



O C T O P U S  
P E R S O N N E L

## **Privacy Notice (When personal data is obtained from a data subject)**

Octopus Personnel Ltd 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, Octopus Personnel acts as a data controller.

You may give your personal details to Octopus Personnel directly, such as on an application or registration form or via our website, or we may collect them from another source such as a jobs board. Octopus Personnel 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**

Octopus Personnel Ltd 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. The legal basis we rely upon to offer these services to you are:

- Consent
- Legal obligation
- Contractual obligation

#### **b. Recipient/s of data**

Octopus Personnel Ltd will process your personal data and/or sensitive personal data with the following recipients:

- Clients and company CRM system

We will only share your personal data with third party organisations that are connected to our recruitment process and that are GDPR compliant.

#### **c. 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:

- We are unable to provide work finding services
- We will be unable to process payment for temporary work conducted under our Contract for Services



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## 2. Data retention

Octopus Personnel will retain your personal data only for as long as is necessary. Different laws 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 Octopus Personnel has obtained your consent to process your personal and sensitive personal data (bank details), we will do so in line with our retention policy (a copy of which is available upon request). Upon expiry of that period the Company will seek further consent from you. Where consent is not granted Octopus Personnel will cease to process your personal data and sensitive personal data.

## 3. 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 Octopus Personnel processing your personal data and sensitive personal data you have the right to withdraw that consent at any time by contacting a member of the Octopus Personnel team and completing a withdrawal of consent form.

## 4. Complaints or queries

If you wish to complain about this privacy notice or any of the procedures set out in it please contact: Sandra Smart or Lucie Golbourn on 01747 825568.

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.