This Privacy notice sets out the basis on which Vive Search Limited of 17447439 (referred to throughout as “we”, “us”, “our” and “ours) will process personal information provided to or held by, us, this information is also referred to as ‘personal data’.

We take our obligations in respect of the privacy of personal data very seriously and we will only process personal information as detailed in this notice, unless we inform you otherwise. In order to ensure that the personal data we hold is accurate and up to date, we request that you inform us of any relevant changes to the personal information we hold about you.

We help individuals to find work, and we are also an employer. Our core business activity is recruitment, we assist individuals in finding work with our hirer clients, whether this is directly or through supply by us, and we assist hirers in introducing or supplying the staff that they require. We also recruit staff to work for us to provide our recruitment services. For the purposes of this Privacy Notice, our commercial activities and services for individuals and businesses are referred to as ‘Recruitment Services’, and our actual or potential hiring customers are referred to as ‘Clients’.

Responsible person

Our Data Protection Officer is Liam Oakes

ICO Registration Number: ZC246146

The Responsible Person’s contact details are as follows: liam@vivesearch.com

If you do not wish us to process personal data in accordance with this policy, then please do not provide it to us.

Section 1: This section applies to individuals wishing to use or using our Recruitment Services or looking for a role to work with us (‘a Candidate’):

The personal data we collect or receive includes the following as applicable:

- Name
- Address
- Email and other contact details
- Date of birth
- Sex/Gender
- Job history (including information relating to placements through us)
- Educational history, qualifications & skills
- Visa, passport and other right to work or identity information
- Bank details
- National insurance and tax (payroll) information
- Emergency contacts, next of kin and family details
- Relationship with third parties including referees
- Personal information relating to hobbies, interests and pastimes
- Information contained in references and pre-employment checks from third parties
- Other sensitive personal information such as health records (see ‘Sensitive Personal Data’ section below)
- Where applicable, information relevant to safeguarding responsibilities
- Marketing preferences

We may obtain your personal data from the following sources (please note that this list is not exhaustive):

- You (e.g. a Curriculum Vitae, application or registration form, or communications with you)
- A Client or other users of your services
- Other candidates
- Other persons connected with you, or whose details you have provided to us
- Online jobsites
- Marketing databases
- The public domain
- Social Media
- At interview

- Conversations on the telephone or video conferencing (which may be recorded)
- Notes following a conversation or meeting
- Our websites and software applications

Where you are a Candidate and we have obtained your personal data from a third party such as an online job board, it is our policy to advise you of the source when we first communicate with you.

How we will use your personal data:

The processing of your personal information may include:

- Collecting and storing your personal data, whether in manual or electronic files
- Notifying you of potential roles or opportunities
- Assessing and reviewing your suitability for job roles
- Introducing and/or supplying you to actual or potential Clients
- Engaging you for a role with us or with our Clients including any related administration e.g. timesheets and payroll
- Carrying out reasonable welfare checks
- Communicating with third parties in the event of an emergency, accident or any issue relating to workplace safety
- Collating market or sector specific information and providing the same to our Clients
- Sending information to third parties with whom we have or intend to enter into arrangements which are related to our Recruitment Services
- Complying with our own legal obligations, for example reviewing, using and passing on information as required for the protection of health and safety of staff and visitors
- Providing information to regulatory authorities or statutory bodies, and our legal or other professional advisers including insurers
- To market our Recruitment Services
- Retaining a record of our dealings
- Recording how you engage with our Recruitment Services including through our website and IT and communication systems
- Establishing quality, training and compliance with our obligations and best practice
- For the purposes of backing up information on our IT and communications systems

Why we process your personal data:

1. Entering into and performing a contract with you:

In order to provide our Recruitment Services, we may enter into a contract with you and/or a third party. In order to enter into a contract, we will need certain information, for example your name and address. A contract will also contain obligations on both your part and our part and we shall process your data as is necessary for the purpose of those obligations. For example, in order to process payroll, a national insurance number and bank details will be required.

