



Company Name:	SJM Recruit Limited ('the Company')
Company Contact details:	Sarah Mutton, Director (Data Protection Officer) SJM Recruit Limited Registered Office: F.A.O. Accounts Dept., Eagle Tower, Montpellier Drive, Cheltenham, Gloucestershire, GL50 1TA Tel: 01242 387071 Email: hello@sjmrecruit.co.uk
Document DP5A	Privacy Notice (when personal data is obtained directly from the data subject)
Topic:	Data protection
Date:	1 May 2018 – updated April 2019
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The Company is a 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, or we may collect them from another source such as a jobs board. 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.

1. COLLECTION AND USE OF PERSONAL DATA

a. 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. 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.

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.

The legal bases we rely upon to offer these services to you are:

- Your consent
- Where we have a legitimate interest
- To comply with a legal obligation that we have
- To fulfil a contractual obligation that we have with you

b. Legitimate interest

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

- SJM Recruit Limited is a recruitment business providing work-finding services to work-seekers. SJM Recruit Limited acts as an employment agency to work-seekers seeking permanent employment and as an employment business to work seekers seeking temporary work. As such, SJM Recruit Limited will collect and process your personal data to enable us to actively source employment opportunities on your behalf.

c. Recipient/s of data

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

- Clients of SJM Recruit Limited
- Providers of any IT services to SJM Recruit Limited
- Providers of payroll services (temporary workers only)
- Pension provider (temporary workers only)
- Any relevant Government Body, including HMRC

d. Statutory/contractual requirement

Your personal data is required by law and/or a contractual requirement (e.g. our client may require this personal data), 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:

SJM Recruit Limited will be unable to carry out the legal and/or contractual requirement and therefore we will be unable to fulfil our role as an employment agency and / or employment business.

2. 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.

3. Data retention

The Company 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.

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.

Where the Company has obtained your consent to process your personal/ and sensitive personal data, we will do so in line with our retention policy (see below). 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/and sensitive personal data.

Document Type	How long SJM Recruit Limited will keep it for:
<ul style="list-style-type: none"> • Work-seeker records including application form / CV / ID checks, terms of engagement (see also below), details of assignments, opt-out notices and interview notes • Hirer records including client details, terms of business (see below), assignment / vacancy details 	1 year from the last date of providing work-finding services as an Employment Agency or Employment Business (Conduct of Employment Agencies and Employment Businesses Regulations 2003 (Conduct Regulations))
Terms of engagement with temporary worker and terms of business with clients	6 years in order to deal with any contractual claims (Limitation Act 1980)
Working time records: <ul style="list-style-type: none"> • 48-hour opt out notice • Annual leave records 	2 years from the time they were created
References	1 year following the introduction or supply of a work-seeker to a client (Conduct regulations)
Records held relating to the right to work in the UK	2 years after employment or engagement has ended
National Minimum Wage documentation	7 years from the end of the tax year to which it relates for payroll purposes
Sickness records – statutory sick pay	7 years from the end of the tax year to which it relates for payroll purposes
Statutory maternity, paternity, adoption pay	7 years from the end of the tax year to which it relates for payroll purposes
Pensions auto-enrolment (including auto-enrolment date, joining date, opt in and out notices, contributions paid)	Data retained as long as required under pension regulation

4. 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 sensitive personal data you have the right to withdraw that consent at any time by contacting:

Sarah Mutton, Director (Data Protection Officer) or Anthony Perez, Director
SJM Recruit Limited

Registered Office: F.A.O. The Accounts Dept., Eagle Tower, Montpellier Drive, Cheltenham, Gloucestershire, GL50 1TA

Tel: 01242 387071

Email: hello@sjmrecruit.co.uk

There may be circumstances where the Company will still need to process your data for legal or official reasons. We will inform you if this is the case. Where this is the case, we will restrict the data to only what is necessary for the purpose of meeting those specific reasons.

If you believe that any of your data that the Company processes is incorrect or incomplete, please contact us using the details 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.

5. Complaints or queries

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

Sarah Mutton, Director (Data Protection Officer) or Anthony Perez, Director
SJM Recruit Limited

Registered Office: F.A.O. The Accounts Dept., Eagle Tower, Montpellier Drive, Cheltenham, Gloucestershire, GL50 1TA

Tel: 01242 387071

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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.