



# MCG Privacy Policy

This document is approved and authorised for application within The MCG Group Holdings Ltd and all associated subsidiary companies.

Signed  Colm McGinley, CEO

Last Review Date: October 2020



## Contents

<b><i>Introduction</i></b> .....	<b>2</b>
<b><i>Collection and Use of Personal Data</i></b> .....	<b>2</b>
Purpose of Processing and Legal Basis .....	2
Legitimate Interest.....	2
Statutory/Contractual Requirement .....	2
Recipient/s of Data .....	3
<b><i>Information to be Provided when Data is not Controlled Directly from the Data Subject</i></b> .....	<b>3</b>
Categories of Data .....	3
Sources of Data.....	3
<b><i>Overseas Transfers</i></b> .....	<b>3</b>
<b><i>Data Retention</i></b> .....	<b>4</b>
<b><i>Your Rights</i></b> .....	<b>4</b>
<b><i>Cookies</i></b> .....	<b>4</b>
<b><i>Log Files</i></b> .....	<b>5</b>
<b><i>Links to External Websites</i></b> .....	<b>5</b>
<b><i>Sale of Business</i></b> .....	<b>5</b>
<b><i>Data Security</i></b> .....	<b>5</b>
<b><i>Changes to the Privacy Statement</i></b> .....	<b>5</b>
<b><i>Complaints or Queries</i></b> .....	<b>5</b>

## Introduction

We are a recruitment business which provide work-finding services to its clients and candidates. We must process personal data (including sensitive personal data) so that it can provide these services and in doing so, we act as a data controller.

You may give your personal details to us directly, such as on an application or registration form or via our website, or we may collect them from another source such as a job board. We 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 this privacy statement. At all times we will comply with current data protection laws.

## Collection and Use of Personal Data

### Purpose of Processing and Legal Basis

We 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. This includes for example, contacting you about job opportunities, assessing your suitability for those opportunities, updating our databases, putting you forward for job opportunities, arranging payments to you and developing and managing our services and relationship with you and our clients.

If you have opted-in, we may also send you marketing information and news via email or text. You can opt-out from receiving these at any time by clicking 'unsubscribe' when you receive these communications from us.

In some cases, we may be required to use your data for the purpose of investigating, reporting and detecting crime and also to comply with laws that apply to us. We may also use your information during the course of internal audits to demonstrate our compliance with certain industry standards.

We must have a legal basis to process your personal data and the legal bases we rely upon to offer our work-finding services to you are:

- Where we have a legitimate interest
- Consent for processing sensitive personal data
- To comply with a legal obligation that we have
- To fulfil a contractual obligation that we have with you

### Legitimate Interest

This is where we have a legitimate reason to process your data provided it is reasonable and does not go against what you would reasonably expect from us. Where we have relied on a legitimate interest to process your personal data our legitimate interests are as follows:

- Managing our database and keeping work-seeker records up to date
- Providing work-finding services to you and our clients
- Sharing your personal data with our approved payroll providers
- Where there are legal obligations to provide your personal data to official bodies
- Contacting you to seek your consent where we need it
- Giving you information about similar products or services that you have used from us recently

### Statutory/Contractual Requirement

We have certain legal and contractual requirements to collect personal data e.g. to comply with the Conduct of Employment Agencies and Employment Businesses Regulations 2003, immigration and tax legislation, and in some circumstances safeguarding requirements. Our clients may also require this personal data, and/or we may need your data to enter into a contract with you. If you do not give us personal data we need to collect, we may not be able to continue to provide work-finding services to you.

## Recipient/s of Data

We will process your personal data and/or sensitive personal data with the following recipients:

- Clients (whom we may introduce or supply you to)
- Former employers whom we may seek references from
- Payroll service providers who manage payroll on our behalf or other payment intermediaries whom we may introduce you to
- Other recruitment agencies in the supply chain
- Any of our group companies
- Any public information sources and third-party organisations that we may use to carry out suitability checks on work-seekers including the Disclosure and Barring Service (DBS), National College for Teaching and Leadership (NCTL), Nursing and Midwifery Council (NMC) & General Medical Council (GMC)
- Law enforcement agencies and other regulators including the Police, Home Office, HMRC, Employment Agencies Standards Inspectorate (EASI), Local Authority Designated Officers (LADOs) and the GLAA

## Information to be Provided when Data is not Controlled Directly from the Data Subject

### Categories of Data

Where the data we collected did not come directly from you (the data subject), we have collected some or all of the following personal data:

Personal data:

- Name, address, mobile number, email address
- National insurance number
- CV/work history
- Job preferences including role, geographical areas and salary

Sensitive personal data:

- Health information including whether you have a disability
- Criminal convictions

Please note that the above list of categories of personal and/or sensitive personal data we may collect is not exhaustive.