2. Compliance with legal obligations (regulatory and statutory obligations):

We must comply with a number of statutory provisions when providing our Recruitment Services, which necessitate the processing of personal data. These include the Conduct of Employment Agencies and Employment Businesses Regulations 2003, which amongst other things requires us to:

- Verify your identity
- Assess your suitability for an external job role
- Maintain records for specific periods

Where we engage a person to work for us (whether directly or as supplied to a Client), there are other statutory obligations that must be complied with including payroll, tax, social security, HMRC reporting requirements, and any other law or regulation. We are also required to comply with statutory and regulatory obligations relating to business generally, for example complying with tax, bribery, fraud/crime prevention, health and safety and data protection legislation, and co- operating with regulatory authorities such as HMRC or the Information Commissioner's Office.

3. Our legitimate interests (carrying on the commercial activity of Recruitment Services):

In providing our Recruitment Services, we will carry out some processing of personal data which is necessary for the purpose of our legitimate interests, which include:

- Retaining records of our dealings and transactions and where applicable, use such records for the purposes of:
- - establishing compliance with contractual obligations with Clients or suppliers
- - addressing any query or dispute that may arise including establishing, exercising or defending any legal claims
- - protecting ours or our Clients' reputation
- - maintaining a backup of our system, solely for the purpose of being able to restore the system to a particular point in the event of a system failure or security breach
- - evaluating quality and compliance including compliance with this Privacy Notice
- - determining staff training and system requirements
- Using your personal data to:
- - assess suitability and contact you regarding potential opportunities and/or our services
- - collate market information or trends including providing analysis to potential or actual Clients
- - source potential opportunities or roles as part of our Recruitment Services
- - personalise your experience and our offering, whether via our website or otherwise
- - address emergencies and carry out welfare checks
- - meet any obligations we have in respect of workplace safety and security, including the safety of others

This means that for our commercial viability and to pursue these legitimate interests, we may continue to process your personal data for as long as we consider necessary for these purposes.

4. Consent to our processing of your data:

We may process your personal data on the basis that you have consented to us doing so for a specific purpose, for example, if you apply for a specific role you may have consented to our processing of the data that has been provided for the purpose of progressing your application and considering your suitability for that role. In other cases you may have provided your written or verbal consent to the use of your data for a specific reason.

You may withdraw your consent to our processing of your personal information for a particular purpose at any stage. However, please note that we may continue to retain, or otherwise use your personal information thereafter where we have a legitimate interest or a legal or contractual obligation to do so. Our processing in that respect will be limited to what is necessary in furtherance of those interests or obligations. Withdrawal of consent will not have any effect on the lawfulness of any processing based on consent before its withdrawal.

In addition to the reasons given above, we may also process personal data where otherwise required by law, including for the protection of health and safety of you and others or where we are required to do so to protect the vital interests of you or others.

What if we obtain your personal data from a third party?

Part of our business activity involves researching information relating to individuals for the purposes of filling job roles. This may include obtaining personal data from online sources, for example we may obtain information from social media sites such as LinkedIn and job boards, some information being publicly available but others being from sites or providers to which we subscribe. From time to time, we may also receive personal information about you from hiring organisations, colleagues and former employers, or from persons for whom you have provided services or been otherwise engaged.

In the course of providing our recruitment service, we may from time to time receive personal data from regulatory or government authorities such as HMRC, professional bodies or, where applicable, safeguarding authorities, which we are required to process.

Where information from third party sources is of no use to us, or where you have notified us that you do not want us to provide you with services, we shall discard it, however we may maintain a limited record in order to avoid the duplication of process. Where we consider that information may be of use to us in pursuance of the provision of our

Recruitment Services, any processing will be in accordance with this Privacy Notice. You do have the right to object to processing, please see Section 4 'Your rights'.

Sensitive Personal Data (SPD)

Sensitive personal data is information which is intensely personal to you and is usually irrelevant to our consideration of your suitability for a job role. Examples of SPD include information which reveals your political, religious or philosophical beliefs, sexual orientation, race or ethnic origin, or information relating to your health.

