

# Data Protection & GDPR Policy

## Introduction

*Syntax Consultancy Ltd* (“We”) are committed to protecting and respecting your privacy. Our *Group* means our subsidiaries, our holding company and its subsidiaries, our associated companies as defined in *Section 1159 of the UK Companies Act 2006* (our Group).

We have put in place policies and procedures to protect any personal information we collect about you to comply with the *General Data Protection Regulation* (GDPR) (Regulation (EU) 2016/679; and any subsequent amendments. Details of how we collect, use and disseminate your personal data are described here to demonstrate our commitment to protecting your privacy.

This policy sets out the basis on which any personal data we collect from you, or that you provide to us, will be processed by us.

## What is the GDPR?

The *General Data Protection Regulation* (GDPR) (Regulation (EU) 2016/679); is a new EU regulation which replaces the current *Data Protection Directive* of 1995 (Directive 95/46/EC). GDPR aims to harmonize data protection and data privacy laws across EU member states, giving back control to citizens over their personal data; and to simplify the regulatory environment for businesses by unifying regulations within the EU and by providing a clear legal framework for commercial organisations to operate within.

Although the UK has expressed its intention to leave the EU in March 2019, the GDPR will nevertheless come into force in the UK from **25<sup>th</sup> May 2018**. The Government intends for the GDPR to continue in UK law post-Brexit and has introduced a *Data Protection Bill* to replace the existing *Data Protection Act* (DPA) in due course.

## Your Rights Under GDPR

Your new rights under the GDPR are set out in this policy notice. These rights will apply once the GDPR becomes law on **25<sup>th</sup> May 2018**. Please read the following carefully so that you understand our practices regarding your personal data and how we will manage it.

For the purposes of data protection legislation in force from time to time the *Data Controller* is:

***Syntax Consultancy Ltd*** of *Derwent Business Centre, Clarke Street, Derby DE1 2BU*.

Our nominated *Data Protection Officer* is **Roger Frost**.

## 1. Who We Are & What We Do

We are a recruitment agency and employment business as defined in the Employment Agencies and Employment Businesses Regulations 2003 (“our business”). We also provide IT Support & Consultancy services. We collect the personal data of the following types of people to allow us to undertake our business:

- a) Prospective and placed candidates for permanent and temporary roles
- b) Prospective and live client contacts
- c) Supplier contacts to support our services
- d) Employees, consultants and temporary workers

We collect information about you to carry out our core business and ancillary activities.

## 2. Information We Collect About You

- a) This is personal information about you that you supply to us by filling in forms on our website [www.syntaxconsultancy.com](http://www.syntaxconsultancy.com) (“our site”); or by corresponding with us by phone, e-mail or other communication channels. It includes information you provide when you register to use our site, to enter our database, subscribe to our services, attend our events, participate in discussion boards or other social media functions on our site, enter a competition, promotion or survey, and when you report a problem with our site.
- b) The information you give us, or we collect about you, including: your name, address, private and corporate e-mail address, phone number, financial information, compliance documentation and references verifying your employment history, experience and qualifications, your right to work in the UK, curriculum vitae (CV) and photograph and links to your professional profiles available in the public domain (LinkedIn, Twitter, Facebook or corporate websites).

## 3. Information We Collect When You Visit Our Website

With respect to each of your visits to our site, we will automatically collect the following information:

- a) Technical information, including the Internet protocol (IP) address used to connect your computer to the Internet.
- b) Your login information (if applicable), browser plug-in type and version.
- c) Your operating system and platform, information about your visit, including the full Uniform Resource Locators (URL).
- d) Clickstream to, through and from our site (including date and time).
- e) Products you viewed or searched for, page response times and download errors.
- f) Length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs); and methods used to browse away from the page.
- g) Any phone number used to call our customer service number.

#### 4. Information We Obtain from Other Sources

- a) This is information we obtain about you from other sources such as LinkedIn, corporate websites, job board websites, online CV libraries, your business card and personal recommendations.
- b) In this case we will inform you, by sending you this policy notice, within a maximum of *30 days* of collecting the data of the fact we hold personal data about you, the source the personal data originates from, whether it came from publicly accessible sources, and for what purpose we intend to retain and process your personal data.
- c) We work closely with third parties, including companies within our Group, business partners, sub-contractors in technical, professional, payment and other services, advertising networks, analytics providers, search information providers, credit reference agencies, professional advisors. We may receive information about you from them for the purposes of our recruitment services and ancillary support services.

#### 5. Purposes of the Processing and the Legal Basis for the Processing

We use information held about you in the following ways:

- a) To carry out our obligations arising from any contracts we intend to enter into (or have entered into between you and us); and to provide you with the information, products and services that you request from us or we think will be of interest to you because it is relevant to your career or to your organisation.
- b) To provide you with information about other goods and services we offer that are similar to those that you have already purchased, been provided with or enquired about.
- c) The core service we offer to our candidates and clients is the introduction of candidates to our clients for the purpose of temporary or permanent engagement. Our services also involve supporting individuals throughout their career and supporting businesses' recruitment needs and strategies.
- d) 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.
- e) We will rely on contract if we are negotiating or have entered into a placement agreement with you or your organisation or any other contract to provide services to you or receive services from you or your organisation.
- f) We will rely on legal obligation if we are legally required to hold information on to you to fulfil our legal obligations.
- g) 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. An example of when consent may be the lawful basis for processing include gaining permission to introduce you to a client if you are a candidate.

