

<b>Company Name:</b>	Orion Electrotech Ltd "Orion"	
<b>Company Contact Details:</b>	Data Protection Officer – Kay Wren – 0118 9239239 Representatives: - Aylesbury office – Claire Morton – 01296 737300 Group Managing Director – Grant Nesbitt – 0118 9239239	
<b>Document: EQF3335</b>	Privacy Notice - when personal data is obtained from the data subject or/ via a 3 <sup>rd</sup> party	
<b>Topic:</b>	Data Protection	
<b>Authorised By:</b>	Grant Nesbitt Group Managing Director	
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Orion is a recruitment business / agency which provides work-finding services to its clients and work-seekers. We must process personal data (including sensitive personal data) so that we can provide these services – in doing so, Orion acts as a data controller. Orion’s ICO Registration No. Z7386310

You may give your personal details to us directly, such as on an application or registration from/via our website, or we may collect them from another source such as a job board, social media site or referral. We 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/services relevant to you, we will only use your personal data in accordance with the terms of this document. At all times we will comply with current data protection laws.

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## 1. Collection and use of personal data

### a. Purpose of processing and legal basis

Orion 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. 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/suppliers.

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:

- **Legitimate interest** – where *processing* is necessary for the purposes of legitimate interests pursued by the controller or a third party, except where such interests are overridden by the interests or fundamental rights or freedoms of the individual which require protection of *personal data*.
- **Legal obligation** – where *processing* is necessary for compliance with a legal obligation that the controller is subject to.
- **Contractual obligation** – where *processing* is necessary for the performance of a contract with the individual or in order to take steps at the request of the individual to enter into a contract.
- **Consent** – allows you to confirm how and what information we hold for one or more specific purposes

### b. Legitimate interest

#### Orion processing policy

To provide you with the service you would expect from a recruitment business, we require certain information to be retained for the periods specified to ensure that we can meet your recruitment needs and the needs of our clients. The information we hold will help us to deliver a professional service around your specific needs and experience.

Therefore, we will rely on Legitimate Interest as the legal reason to process your personal data.

#### Candidates:

On application or original registration of your personal data (this could be your details obtained via a Job seeking board / LinkedIn), we will retain your information for 3 years for the purpose of providing work finding service to you and our clients from that date or for 3 years after the last meaningful contact we have with you, whichever is the later.

Whilst we are processing your data for this legal reason, you can at any time let us know if you object to us performing the following tasks: -

Retain Data – Keeping your data on our secure and encrypted servers so we can contact you about suitable requirements (managing our database and keeping work-seeker records up to date).

Send CV – Send your CV and supporting information to vacancies we discuss with you.

Market CV – Send your CV to clients we believe would be interested in your skills after speaking to you  
Marketing information – send you details of current requirements or related information that may interest you from time to time.

RTW Identification – details of your Right To Work in the United Kingdom status will be shared with a client for identification purposes for Contract positions and may be shared at our clients request for permanent positions.

**Clients:**

On receiving your details, we will retain basic contact information, conversation and recruitment history to help provide the best service that we can.

Details will be retained for 3 years, post last meaningful contact.

**Consent**

Should the above three-year period lapse without contact, we will ask for your Consent to ascertain if you wish for us to hold your data for a further 3 years or to remove your details.

Meaningful contact will include: Updated CV received, CV sent to a requirement, interview arranged, assignment end date, conversation update.

**c. Statutory / Contractual requirement**

Orion has certain legal and contractual requirements to collect personal data (e.g. to comply with the Conduct of Employment Agencies and Employment Business Regulations 2003, immigration and tax legislation, and in some circumstances safeguarding requirements.) Some 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.

If you do not give us personal data we need to collect we may not be able to continue to provide work-finding services to you.

**d. Recipient/s of data**

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

- Client's (for work seeking purposes)
- 3<sup>rd</sup> party payment providers (Umbrella / CIS) / Payroll service providers who manage payroll on our behalf or other payment intermediaries whom we may introduce you to
- Police
- HMRC
- EASI (employment agency standards inspectors)
- Master vendors (other recruitment agencies in the supply chain)
- IT Suppliers

**2. Information to be provided when data is not collected directly from the data subject**

**Categories of data:** The Company may have collected the following personal data on you dependent upon its availability:

**Personal data:**

- Name/contact details
- Previous work history details

- References
- Qualifications / Training certificates
- Employment History
- Contact history and progress
- Salary / remuneration
- Financial / tax / social security information (e.g. NI Numbers, PAYE details, date of birth)
- Nationality (through right to work check)

#### **Sensitive personal data**

- Disability information in order to arrange for access or other arrangements necessary for this role (ensuring requirements are met in contract assignments)
- Criminal conviction offences and/or related information
- Identification (for Right to Work in the UK - obligation to check ID under Conduct Regulations)
- Health Information

#### **Source of the personal data:**

Your details were provided to the Company either directly by yourself, the “data subject” and/or

The Company sourced your personal data/sensitive personal data by the following means:

- Work seeking Job Board (this information came from a publicly accessible source).
- LinkedIn (this information came from a publicly accessible source).
- Recruitment to Recruitment businesses
- Other social media source
- Referrals
- A former employer
- A referee whose details you previously provided to us (name)
- Software providers who we use to support our services including (Konnetix, Vincere, Bold Technologies)
- Cookies listed in Section 7

### **3. Overseas Transfers**

The Company may transfer the information you provide to us to countries outside the European Economic Area ('EEA') for the purposes of a whistleblowing incident to be investigated by our ultimate parent company. 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.