Regardless of the basis for your dealings with us, we request that you do not provide us with any sensitive personal data unless absolutely necessary, or specifically requested by us for a particular purpose. However, to the extent that you do provide us with any sensitive personal data, such as data which you choose to share with us in conversation, we shall only use that data for the purposes of our relationship with you, meeting our obligations or for the provision of our Recruitment Services. This will be for one or more of the following reasons:

- You have explicitly consented to the processing
- For the purpose of our assessment of your suitability for job roles or working capacity
- Where processing is necessary for the purpose of obligations or rights under employment, social security or social protection law
- To maintain records of our dealings to address any later dispute, including but not limited to the establishment, exercise or defence of any legal claims

Criminal Record Data

In some cases we may process information about criminal convictions ('Criminal Record Data'), which may involve information received from you, or third party sources, including the Disclosure and Barring Service ('DBS') or other regulatory or safeguarding bodies.

We will only process Criminal Record Data where we have a lawful basis to do so, which includes where we have your explicit consent or we are required to process this information to comply with any legal obligations imposed upon us either acting in our capacity as an employment agency, employment business or otherwise. For example, as part of our obligation to ensure that you are suitable for a particular role or where the law requires that a DBS certificate is obtained. We may share any Criminal Record Data with a Client, where this is relevant to your suitability, and/or required by law. Further information can be found in our policy document.

Who we share personal data with:

We shall not share your personal information unless we are entitled to do so. The categories of persons with whom we may share your personal information include:

- Clients or other third-party organisations, as necessary for the provision of our Recruitment Services
- Individuals, including ours or Clients and other third parties' staff, as necessary for the provision of our Recruitment Services
- Any regulatory authority or statutory body pursuant to a request for information or any legal obligation which applies to us
- Legal and professional advisers
- Insurers
- Emergency services and health professionals in the event of an emergency, accident, injury or a risk to the health and safety of you or others

We may also share data with parties who process data on our behalf, which may include:

- outsourced payroll providers
- IT support
- storage service providers including cloud
- background screening providers

Automated decisions

We do not use any automated decision-making software.

We may use software to review the personal data of individuals recorded on our database, or who have applied for specific roles. The software may determine suitability for a specific role via targeted questions relating to the role, and/or may identify and select individual personal information according to the stored characteristics. For example,

the software may enable us to quickly identify individuals from our database who have specific skills and exclude individuals whose characteristics do not match particular requirements of a job role.

Where we use software to assist us with our assessment of your suitability for a particular job role and you consider that any such assessment has been made wrongly or incorrectly, you may ask for an explanation.

Section 2: This section applies where you are either an individual working for a third party with whom we have dealings, for example, a client or a payroll company, or an individual with whom we have dealings in your personal capacity. Please note that where we provide Recruitment Services to you Section 1 of this privacy notice applies.

We may collect your personal data in the course of our dealings and this may include the following:

- Your contact information, which may include your full name, job role, contact telephone number and email
- Your statements and opinions about candidates and/or other personnel e.g. a reference
- Information relating to our relationship with you or the party for whom you work including records of any meetings or discussions including attendance on our premises
- Your marketing preferences

We may obtain your personal data from the following sources (please note that this list is not exhaustive):

- You, including where you have provided us with your contact details or other information for the purposes of using our Recruitment Services
- Staff or other representatives of the organisation you represent
- Candidates
- Marketing databases
- Social media
- The public domain
- Conversations, with you or others, on the telephone or video conferencing (which may be recorded) or in meetings
- Notes following a conversation, with you or others, or meetings you attend
- Third party referrals

How we will use your personal data:

We will process your personal data in the context of our dealings with you, and/or the third party for whom you work, and as part of our Recruitment Services. Processing may include:

- Collecting and storing your personal data, whether in manual or electronic files
- Using the data to communicate with you
- Sending information to third parties with whom we have or intend to enter into arrangements which are related to our Recruitment Services
- Actions necessary to further any obligation on us pursuant to a contract between ourselves and a third party you work for
- Collating market or sector specific information and providing the same to our clients
- Providing information to regulatory authorities or statutory bodies and our legal or other professional advisers including insurers
- Retaining records of our dealings with you and any person or organisation whom you represent
- Establishing quality, training and compliance with our obligations and best practice
- Communicating with third parties in the event of an emergency, accident or any issue relating to workplace safety
- Complying with our own legal obligations, for example reviewing, using and passing on information as required for the protection of health and safety of staff and visitors
- Recording how you engage with our Recruitment Services including through our website and IT and communication systems

Why we process your personal data:

1. Compliance with legal obligations (regulatory and statutory obligations)

We must comply with a number of statutory provisions when providing our Recruitment Services, which necessitate the processing of personal data. These include the Conduct of Employment Agencies and Employment Businesses Regulations 2003, which amongst other things requires us to assess suitability of candidates and obtain information from Clients.