## 6. Our Legitimate Business Interests

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

- a) 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.
- b) In order to support our candidates' career aspirations and our clients' recruitment needs, we require a database of candidate and client personal data containing historical information as well as data pertaining to current resourcing requirements.
- c) To expand, develop and maintain our business we need to record the personal data of prospective candidates and client contacts.

## 7. Consent

Should we want or need to 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 we require consent for and record your response on our CRM system. Where consent is the lawful basis for our processing, you have the right to withdraw your consent to this particular processing at any time.

## 8. Other Uses We Will Make of Your Data

- a) Use of our website ("our site").
- b) To notify you about changes to our service.
- c) To ensure that content from our site is presented in the most effective manner for you and for your computer.

We will use this information to:

- a) Administer our site and for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes.
- b) Improve our site to ensure that content is presented in the most effective manner for you and for your computer.
- c) Allow you to participate in interactive features of our service, when you choose to do so.
- d) As part of our efforts to keep our site safe and secure.
- e) Measure or understand the effectiveness of advertising we serve to you and others, and to deliver relevant advertising to you.
- f) Make suggestions and recommendations to you and other users of our site about goods or services that may interest you or them.
- g) We do not undertake automated decision making or profiling. We do use our computer systems to search and identify personal data in accordance with parameters set by a person. A person will always be involved in the decision-making process.

## 9. Cookie Policy

Our website uses *cookies* to distinguish you from other users of our website. This helps us to provide you with a good experience when you browse our website and also allows us to improve our site. For detailed information on the cookies we use and the purposes for which we use them see our Cookie notice:

### a) What are Cookies?

A "cookie" is a small amount of data that is sent to your browser from a web server and stored on your computer's hard drive. It can only be read by the web server that set the cookie. For users who login to the online system we set a session cookie. The purpose of this cookie is to retain your identity for the duration of that session only. *Syntax Consultancy* provides the option to store a permanent cookie thus enabling automated login to the site.

### b) Why Do We Use Cookies?

Cookies help us provide you with a better website, by enabling us to monitor which pages you find useful and which you do not. A cookie in no way gives us access to your computer or any information about you, other than the data you choose to share with us.

### c) How We Use Cookies

We only use traffic log cookies to identify which pages are being used. This helps us analyse data about web page traffic and improve our website in order to tailor it to customer needs. We only use this information for statistical analysis purposes and then the data is removed from our system.

### d) Accepting & Declining Cookies

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. Provision has been made for users of our site who prefer not to have a cookie set. This enables you to apply to jobs without logging in.

### e) Third Party Cookies

When you visit certain pages of our site, you may notice some cookies that are not related to *Syntax Consultancy Ltd*. When you visit a web page that contains embedded content (for example, from YouTube), you may be sent cookies from these websites. *Syntax Consultancy Ltd* is unable to control the setting of these cookies, therefore we suggest you check these third-party websites directly for more information about their cookies and how to manage them.

### f) Sharing Tools

If you decide to share our website content with friends and co-workers through social networks (LinkedIn, Facebook, Twitter etc), you may be sent cookies from these websites. *Syntax Consultancy Ltd* is unable to control the setting of these cookies, therefore we suggest you check the third-party websites directly for more information about their cookies and how to manage them.

### g) Managing Cookies

If cookies aren't enabled on your computer, it will mean that your online experience on our website will be limited to browsing and researching. You may not be able to apply easily for jobs. If you're not sure of the type and version of web browser you use to access the Internet, click the 'help' option at the top of your browser window and select the 'about' option.

## 10. Disclosure of your Information Inside & Outside of the EEA

We may share your personal information with any member of our group (both within and outside of the EEA); and selected third parties including:

- a) Clients for the purpose of introducing candidates to them.
- b) Candidates for the purpose of arranging interviews and engagements.
- c) Clients, business partners, suppliers and sub-contractors for the performance and compliance obligations of any contract we enter into with them or you.
- d) Sub-contractors including email marketing specialists, event organisers, payment and other financial service providers.
- e) Advertisers and advertising networks that require the data to select and serve relevant adverts to you and others. We do not disclose information about identifiable individuals to our advertisers, but we will provide them with aggregate information about our users (for example, we may inform them that 500 men aged under 30 have clicked on their advertisement on any given day). We may also use such aggregate information to help advertisers reach the kind of audience they want to target (for example, women in SW1). We may make use of the personal data we have collected from you to enable us to comply with our advertisers' wishes by displaying their advertisement to that target audience.
- f) Analytics and search engine providers that assist us in the improvement or optimisation of our site.
- g) Credit reference agencies, our insurance broker, compliance partners and other sub-contractors for the purpose of assessing your suitability for a role where this is a condition of us entering into a contract with you.

