

BLUE SPARK ORGANISATION LTD

PRIVACY POLICY – MAY 2018

We are committed to providing the highest level of service and privacy to all our clients. We commit to following all principles and guidelines outlined by the General Data Protection Regulation (GDPR) effective May 25th 2018. The GDPR is designed to protect individuals and their personal data.

Please review this policy before agreeing that we can process your data.

By agreeing to these terms and conditions you give your consent to the collection, use and retention of your personal information for our legitimate business purposes as explained in this privacy policy. We collect, use and retain information about you only if we reasonably believe it is justified, required and useful in order to conduct our business effectively and to provide you with information about products and services we believe will be of interest to you.

If you do not agree with this Privacy Policy you should not use this website and/or our services. If you do not wish to give Blue Spark Organisation the personal data it seeks (provided that the data sought is reasonable and relevant to the services being provided to or for you), we may be unable to provide you with recruitment and/or related intermediary services.

When you register with Blue Spark Organisation you MUST consent to us collecting and storing your personal information. You will not be able to submit your enquiry or details to Blue Spark Organisation without consenting to us storing your personal data. This may include but is not restricted to your name; contact details; address; employment history; mobility and education.

Who will be collecting your personal data?

Blue Spark Organisation Ltd specialises in recruitment services for the food and drink industry globally.

Your personal data will only be collected by Blue Spark Organisation to provide you with recruitment services. Your data can only be accessed by authorised persons in order to provide you with recruitment and recruitment-related services.

Who we are and what we do

We are a recruitment agency and recruitment business as defined in the Employment Agencies and Employment Businesses Regulations 2003 (Blue Spark Organisation Ltd). We collect the personal data of the following types of people to allow us to undertake our business;

- Prospective and placed candidates for permanent or temporary roles
- Prospective and live client contacts
- Supplier contacts to support our services
- Employees, consultants, temporary workers.

We collect information about you solely for the purposes of carrying out our core business and ancillary activities.

What we collect from you

Blue Spark collects Personal Data directly from you (via email, website forms, phone, and email or otherwise) as well as from other available sources to the extent relevant and permitted under the GDPR legislation. Subject to this applicable law we may collect the following information:

- Name and job title
- Contact information including phone number and email address
- Your right to work in the UK or EU (requiring personal information and documentary evidence e.g. passport)
- Links to your professional profiles available in the public domain e.g. LinkedIn and corporate website
- Your competences, skills, experience and education, e.g. your CV or resume, previous employments, educational details and qualifications, third party references
- Your preferences, e.g. preferred location of employment, areas of interest as well as your preferred ways to be contacted by Blue Spark
- Other information relevant to marketing information and roles
- Other information, such as information found from public sources as well as information depending on the position you are applying for, and where necessary for the recruitment activities. This will only be in the case of legitimate interest (please see Our Legitimate Business Interests below).

Our Legitimate Business Interests

Our legitimate interests in collecting and retaining your personal data is described below:

- As a recruitment business and recruitment agency we introduce candidates to clients for permanent employment, temporary worker placements or independent professional contracts. The exchange of personal data of our candidates and our client contacts is a fundamental, essential part of this process
- In order to support our candidates' career aspirations and our clients' resourcing needs we require a database of candidate and client personal data containing historical information as well as current resourcing requirements
- To maintain, expand and develop our business we need to record the personal data of prospective candidates and client contacts. Due to the nature of our business we will never store your personal data for a period longer than 7 years without contacting you in this time to receive explicit consent.

Technical Information

When you access our services online, our web servers automatically create records of your visit. These records typically include IP-address, access times, the sites linked from, pages visited, the links and features used, the content viewed or requested, browser or application type, language and other such information. When you use our services or otherwise interact with us over telecommunications networks, certain additional information, such as your mobile telephone number, may be transmitted to Blue Spark by the telecommunications operator as a standard part of that communication.

Purposes of processing and the legal basis for the processing of Personal Data

Blue Spark will collect, use, store and otherwise process your Personal Data for the purposes of our recruitment or resourcing activities. Additionally your personal data may be processed for other purposes you have consented to such as marketing information or other information we think will be of legitimate interest to you. Please note, we use mailchimp as our marketing automation platform. We may also use your personal data to carry out our obligations arising from any contracts we intend to enter into or have entered into between you and us.

Our legal basis for the processing of personal data is our legitimate business interests, described in more detail below, although we will also rely on contract, legal obligation and consent for specific uses of data.

We will rely on legal obligation if we are legally required to hold information on to you to fulfil our legal obligations.

We will in some circumstances rely on consent for particular uses of your data and you will be asked for your express consent, if legally required. Examples of when consent may be the lawful basis for processing include permission to introduce you to a client (if you are a candidate), as well as processing your data for internal marketing communications.

Should we want, need or rely on consent to lawfully process your data we will request your consent orally, by email, or by an online process for the specific activity that we require consent for and record your response on our system. Whenever necessary and subject to statutory record-keeping requirements, Blue Spark will delete and/or anonymise Personal Data that is no longer needed. If there has not been any recent activity between yourself and Blue Spark, we may delete your profile after a reasonable time in compliance with the GDPR legislation.

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, or providers to which we subscribe. From time to time we may also receive personal data about you from LinkedIn or other social media, some information being publicly available but others being from sites from hiring organisations, colleagues and former employers, or from persons for whom you have provided services or been otherwise engaged.

Where information from third party sources is of no use to us 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 for 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 on '**Your rights**'.