We are also required to comply with statutory and regulatory obligations relating to business generally, for example tax, bribery and fraud/crime prevention legislation, health and safety and co-operating with regulatory authorities such as HMRC.

2. Our legitimate interests (carrying on the commercial activity of Recruitment Services):

In providing our Recruitment Services, we will carry out some processing of personal data which is necessary for the purpose of our legitimate interests, which include:

- Using your personal data:
- - to contact you regarding our Recruitment Services
- - to assess suitability of Candidates and roles, for example referencing or other feedback
- - to collate market information or trends including providing analysis to potential or actual Clients
- - as otherwise necessary to provide our Recruitment Services and/or to meet our obligations towards you, the party whom you represent, or other Clients or suppliers
- - to personalise your experience and our offering, whether via our website or otherwise
- - to meet any obligations we have in respect of workplace safety and security, including the safety of others
- Retaining records of our dealings and transactions and where applicable, use such records for the purposes of:
- - establishing compliance with contractual obligations with Clients or suppliers
- - addressing any query or dispute that may arise including establishing, exercising or defending any legal claims
- - protecting our reputation
- - maintaining a backup of our system, solely for the purpose of being able to restore the system to a particular point in the event of a system failure or security breach
- - evaluating quality and compliance including compliance with this Privacy Notice
- - determining staff training and system requirements

For our commercial viability and to pursue these legitimate interests, we may continue to process your personal information for as long as we consider reasonably appropriate for these purposes.

3. Consent

We may process your personal data on the basis that you have consented to us doing so for a specific purpose, for example, if you have provided your contact details in order that we may use these to provide you with details of our services you may have consented to our processing of the data for that purpose. In other cases you may have provided your written or verbal consent to the use of your data for a specific reason, for example references.

You may withdraw your consent to our processing of your personal data for a particular purpose at any stage. However, please note that we may continue to retain, or otherwise use your personal information thereafter where we have a legitimate interest or a legal or contractual obligation to do so. Our processing in that respect will be limited to what is necessary in furtherance of those interests or obligations. Withdrawal of consent will not have any effect on the lawfulness of any processing based on consent before its withdrawal.

In addition to the above reasons, we may also process personal data where otherwise required by law, including for the protection of health and safety of you and others or where we are required to do so to protect the vital interests of you or others.

What if we obtain your personal data from a third party?

Part of our business activity involves researching information for the purposes of finding and filling job roles. This may include obtaining personal data from sources including job boards, advertisements, LinkedIn or other social media, some information being publicly available but others being from sites or providers to which we subscribe. From time to time we may also receive personal data about you from hiring organisations, colleagues and former employers, or from persons for whom you have provided services or been otherwise engaged.

Sensitive Personal Data (SPD)

Sensitive personal data is information which is intensely personal to you and is usually irrelevant to our dealings with you in respect of our Recruitment Services. Examples of SPD include information which reveals your political, religious or philosophical beliefs, sexual orientation, race or ethnic origin, or information relating to your health.

Regardless of the basis for your dealings with us, we request that you do not provide us with any sensitive personal data unless absolutely necessary. However, to the extent that you do provide us with any sensitive personal data, such as data which you choose to share with us in conversation, we shall only use that personal data for the purposes of our relationship with you, meeting our obligations or for the provision of our Recruitment Services. This will be for one or more of the following reasons:

- You have explicitly consented to the processing
- Where processing is necessary for the purpose of obligations or rights under employment, social security or social protection law
- To maintain records of our dealings to address any dispute including, but not limited to, the establishment, exercise or defence of any legal claims

Who we share personal data with:

We shall not share your personal data unless we are entitled to do so. The categories of persons with whom we may share your personal information include:

- Candidates and other third parties necessary for the provision of our Recruitment Services
- Any regulatory authority or statutory body pursuant to a request for information or any legal obligation which applies to us
- Legal and professional advisers
- Insurers
- Our staff
- Emergency services and health professionals in the event of an emergency, accident, injury or a risk to the health and safety of you or others

Section 3: This section applies to all personal data

Transfer of data to other jurisdictions

In the course of the provision of our Recruitment Services we may transfer data to countries or international organisations outside of the UK or otherwise the EEA. This may, for example, be to Clients or Candidates, or third parties who provide support services to us. Where information is to be so transferred, it may be to a country in respect of which there is an adequacy decision from the EU Commission, or a UK supervisory authority. However, if this is not the case, it is our policy to take steps to identify risks and in so far as is reasonably practicable, ensure that appropriate safeguards are in place.

