potential and actual hirers and third-party service providers. We require these third parties to respect the security of your data and to treat it in accordance with the law.

13. Why might you share my personal information with third parties?

- 13.1 We will only share your personal information with the third parties for the purposes of processing your application for work and for undertaking the contract we have with you, such as passing your information on to any hirer.
- 13.2 The "third parties" referred to above also includes third-party service providers (including contractors and designated agents). The activities which may be carried out by third-party service providers include payroll, pension administration, benefits provision/administration and IT services. All our third-party service providers and other entities to whom we provide your data 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.

14. Data security

- 14.1 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.
- 14.2 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.

15. Data retention

- 15.1 We will retain your personal information for a period of 6 years from the date:
- (a) We receive your information, such as receiving your CV or you registering with us;
 - (b) You accept an interview through us with any potential hirer;
 - (c) You accept of any offer of a permanent or fixed term employment or engagement; or

- (d) You have ceased any contracting role with us;

whichever is the longer.

15.2 We retain your personal information for this period on the basis that a further opportunity may arise in future and we may wish to consider you for that, so that we can show that we have not discriminated against candidates on prohibited grounds and that we have also conducted the recruitment exercise in a fair and transparent way, so we can comply with our requirements to keep records for legal purposes, such as pay records, and in the event of a legal claim. After this period, unless separately legally required to retain the information, we will securely destroy your personal information in accordance with our data retention policy and the applicable laws and regulations.

15.3 If we wish to retain your personal information on file for a period beyond the above, we will write to you separately, seeking your explicit consent to retain your personal information for a further fixed period on that basis. In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

16. Rights of access, correction, erasure, and restriction

16.1 Your rights in connection with personal information

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

- (a) **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.
- (b) **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.
- (c) **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).
- (d) **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.
- (e) **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.
- (f) **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact our data protection officer (DPO) in writing as set out below.

16.2 Right to withdraw consent

When you apply for a role or work, you provide consent to us processing your sensitive personal information for the purposes of the recruitment exercise. You have the right to withdraw your consent for processing for that purpose at any time. To withdraw your consent, please contact our DPO as set out below. Once we have received notification that you have withdrawn your consent, we will no longer process your application and, subject to our retention policy, we will dispose of your personal data securely.

17. Data protection officer

17.1 We have appointed a data protection officer (DPO) Lisa Payne to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact our DPO by emailing Lisa Payne at operations@wearesource.co.uk. You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.