

Talking Talent Limited

Privacy Policy for Candidates

1. What is the purpose of this document?

- 1.1. Talking Talent Limited (“we”, “our”, “us”) is committed to protecting the privacy and security of your personal information.
- 1.2. This privacy policy describes how we collect and use personal information about you during the recruitment process and how we use that information during recruitment and afterwards and in accordance with the General Data Protection Regulation (GDPR).
- 1.3. It applies to all candidates including potential employees, workers and contractors (including potential associate coaches).
- 1.4. Talking Talent Limited is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy policy. This policy does not form part of any contract of employment or contract for services.
- 1.5. We may update this policy at any time.
- 1.6. It is important that you read this policy, together with any other privacy policy we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

2. After the recruitment process

- 2.1. If you are successful in being appointed to a role with us, our Privacy Policy for Staff Data will apply. A copy will be provided to you with any offer letter.
- 2.2. If you are unsuccessful, we will retain your personal data in accordance with our retention policy. A copy of which can be obtained from Christine Jones (for contact details please see “Responsibility for Compliance/How to Contact Us” below) .
- 2.3. If, having been unsuccessful you wish us to keep your details in case further opportunities arise in the future, you will need to provide specific consent at the time and we will agree with you how long your information can be retained for this purpose.

3. Data protection principles

- 3.1. We will comply with data protection law. This says that the personal information we hold about you must 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; and
 - f) kept securely.

4. The kind of information we hold about you

- 4.1. 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).
- 4.2. There are "special categories" of more sensitive personal data which require a higher level of protection.
- 4.3. We may collect, store, and use the following categories of personal information about you:
- a) personal contact details such as name, title, addresses, telephone numbers, and personal email addresses;
 - b) recruitment information (including copies of interview notes and opinions taken during and following interviews, your CV and other information included in a CV or cover letter or as part of the application process);
 - c) employment records (including job titles, work history, working hours, training records and professional memberships);
 - d) your availability for interview, your availability to start work and your notice period with your current employer;
 - e) any results of tests, psychometric or other, included in the recruitment process;
 - f) compensation history;
 - g) details of your professional qualifications and education history;
 - h) details of your use of social media including your LinkedIn URL and the content of your profile; and
 - i) references about you.
- 4.4. We may also collect, store and use the following "special categories" of more sensitive personal information:
- a) information about your health, including any medical condition, health and sickness records; and
 - b) genetic information and biometric data.

5. How is your personal information collected?

- 5.1. We typically collect personal information about potential employees, workers and contractors through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers, social media, job boards or other recruitment websites.

6. How we will use information about you

- 6.1. We will only collect your personal information where we have a lawful basis for doing so. Under the General Data Protection Regulation, there are six lawful bases as follows:
- a) where you have given us your consent;

- b) to decide whether to enter a contract with you or to perform that contract with you;
 - c) to comply with legal obligations;
 - d) where processing your data is in your vital interests where we may be required to provide information to protect your life (e.g. to a medical professional if you become seriously unwell or injured whilst at work);
 - e) where processing is necessary to perform a public task; and
 - f) where we have a legitimate interest to process your information provided your interests and fundamental rights do not override those interests.
- 6.2. Some of the above grounds for processing can overlap and there may be several grounds which justify our use of your personal information.
- 6.3. Our primary base of the data we process in relation to our candidates are that the information is necessary for us to decide whether to enter a contract with you and to enable us to comply with legal obligations.
- 6.4. We will also process your personal data where we or a third party has a legitimate interest to do so which may include:
- a) to enable us to deal with and defend any dispute of legal proceedings; and
 - b) to establish whether you are suitable for the role you have applied for.
- 6.5. We may also use your personal information in the following situations, which are likely to be rare:
- a) Where we need to protect your interests (or someone else's interests). For example, if you became seriously unwell or had an accident during the recruitment process we may need to provide a hospital with personal information about you.
 - b) Where it is needed in the public interest or for official purposes.
- 6.6. The situations in which we will process your personal information in accordance with the lawful bases set out above may include:
- a) making a decision about your recruitment or appointment;
 - b) deciding whether to enter a contract with you;
 - c) determining the terms on which you work for us;
 - d) checking you are legally entitled to work in the UK;
 - e) assessing qualifications for a particular job or task;
 - f) dealing with legal disputes involving you;
 - g) ascertaining your fitness to carry out the role; and
 - h) complying with health and safety obligations.
- 6.7. If you fail to provide certain information when requested such as evidence of qualification or work history, which is necessary for us to consider your application we may not be able to offer a role to you or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).
- 6.8. 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.