We may disclose your personal information to selected third parties:

- a) In the event that we sell or buy any business or assets, in which case we will disclose your personal data to the prospective seller or buyer of such business or assets.
- b) If *Syntax Consultancy Ltd* or substantially all of its assets are acquired by a third party, in which case personal data held by it about its customers will be one of the transferred assets.
- c) If we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or in order to enforce or apply our terms of use [or terms and conditions of supply of services and other agreements; or to protect the rights, property, or safety of *Syntax Consultancy Ltd* our customers, or others.
- d) This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

The lawful basis for the third-party processing will include:

- a) Their own legitimate business interests in processing your personal data, in most cases to fulfil their internal resourcing needs.
- b) Satisfaction of their contractual obligations to us as our data processor.
- c) For the purpose of a contract in place or in contemplation.
- d) To fulfil their legal obligations.

## 11. Where We Store & Process Your Personal Data

- a) The data that we collect from you may be transferred to, and stored at, a destination outside the *European Economic Area* (“EEA”). It may be transferred to third parties outside of the EEA for the purpose of our recruitment services. It may also be processed by staff operating outside the EEA who work for us or for one of our suppliers. This includes staff engaged in, among other things, our recruitment services and the provision of support services.
- b) By submitting your personal data, you agree to this transfer, storing or processing. *Syntax Consultancy Ltd* will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this policy.
- c) All information you provide to us is stored on our secure servers. Any payment transactions will be encrypted (using SSL technology). Where we have given you (or where you have chosen), a password which enables you to access certain parts of our site, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.
- d) Our site has security measures in place to protect the loss, misuse and alteration of the information under our control. All personal data including candidate CVs are stored on a secure database; a firewall is in operation to prevent hacking. Only current authorised *Syntax* employees have access to the database, and a unique ID and Password controls the access rights of these employees.
- e) Unfortunately, the transmission of information via the internet is not completely secure. We will do our best to protect your personal data, but we cannot guarantee the security of your data transmitted to our site. Any transmission is at your own risk. Once we have received your data, we will use strict procedures and security features to try to prevent unauthorised access.

## 12. 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, we have a data retention notice and run data routines to remove data that we no longer have a legitimate business interest in maintaining. We take the following action to try to ensure our data is accurate:

- a) Prior to making an introduction we check that we have accurate information about you.
- b) We keep in contact with you so that you can inform us of changes to your personal data.

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 include:

- a) The nature of the personal data
- b) Its perceived accuracy
- c) Our legal obligations
- d) Whether an interview or placement has been arranged
- e) 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 Management (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. *Pseudonymised Data* is created by taking identifying fields within a database and replacing them with artificial identifiers or 'pseudonyms'.

## 13. Your Rights

You have the right to ask us not to process your personal data for marketing purposes. We will usually inform you (before collecting your data) if we intend to use your data for such purposes or if we intend to disclose your information to any third party for such purposes. We will collect express consent from you if legally required prior to using your personal data for marketing purposes.

You can exercise your right to accept or prevent such processing by checking certain boxes on the forms we use to collect your data. You can also exercise this right at any time by contacting us at: [data.controller@syntaxconsultancy.com](mailto:data.controller@syntaxconsultancy.com).

Our site may contain links to / from the websites of our partner networks, advertisers and affiliates. If you follow a link to any of these websites, please be aware that these websites have their own privacy policies and that we do not accept any responsibility or liability for these policies. Please check these policies directly before you submit any personal data to these websites.

## 14. The GDPR Provides You with the Following Rights

The right to:

- a) **Accuracy** – 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.
- b) **Deletion** – 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).
- c) **Objection** – 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 these grounds. You also have the right to object where we are processing your personal information for direct marketing purposes.
- d) **Restriction** – 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.
- e) **Transfer** – request the transfer of your personal information to another party in certain formats, if practicable.
- f) **Complain** – make a complaint to a supervisory body. In the UK, this is the Information Commissioner’s Office (ICO). The ICO can be contacted at: <https://ico.org.uk/concerns>.

## 15. Access to Information

The GDPR and *Data Protection Act 1998 (DPA)*, give you the right to access information held about you. You are also welcome to contact us to ensure your data is accurate and complete. Your right of access can be exercised in accordance with the DPA and the GDPR once it is in force.

Prior to 25<sup>th</sup> May 2018, any access request under the DPA will be subject to a fee of £10 to meet our costs in providing you with details of the information we hold about you. A subject access request can be submitted to: [data.controller@syntaxconsultancy.com](mailto:data.controller@syntaxconsultancy.com). No fee will apply once the GDPR comes into force.

## 16. Changes to Our Privacy Notice

Any changes we make to our privacy policy in the future will be posted on this page and, where appropriate, notified to you by e-mail. Please check our site regularly for any changes or updates to our data protection and privacy policy.

## 17. Contacting Us

Any questions, comments or concerns regarding this policy (and our data protection processes in general), can be addressed for the attention of the *Data Controller* at [data.controller@syntaxconsultancy.com](mailto:data.controller@syntaxconsultancy.com)