### **4. Data retention**

Orion 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 we have obtained your consent to process your Curriculum Vitae, Identification/ right to work documents, Payroll information, Contractual information we will do so in line with our retention policy (a copy of which is available on request). 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.

Sensitive Personal Data: Identification / right to work documents / medical records – will be deleted 2 years post contract completion.

Candidates registering their details for work seeking purposes will have their data retained for a 3-year period under Legitimate Interest. Candidates sought via an external source (this could be your details obtained via a Job seeking board / LinkedIn) will also be registered under Legitimate Interest.

## 5. 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.

**Please note - should you exercise your right for erasure then we will retain no information for us to assist in providing references or to prevent us from contacting you again should you be registered on a job seeking source that we subscribe to.**

Where you have consented to Orion processing your personal data and sensitive personal data you have the right to withdraw that consent at any time by contacting Kay Wren, Data Protection Officer (kay.wren@oriongroup.co.uk) or one of our Data Protection Representatives – Claire Morton – Aylesbury office / Grant Nesbitt – Reading office. Aylesbury office – 01296 737300 / Reading office – 0118 9239239. Please note that if you withdraw your consent to further processing that does not affect any processing done prior to the withdrawal of that consent, or which is done according to another legal basis.

There may be circumstances where the Company will still need to process your data for legal or official reasons. Where this is the case, we will tell you and we will restrict the data to only what is necessary for 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.**

## 6. Automated decision making

Orion does not use automated decision making.

## 7. Cookies

*A cookie is a small file that seeks permission to be placed on the hard drive of a user's computer. Once the user grants permission, the file is added, and the cookie serves the purpose of analyzing web traffic or providing notifications when the user visits a specific site.*

*When users first visit the Company website, a pop-up banner called the Cookie Notice is displayed. This pop-up requires the user to actively choose whether they consent to the use and purpose of cookies. If there are any changes in the use of cookies, the pop-up banner will appear again to explain the changes and request the user to reconfirm their preferences. If the user disregards the banner, their continued navigation of the website is considered as implied consent to the use of cookies, following guidance from the ICO.*

*Cookies enable web applications to respond to each user as an individual. By gathering and remembering information about user preferences, web applications can customize their operations to suit the user's needs, likes, and dislikes. It's important to note that the Data Protection Act does not apply to non-targeted marketing. However, if details obtained from cookies, such as browsing history, are used to personalize marketing efforts, the Data Protection Act will be applicable.*

*Additionally, the company uses traffic log cookies to identify the pages that are being accessed. This information helps analyze web page traffic data and improve the website to better cater to customer needs. The company only utilizes this information for statistical analysis and removes the data from the system after one month. Anonymous Location Data is also collected to connect users with job opportunities in close proximity.*

*Overall, cookies assist the company in providing users with an improved website experience by allowing them to monitor which pages are useful and which are not. It's important to clarify that cookies do not grant the company access to a user's computer or any personal information, except for the data willingly shared by the user. The company retains cookies for a period of one month.*

*Users have the choice to accept or decline cookies. While most web browsers automatically accept cookies, users can typically modify their browser settings to decline cookies if preferred. However, this may limit the user from fully utilizing the website's features. If a user initially accepts cookies but later decides to opt-out, the company website includes a link in the footer that reproduces the cookie notice. The company will rely solely on the most recent preference indicated by the user.*

## 8. Log Files

We use IP addresses to analyse trends, administer the site, track users' movements, and to gather broad demographic information for aggregate use. IP addresses are not linked to personally identifiable information.

## 9. Links to external websites

The Company's website may contain links to other external websites. Please be aware that the Company is not responsible for the privacy practices of such other sites. When you leave our site we encourage you to read the privacy statements of each and every website that collects personally identifiable information. This privacy statement applies solely to information collected by the Company's website.

#### **10. Sale of business**

If the Company's business is sold or integrated with another business your details may be disclosed to our advisers and any prospective purchasers and their advisers and will be passed on to the new owners of the business.

#### **11. Data Security**

The Company takes every precaution to protect our users' information including strong password policies, need to know data access, firewalls, encryption, web filtering, virus protection and on-going staff training.

Only employees who need the information to perform a specific job (for example, consultants, sales support, our accounts team or marketing executive) are granted access to your information.

The Company uses all reasonable efforts to safeguard your personal information. However, you should be aware that the use of email/ the Internet is not entirely secure and for this reason the Company cannot guarantee the security or integrity of any personal information which is transferred from you or to you via email/ the Internet.

If you share a device with others we recommend that you do not select the "remember my details" function when that option is offered.

If you have any questions about the security at our website, you can email [claire.morton@orion-group.co.uk](mailto:claire.morton@orion-group.co.uk) or [kay.wren@orion-group.co.uk](mailto:kay.wren@orion-group.co.uk)

#### **12. Changes to this privacy statement**

We will update this privacy statement from time to time. We will post any changes on the statement with revision dates. If we make any material changes, we will notify you.

#### **13. Complaints or queries**

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

Kay Wren, Data Protection Officer – 0118 9239239  
Claire Morton, Data Protection Representative – 01296 737300  
Grant Nesbitt, Group Managing Director - 0118 9239239

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.