



Company Name:	City of York Trading Ltd trading as WorkwithYork and WorkwithSchools ('the Company')
Company Contact details:	Karen Bull, Operations Director, City of York Trading Ltd 5/6 Kings Court, The Shambles, York, YO1 7LD privacy@cytlimited.co.uk
Document DP5A	Privacy Notice (when personal data is obtained from the data subject)
Topic:	Data protection
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The Company is a recruitment business which provides recruitment services to its clients and candidates. 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 via our websites, 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 recruitment 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 recruitment services. The Company may also process your data for payroll and invoicing, marketing and equal opportunities monitoring.

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

- Consent
- Legitimate interest
- Legal obligation
- Contractual obligation



b. Legitimate interest

Where the Company has relied on a legitimate interest to process your personal data its legitimate interests is/are as follows:

The Company provides recruitment services to both candidates and clients as part of its business. It processes personal data in order to be able to provide these services – it needs to check the identity, right to work and qualifications of candidates, assess candidates suitability for job requirements, and to process pay, invoices and manage entitlement to certain statutory rights. It is in the legitimate interests of all parties involved – the Company, its candidates and its clients that the Company can process personal data for these purposes.

The Company tailor newsletters, job information and articles to assist candidates in the recruitment process and the Company provide candidates with access to online training, interactive forums and staff events as part of its ongoing commitment to its candidates. All this helps differentiate the Company's business from those of its competitors, and it is in the Company's legitimate interests and those of its candidates that it processes personal data for these purposes.

c. Recipient/s of data

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

- Individuals and organisations who hold information related to a candidate reference or application to work with the Company, such as current, past or prospective employers, educators and examining bodies and employment and recruitment agencies;
- Tax, audit, pension or other authorities, when the Company believe in good faith that the law or other regulation requires it to share this data;
- Third party service providers who perform functions on the Company's behalf (including external consultants, business associates and professional advisers such as lawyers, auditors and accountants, providers of technical and financial support functions and systems and IT consultants carrying out testing and development work on the Company's business technology systems);
- Third party outsourced IT, finance and document storage providers where the Company has appropriate processing agreements (or similar protections) in place;
- Marketing technology platforms and suppliers;
- Potential employers and other recruitment agencies/organisations to increase a candidates chances of finding employment;
- Third party partners, job boards and job aggregators where the Company consider this will improve the chances of finding a candidate the right job;
- Candidate referees and third parties who the Company have retained to provide services such as reference, qualification, health and criminal convictions checks, to the extent that these checks are appropriate and in accordance with law;



- If the Company merges with or is acquired by another business or company in the future, (or is in meaningful discussions about such a possibility) it may share your personal data with the (prospective) new owners of the business or company.

d. Statutory/contractual requirement

Your personal data is required by law and/or a contractual requirement (our client may require this personal data, so will HMRC, and other relevant authorities, along with our pension providers). You are obliged to provide the personal data and if you do not the consequences of failure to provide the data are:

- The Company may not be able to match you to a job vacancy or offer you work
- The Company may not be able to pay you for any work you have carried out
- The Company may not be able to account for your tax, national insurance and pension

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 the services described above. 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.

Your data may be transferred:

- to third parties (such as advisers or other suppliers to the Company)
- to overseas clients
- to clients within the EU who may, in turn, transfer your data internationally
- to a cloud-based storage provider

Examples of adequate safeguards put in place may be:

- The transfer of your data to a country where there has been a finding of adequacy by the European Commission in respect of that country's levels of data protection
- The transfer of your data, under a data transfer agreement, incorporating the current standard contractual clauses adopted by the European Commission for the transfer of personal data by data controllers in the EEA to data controllers and processors in jurisdictions without adequate data protection laws
- The transfer of your data under the EU-U.S. Privacy Shield Framework for the transfer of personal data from entities in the EU to entities in the United States of America or any equivalent agreement in respect of other jurisdictions
- Where the transfer of data is necessary for the conclusion or performance of a contract between the Company and you /or a third party and the transfer is in your interests for the purposes of that contract
- Where you have consented to the data transfer.



3. Data retention

The Company 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 recruitment 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 recruitment services. We have to keep copies of Right to Work documents for at least 2 years after the last date you worked for the Company.

We must also keep your payroll records, holiday pay, sick pay and pension 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/or sensitive personal data, we will do so in line with that consent period and our retention policy. 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/or sensitive personal data.

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/or sensitive personal data you have the right to withdraw that consent at any time by completing a withdrawal of consent form, by emailing the Company at privacy@workwithyork.co.uk or by writing to us at the address above.

5. Automated decision-making

In providing recruitment services, payroll and invoicing, marketing and equal opportunities monitoring the Company involves human-decision making throughout and it has no plans to use fully automated technologies for these data processing activities.



6. Complaints or queries

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

*FAO Karen Bull – Operations Director
City of York Trading Ltd,
5/6 Kings Court,
The Shambles,
York,
YO1 7LD
Please mark your envelope “Data Privacy”*

Alternatively, you can send an email to: privacy@cytlimited.co.uk

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.