

GEM Partnership Ltd

GDPR Compliant Privacy Notice – Recruitment

GEM Partnership is a training and recruitment business which provides work-finding services to its clients and work-seekers. 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 (paper or electronic), via our website or via JotForm (online form partner) or we may collect them from another source such as a jobs board or social media (social media only if you apply for a role through this source). 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.

Collection and use of personal data

Purpose of processing and legal basis

The Company will collect 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. The legal bases we rely upon to offer these services to you are:

- Consent
- Legitimate interest
- Legal obligation
- Contractual obligation

a. Consent

We will clearly obtain your consent for the processing of personal and or sensitive personal data. This will be freely given, specific, informed, unambiguous and we will make it easy for you to withdraw that consent in the future if required.

b. Legitimate interest

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

- Providing work finding services to candidates, as such collecting data to enable matching decisions for both candidates and clients.

c. Recipient/s of data

The Company will process your personal data and/or sensitive personal data with the following recipients with your express permission:

- Clients who are looking to employ candidates into either temporary or permanent assignments.
- Payroll partners.
- Government departments where applicable.
- Credit or disclosure and barring service providers where applicable.
- IT and system partners who host and archive our data.

d. Statutory/contractual requirement

Your personal data may be required by law and/or a contractual requirement (e.g. our client may require this personal data, we need to hold your data in line with HMRC obligations or recruitment legislation), and/or a requirement necessary to enter into a contract. You are obliged to provide the personal data and if you do not the consequences of failure to provide the data are:

- We would not be able to consider your details for future assignments with our clients.
- Where we are obliged to process your Data, via Contractual or Statutory requirements, GDPR Status on our internal systems will default to Opt In.

Categories of Data

The Company may have collected the following personal data on you:

Personal data:

- Name, address and contact details
- Date of birth
- CV and work history
- Qualifications
- Reference information
- Salary and benefits
- Application history
- National insurance number

Sensitive personal data (subsequently obtained post contact with you):

- Health and disability related information
- Criminal convictions
- Ethnicity

Personal Data Sources

The Company has sourced your personal data and/or sensitive personal data by one of the following means:

- Online CV repositories such as Reed, Totaljobs, CV Library and Monster.
- LinkedIn and other social media channels.
- Applications received via a variety of advertising tools we use to publish vacancies
- Our website

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.

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. Where the Company has obtained your consent to process your personal or sensitive personal data we will do so in line with our retention policy:

[GEM Data Retention Policy](#).

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 and tax legislation.

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.

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 and/or sensitive personal data you have the right to withdraw that consent at any time by contacting us on:

removemydata@gempartnership.com.

We will acknowledge your request within 5 working days.

Complaints or queries

If you wish to complain about this privacy notice or any of the procedures set out in it please contact Lee Rankin – Managing Director on lee.rankin@gempartnership.com

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.