

DATA PROTECTION AND PRIVACY STATEMENT

What is the purpose of this document?

RGF Staffing UK is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you during and after your working relationship with us, in accordance with the General Data Protection Regulation (GDPR).

This notice applies to current and former temporary workers and contractors. This notice does not form part of your agreement with RGF Staffing UK. RGF Staffing UK may update this notice at any time.

1.1 RGF Staffing UK is a "data controller". This means that it is responsible for deciding how it holds and uses personal information about you. It is required under data protection legislation to notify you of the information contained in this privacy notice.

1.2 It is important that you read this notice, together with any other privacy notice RGF Staffing UK may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why it is using such information.

2. Data protection principles

2.1 RGF Staffing UK will comply with data protection law. This says that the personal information it holds about you must be:

- (a) Used lawfully, fairly and in a transparent way.
- (b) Collected only for valid purposes that it has clearly explained to you and not used in any way that is incompatible with those purposes.
- (c) Relevant to the purposes it has 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 Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are "special categories" of more sensitive personal data which require a higher level of protection.

3.2 RGF Staffing UK will collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- Date of birth.
- Your sex.
- Next of kin and emergency contact information.
- National Insurance number.
- Bank account details, payroll records and tax status information.
- The start and end date and details of any assignment you have through us.
- The dates and outcome of any client interviews you have through us.
- Location of your assignment workplace.
- Copy of driving licence

- Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process).
- Employment records (including job titles, work history, working hours, training records and professional memberships, P45 and P60).
- Compensation history.

3.3 RGF Staffing UK may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
- Information about your health, including any medical condition, health and sickness records.
- Information about criminal convictions and offences.

4. How is your personal information collected?

4.1 RGF Staffing UK may collect personal information about temporary workers and contactors through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider.

4.2 We may sometimes collect additional information from third parties including your former employers, credit reference agencies, agencies providing details of criminal records, or other background check agencies.

We will collect additional personal information in the course of job-related activities throughout the period you are registered with us.

5. How we will use information about you

5.1 RGF Staffing UK will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- (a) Where we need to perform the contract we have entered into with you.
- (b) Where we need to comply with a legal obligation.
- (c) Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- (d) We may also use your personal information in the following situations, which are likely to be rare:
 - (i) Where we need to protect your interests (or someone else's interests).
 - (ii) Where it is needed in the public interest (or for official purposes).

6. Situations in which we will use your personal information

6.1 We need all the categories of information in the list at paragraph 3.2 primarily to allow us to perform our contract with you and to enable us to comply with our 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.

- Making a decision about placing you in a temporary position.
- Determining the terms on which you work for our clients.
- Checking you are legally entitled to work in the UK.
- Paying you and deducting tax and National Insurance contributions from your pay.
- Administering the contract we have entered into with you.
- Business management and planning, including accounting and auditing.
- Assessing qualifications for a particular assignment.
- Dealing with legal disputes involving you, or other, workers and contractors.
- Ascertaining your fitness to work.
- Managing sickness absence.
- Complying with health and safety obligations.
- To prevent fraud.

- To verify your employment or education history
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.
- Equal opportunities monitoring.

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

7. If you fail to provide personal information

7.1 If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you.

8. Change of purpose

8.1 RGF Staffing UK will only use your personal information for the purposes for which we collected it, unless it reasonably considers that it needs 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.

8.2 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.

9. Sensitive personal information

9.1 Sensitive personal information requires higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. 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 and in line with our data protection policy.
- (c) Where it is needed in the public interest, such as for equal opportunities monitoring or for RGF Staffing UK's own equal opportunity monitoring.
- (d) Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

9.2 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.

10. How we use sensitive personal information

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

- We will use information relating to leaves of absence, which may include sickness absence or family related leaves, to comply with employment and other laws.
- We will use information about your physical or mental health, or disability status, to ensure your health and safety and the health and safety of others in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits.
- We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure RGF Staffing UK can carry out meaningful equal opportunity monitoring and reporting.
- We will use information about any criminal convictions you may have to assist our clients decide about your suitability in law for certain roles in the financial and defence sectors and in any other sectors where such records are a legal requirement of employment, for example, where you will care for vulnerable individuals.

11. Do we need your consent?

11.1 We do not need your consent if we use your sensitive personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain sensitive personal information. 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.

11.2 Information about criminal convictions: We may only use information relating to criminal convictions when the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations as explained above and provided we do so in line with our data protection policy.

Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary 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.

12. Automated decision-making

12.1 Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision-making in the following circumstances:

- (a) Where we have notified you of the decision and given you 21 days to request a reconsideration.
- (b) Where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights.
- (c) In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.
- (d) If we make an automated decision on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

12.2 You will 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.

12.3 We use automated decision making to carry out initial reviews of CV's of candidates for jobs to ensure the candidates applying have the relevant skills and expertise for the position to which they are applying.

13. Data sharing

13.1 We may have to share your data with third parties, including third-party service providers and other entities in the group.

We require third parties to respect the security of your data and to treat it in accordance with the law.

We may transfer your personal information outside the EU.

If we do, you can expect a similar degree of protection in respect of your personal information.

13.2 We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

13.3 Which third-party service providers process my personal information?

"Third parties" includes third-party service providers (including contractors and designated agents) and other entities within our group. The following activities are carried out by third-party service providers: payroll, pension administration and benefits provision. We may also share your personal information with clients where candidates for roles with them are submitted via a dedicated client portal known as a Vendor Management System.

All our third-party service providers and other entities in the group 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.

13.4 When might you share my personal information with other entities in the group?

We will share your personal information with other entities in our group as part of our regular reporting activities on company performance, in the context of a business reorganisation or group restructuring exercise, for system maintenance support and hosting of data.

13.5 What about other third parties?

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. We may also need to share your personal information with a regulator or to otherwise comply with the law.

13.6 Transferring information outside the EU

We will transfer the personal information we collect about you to the USA in order to perform our contract with you. The processing will take place in accordance with the US/EU Privacy Shield. This means that the USA is deemed to provide an adequate level of protection for your personal information.

13.7 We have put in place measures to protect the security of your information. Details of these measures are available on request from our Data Protection Officer.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure

13.8 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. Details of these measures may be obtained from our Data Protection Officer.

13.9 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.

14. Data retention

14.1 How long will you use my information for?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are available in our retention policy which is available from our Data Protection Officer. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

14.2 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. Once you are no longer a worker or contractor of the company we will retain and securely destroy your personal information in accordance with our data retention policy.

14.3 Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

14.4 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.
- **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)
- **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
- **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
- **Request the transfer** of your personal information to another party.

14.5 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 RGF Staffing UK's Data Protection Officer in writing.

14.6 You will not have to pay a fee to access your personal information (or to exercise any of the other rights).

However, if your request for access is clearly unfounded or excessive we may refuse to comply with the request in such circumstances.

14.7 We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

15. Right to withdraw consent

15.1 In the limited circumstances where you may have provided your consent to the collection, processing and

transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact our Data Protection Officer. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

16. Data protection officer

16.1 We have appointed a Data Protection Officer (DPO) 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 the DPO. 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.

17. Changes to this privacy notice

17.1 We reserve the right to update this privacy notice at any time, and we will post any updated version marked as such on the website below. We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions or wish to draw anything to our attention about this privacy notice, please contact the Data Protection Officer by e-mailing us on GDPR@rqfstaffing.co.uk