6.9. 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.

7. How we use particularly sensitive personal information

7.1. "Special category data" of particularly sensitive personal information require higher levels of protection.

7.2. 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, and in line with our data protection policy;
- d) where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards; and
- e) where it is necessary for establishing, exercising or defending legal claims.

7.3. Less commonly, we may process this type of information where it is 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. For example, if you became seriously unwell or had an accident during the recruitment process we may need to provide a hospital with medical information we are aware of.

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

- we will use information about your physical or mental health, or disability status, to consider whether we need to provide appropriate adjustments during the recruitment process (for example to a test or interview). We will also use this information to consider your suitability for the role and whether you would need adjustments in the role you are being considered for.
- we may obtain your biometric data as part of our recruitment process so as to comply with right to work checks.
- we may use all special categories of data to defend legal claims.

7.5. 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 the field of employment 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.

8. Information about criminal convictions

8.1. We do not envisage that we will process information about criminal convictions.

9. Data sharing

9.1. We may share your personal information with third parties where required by law, where it is necessary as part of deciding whether to enter a working relationship with you or where we have another legitimate interest in doing so.

9.2. "Third parties" includes third-party service providers (including contractors and designated agents). The following activities are carried out by third-party service providers:

- a) recruitment on our behalf by a recruitment agency;
- b) job boards to advertise vacancies;
- c) occupational health assessments;
- d) psychometric testing; and
- e) out IT communication, software systems and website design.

9.3. All our third-party service providers 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.

9.4. We may also need to share your personal information with a regulator or to otherwise comply with the law.

10. Transferring information outside the EU

10.1. We may transfer the personal information we collect about you to the following countries who are located outside of the European Economic Area (EEA) in order to operate our business globally:

- a) The United States of America
- b) Hong Kong

10.2. There is an adequacy decision by the European Commission in respect of The United States of America if a company has signed up to the EU-US Privacy Shield.

10.3. Except for companies in the United States of America that have signed up to the EU-US Privacy shield, the countries listed above and other non-EEA countries do not have the same data protection laws as the United Kingdom and the EEA. Our standard practice is to use standard data protection contract clauses that have been approved by the European Commission if we transfer your information outside of the EEA.

11. Data security

- 11.1. 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. Details of these measures may be obtained from Christine Jones.
- 11.2. 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.

12. Data retention

- 12.1. 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 Christine Jones.
- 12.2. 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.
- 12.3. 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. We will retain and securely destroy your personal information in accordance with our data retention policy.

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

- 13.1. It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes .
- 13.2. 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.

13.3. 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 Christine Jones.

13.4. You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

13.5. 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.

14. Right to withdraw consent

14.1. 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 HR. 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.

15. Responsibility for compliance/ How to Contact us

15.1. Christine Jones is responsible for overseeing our compliance with this privacy policy. If you have any questions about this privacy policy or how we handle your personal information, please contact Christine Jones. 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.

15.2. If you wish to contact us please send an email to Christine.jones@talking-talent.com, write to Christine Jones, Head of Global Operations, Talking Talent, 102 Crowmarsh Battle Barns, Preston Crowmarsh, Oxfordshire OX10 6SL or call +44 (0)1491 821850.

16. Changes to this privacy policy

We reserve the right to update this privacy policy at any time, and we will provide you with a new privacy policy when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this privacy policy, please contact Christine Jones.