### Sources of Data

Where the data we collected did not come from you (the data subject), we sourced your personal and/or sensitive personal data from one of the following:

- LinkedIn and other job sites
- A former employer
- A referee whose details you previously provided to us
- Our clients

## Overseas Transfers

We may transfer 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

We will retain your personal data only for as long as is necessary for the purpose we collect it. Different laws may also require us to keep different data for different periods of time. For example, 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. This is currently 3 to 6 years.

Where we have obtained your consent to process your sensitive personal data, we will do so in line with our retention policy. Upon expiry of that period we will seek further consent from you. Where consent is not granted we will cease to process your sensitive personal data which means we will no longer be able to provide work finding services.

## Your Rights

Please be aware that you have the following data protection rights:

- The right to be informed about the personal data we process on you
- The right of access to the personal data we process 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
- The right to withdraw consent at any time.

Where you have consented to us processing your sensitive personal data you have the right to withdraw that consent at any time by emailing [compliancequeries@themccggroup.com](mailto:compliancequeries@themccggroup.com) fao: the Data Protection Officer, who will provide you with the required 'Withdrawal of Consent' form. Please note that if you withdraw your consent to further processing that does not affect any processing done prior to the withdrawal of that consent, or which is done according to another legal basis.

There may be circumstances where we will still need to process your data for legal or official reasons. Where this is the case, we will tell you and we will restrict the data to only what is necessary for those specific reasons.

If you believe that any of your data that we process is incorrect or incomplete, please contact our company Data Protection Officer using the email above and we will take reasonable steps to check its accuracy and correct it where necessary.

You can also contact us using the above details if you want us to restrict the type or amount of data we process for you, access your personal data or exercise any of the other rights listed above.

## Cookies

A cookie is a small file which asks permission to be placed on your computer's hard drive. Once you agree, the file is added, and the cookie helps analyse web traffic or lets you know when you visit a particular site. Cookies allow web applications to respond to you as an individual. The web application can tailor its operations to your needs, likes and dislikes by gathering and remembering information about your preferences.

You can choose to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. This may prevent you from taking full advantage of the website.

We use both 'session' cookies and 'persistent' cookies on the website. 'Session' cookies will be deleted from your computer when you close your browser. 'Persistent' cookies will remain stored on your computer until deleted, or until they reach a specified expiry date.

We will use the 'session' cookies to keep track of you whilst you navigate the website, prevent fraud and increase website security. We will use the 'persistent' cookies to enable our website to recognise you when you visit and keep track of your preferences in relation to your use of our website.

We use Google Analytics to analyse the use of this website. Google Analytics generates statistical and other information about website use by means of cookies, which are stored on users' computers. The information generated relating to our website is used to create reports about the use of the website.

Google will store this information. Google's privacy policy is available at:

<http://www.google.com/privacypolicy.html>

## Log Files

We use IP addresses to analyse trends, administer the site, track users' movements, and to gather broad demographic information for aggregate use. IP addresses are not linked to personally identifiable information.

## Links to External Websites

Our website may contain links to other external websites. Please be aware that we are not responsible for the privacy practices of such other sites. When you leave our site, we encourage you to read the privacy statements of each and every website that collects personally identifiable information. This privacy statement applies solely to information collected by our website.

## Sale of Business

If our business is sold or integrated with another business your details may be disclosed to our advisers and any prospective purchasers and their advisers and will be passed on to the new owners of the business.

## Data Security

We take every precaution to protect our users' information and only employees who need the information to perform a specific job are granted access to your information.

We use all reasonable efforts to safeguard your personal information. However, you should be aware that the use of email or the internet is not entirely secure and for this reason we cannot guarantee the security or integrity of any personal information which is transferred from you or to you via email or the internet.

If you share a device with others we recommend that you do not select the 'remember my details' function when that option is offered.

If you have any questions about the security for our website, please email:

[compliancequeries@themcgroup.com](mailto:compliancequeries@themcgroup.com)

## Changes to the Privacy Statement

We will update this privacy statement from time to time. We will post any changes on the statement with revision dates. If we make any material changes, we will notify you.

## Complaints or Queries

If you wish to complain about this privacy notice or any of the procedures set out in it, please contact:



Company Data Protection Officer: Nigel Wharton

Email Address: [compliancequeries@themcggroup.com](mailto:compliancequeries@themcggroup.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.