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 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 later 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:

- Prospective employers 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
- Parties who process data on our behalf may include
 - Outsourced payroll providers
 - IT support
 - Storage service providers including cloud providers
 - Background screening providers
- Legal and professional advisers
- Insurers.

In further detail, Blue Spark will process your Personal Data for the following purposes:

- **Communicating with you, in context of recruitment activities, such as:**
 - To obtain additional information where necessary
 - To inform you of available vacancies
 - To provide you with information relating to your application and to fulfil your requests.
- **Managing recruitment and resourcing activities,** including activities related to organisational planning. In the course of recruitment activities, we may use your information:
 - To set up and conduct interviews and assessments
 - To evaluate, select and recruit applicants
 - To conduct background and credit checks and assessments as required or permitted by applicable local law
 - To contact third party references provided by you to evaluate your previous performances

- Or as otherwise necessary in context of recruitment activities.
- **Development of services:**
 - We may use your Personal Data to develop and improve our recruitment processes, websites and other related services. Where feasible, we use aggregated anonymous information in context of the development activities.
- **Legal and regulatory compliance**, including obtaining and releasing Personal Data as required by law, judicial organizations or practice in order to comply with legal obligations imposed on us.

Transfer of your Personal Data

Blue Spark will not sell, lease, rent or otherwise disclose your Personal Data unless you have given explicit **consent**. Blue Spark may share your Personal Data if you have given your informed consent for Blue Spark to do so.

We do not undertake automated decision making or profiling. We do however use our systems to search and identify personal data in accordance with the parameters set by a person. A person will always be involved in the decision making process.

Security and controlling your personal information

We are committed to ensuring that your information is secure although unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to our site; any transmission is at your own risk. Once we have received your information, in order to prevent unauthorised access or disclosure, we have put in place suitable physical, electronic and managerial procedures to safeguard and secure the information we collect online.

We take reasonable steps to keep the personal data we possess accurate and to delete incorrect or unnecessary personal data. With respect to the processing of your Personal Data, you will always have the rights as provided by applicable local law. In addition, this Policy provides you the right to know what personal data we hold about you; to request incomplete, incorrect, unnecessary or outdated personal data deleted or updated as well as to object to Blue Spark Organisation's processing of your Personal Data on compelling legitimate grounds. There may be certain categories of information prescribed by law that Blue Spark may lawfully withhold.

We will not sell, distribute or lease your personal information to third parties unless we have your permission or are required by law to do so. We may use your personal information to send you promotional information about roles and market information which we think you may find interesting if you consent for Blue Spark to do so.

Retention of your data

We understand our legal duty to retain accurate data and only retain personal data for as long as we need it for our legitimate business interests and that you are happy for us to do so. Accordingly, upon GDPR legislation on the 25th May 2018 we will have a data retention notice and run data routines to remove data that we no longer have a legitimate business interest in maintaining.

We segregate our data so that we keep different types of data for different time periods. The criteria we use to determine whether we should retain your personal data includes:

- The nature of the personal data
- Its perceived accuracy
- Our legal obligations
- Whether an interview or placement has been arranged
- Our recruitment expertise and knowledge of the industry by country, sector and job role.

We may archive part or all of your personal data or retain it on our financial systems only, deleting all or part of it from our main Customer Relationship Manager (CRM) system. We may pseudonymise parts of your data, particularly following a request for suppression or deletion of your data, to ensure that we do not re-enter your personal data on to our database, unless requested to do so.

For your information, Pseudonymised Data is created by taking identifying fields within a database and replacing them with artificial identifiers, or pseudonyms.

Timeframe for retention of data

In most circumstances your data will not be retained for more than 7 years from the last point at which we provided any services or otherwise engaged with you and 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 7 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 on '**Your Rights**' below.

Our Promise to our candidates

We will never share our candidates' personal details or Curriculum Vitae with a third party without the candidate's explicit consent, and then we will only share the personal information with that one company or individual.

Your rights

Where we are processing your data based on your consent (e.g. for a job application) you can withdraw that consent and we must immediately stop processing your data. Please note that up to that point, we're acting lawfully with your consent, and withdrawal of consent cannot be backdated. You may choose to restrict the collection or use of your personal information in the following ways:

- Whenever you are asked to fill in a form on the website, look for the box that you can click to indicate that you consent to your information to be used by Blue Spark for direct marketing purposes
- If you have previously agreed to Blue Spark using and or storing your personal information you may change your mind at any time by writing to or emailing us at admin@blue-spark.org.uk or *Blue Spark Organisation Ltd, 34-36 The Broadway, Haywards Heath, West Sussex RH16 3AL*.

Under the GDPR and Blue Spark Organisation policies and procedures you have the right to:

- **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
- **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)
- **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
- **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
- **Request the transfer** of your personal information to another party in certain formats, if practicable.

The Data Protection Act 1998 and the GDPR give you the right to access information held about you. We also encourage you to contact us to ensure your data is accurate and complete. For any of the above please write to *Blue Spark Organisation Ltd, 34-36 The Broadway, Haywards Heath, West Sussex RH16 3AL* or email admin@blue-spark.org.uk. If you believe that any information we are holding on you is incorrect or incomplete, please write to or email us as soon as possible, at the above address. We will promptly correct any information found to be incorrect.

Blue Spark Organisation may change this policy from time to time by updating this page. You should check this page now and then to ensure that you are happy with any changes. This policy is effective from 25th May 2018.

Changes to this Privacy Notice

This Privacy Notice is regularly reviewed and may be updated periodically 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.