Details relating to specific countries or organisations are available on request from the Responsible Person.

If you do not wish to provide us with necessary data

There may be circumstances where we require you to provide data which is necessary in order for us to meet statutory or contractual obligations or perform our Recruitment Services. If you do not wish to provide us with information we request then please notify us. However, please be aware that as a result we may be unable to provide you or the party who you represent with a Recruitment Service, or otherwise continue to engage with you and in some cases may result in a breach of the contract we have with you or a third party you represent.

Transfer

In the event of a sale, merger, liquidation, receivership or the transfer of all or part of our assets to a third party, we may need to transfer your information to a third party. Any transfer will be subject to the agreement of the third party to this Privacy Notice and any processing being only in accordance with this Privacy Notice.

Data Security and Confidentiality

It is our policy to ensure, in so far as is reasonably practicable, that our systems and records are secure and not accessible to unauthorised third parties in line with contemporary practice.

Cookies

We use cookies and similar technologies on our website to help it function effectively, improve user experience, measure website performance and understand how visitors use our website. Some cookies are strictly necessary for the operation of the website, while others are only used with your consent. You can manage your cookie preferences at any time through our website's cookie settings tool. Further information about the cookies we use, their purpose, retention periods and how to manage your preferences can be found in our separate Cookie Policy at www.vivesearch.com

Retaining your data

In most circumstances your data will not be retained for more than 6 years from the last point at which we provided any services or otherwise engaged with you. It is our policy to only store your personal data for as long as is reasonably necessary for us to comply with our legal obligations and for our legitimate business interests. However, we may retain data for longer than a 6-year period where we have a legal or contractual obligation to do so, or we form the view that there is otherwise a continued basis to do so, for example where your personal information identifies specialist skill sets which may remain in demand, or we are subject to a legal obligation which applies for a longer period.

If however you believe that we should delete your personal data at an earlier date, please inform us in writing of your reasons. Please see Section 4 ‘Your Rights’ below.

Changes to this Privacy Notice

This Privacy Notice is regularly reviewed and may be updated from time to time to reflect changes in our business, or legal or commercial practice. Where an update is relevant to our processing of your data, we shall notify you of the same.

Section 4: Your rights

We take the protection of your personal data very seriously and it is important that you know your rights within that context, which include rights to:

- Request a copy of the personal data that we hold
- Object to our processing of your data where that processing is based upon legitimate interest and there are no compelling grounds for the continued processing of that data
- Request that we restrict processing of your data in certain circumstances
- Request that data is erased where the continued use of that data cannot be justified
- Object to any decision, which significantly affects you, being taken solely by a computer or via another automated process
- Withdraw your consent to our processing of your personal data for a particular purpose at any stage. However, please note that we may continue to retain, or otherwise use your personal information thereafter where we have a legitimate interest or a legal or contractual obligation to do so. Our processing in that respect will be limited to what is necessary in furtherance of those interests or obligations
- Request that inaccurate or incomplete data is rectified
- Request that data provided directly by you and processed by automated means is transferred to you or another controller; this right only being applicable where our processing of your data is based either on your consent or in performance of a contract
- Make a complaint to the Information Commissioner’s Office
- Request that direct marketing by us to you is stopped

Please note that should you exercise your right to request that we erase data or cease any processing activity, we may retain a record of this request and the action taken in order to both evidence our compliance, and to take steps to minimise the prospect of any data being processed in the future should it be received again from a third-party source.

If you have any questions concerning your rights or should you wish to exercise any of these rights please contact the Responsible Person.

Complaints

If you are dissatisfied about any aspect of the way in which your data is processed you may, in the first instance refer the matter to the Responsible Person.

This does not affect your right to make a complaint to the Information Commissioner's Office.