



APEX EDUC8 LTD PRIVACY NOTICE

IN LINE WITH THE GENERAL DATA PROTECTION REGULATION (GDPR)

APEX EDUC8 LTD – REGISTERED OFFICE: BRADBURY HOUSE, MISSION COURT, NEWPORT, GWENT,
UNITED KINGDOM, NP20 2DW

What is the purpose of this Privacy Notice?

This Privacy Notice explains how Apex Educ8 LTD looks after your personal data when we provide our services to you and our clients, in accordance with applicable legislation intended to protect your personal data and privacy, including the General Data Protection Regulation and related laws. We also explain what your rights are.

2018 will see one of the biggest changes to UK data privacy laws as the General Data Protection Regulation (GDPR) is introduced across Europe on 25th May 2018.

GDPR will not change the ways we use your personal information. We have always and will continue to value all data you share with us whilst keeping it secure at all times. Whilst the law may be changing our commitment to looking after your data stays the same.

Where we refer to “**Apex**” or “**we**” or “**the company**”, we mean Apex Educ8 LTD.

Apex Educ8 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, the company acts as a data controller.

It is important that you read this statement together with any other privacy notice we may provide on specific occasions, so you are aware of how and why we are using your personal data.

What is GDPR?

The General Data Protection Regulation is a new law coming into force across the European Union (EU). It builds upon existing data protection laws in place in the EU, and is designed to give individuals, such as candidates and workers, increased rights and transparency over their personal information by helping them understand how companies, such as Apex Educ8 LTD, use their data, for example, for lawful purposes in the provision of recruitment services. The law also gives individuals the ability to exercise their rights such as correcting or accessing their data.

What impact does the changes have on you?

GDPR provides you with more transparency regarding your personal data. It strengthens your rights, giving you improved access to your data and the right to review and, in certain circumstances, edit or delete the information that organisations store about you. In short you have more control over your personal data. You need not do anything as we will keep looking after your data like we always have and if you do want to know more about the data we hold and how we use it, continue reading through our Privacy Notice.

What is personal data?

Personal data is any information related to a living person (known as a data subject) that can be used directly or indirectly (when combined with other information), to identify the person. It doesn't apply to non-living persons, for example most corporate entities, but may apply to data we process about individuals connected with that corporate.

What personal data do we collect?

We may collect the following types of personal data about you:

- contact details such as; *name, address(es), telephone number(s), email address(es)*;
- identification information such as; *date of birth, gender, nationality, residency, national insurance number* or other national identity number such as a *passport number, driving license, bank or building society account details, occupation, employment status, employer and job title*.

We may also collect, store and use the following special or sensitive personal data:

- *physical health (medication etc...)*.

We may also collect and store information concerning criminal proceedings and offences. We must have an additional legal ground to use this type of personal data and this is explained below in '[How we will use your personal data](#)'.

We may also collect, store and use personal data, where you have provided this to us, in respect of third parties, such as spouses, civil partners or dependants. If you do so you are responsible for and confirm you are entitled to provide us with this information and that you have informed those third parties of our identity and the purposes for which their personal data will be processed. You should draw their attention to this Privacy Notice. We will not use information except for the purpose for which you have provided it.

How we will collect your data

You may give your personal details to the company 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. You may also provide your personal details via email or over the phone with one of our representatives who are authorised to take personal data.

The company 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 sections.

We may also receive information from third parties who contact us such as Her Majesty's Revenue & Customer (HMRC), the Department for Work & Pensions (DWP) or police or other government agencies.

****Disclaimer :**

We also collect information about our temporary workers from the following sources:

- uCheck Limited (our background check provider), from which we collect the following categories of data: all information contained within background checks they are instructed to carry out
- Disclosure and Barring Service in respect of criminal convictions
- Your named referees, from whom we collect the following categories of data: performance related information, general conduct information e.g. punctuality and attendance records. Please note that you can request a copy of our reference request form prior to it being sent to your named referee

[How we will use your personal data](#)

We will only use your personal data when the law allows us to and most commonly to provide our services and to comply with our legal requirements.

- to provide our services to you
- to enable you to submit your CV for general applications, to apply for specific jobs or to subscribe to our job alerts
- to match your details with job vacancies, to assist us in finding a position that is most suitable for you and to send your personal information (including sensitive personal information) to clients in order to apply for jobs
- assess your skills, qualifications, and suitability for the role
- carry out background and reference checks, where applicable
- keep records related to our hiring processes
- comply with legal or regulatory requirements
- to fulfil contractual obligations with our clients
- to trusted third parties where we have retained them to provide services that you or our clients have requested, such as reference, qualification and criminal reference checking services (as required), verification of the details you have provided from third party sources, psychometric evaluations or skills tests. These third parties comply with similar and equally stringent undertakings of privacy and confidentiality as Apex Educ8 LTD
- to third parties who perform functions on our behalf and who also provide services to us, such as professional advisors, IT consultants carrying out testing and development work on our business technology systems. These third parties comply with similar undertakings of privacy and confidentiality as Apex Educ8 LTD
- to third parties who perform functions on our behalf and also provide services to you that you have requested, such as payroll companies who we will provide your personal data to

including but not limited to; full name, contact details, date of birth and job title. For the purpose to ensure and process payment for hours worked

- we will also use your Personal Information to create anonymous recruitment statistics, from which you cannot be identified
- we may also release personal information to regulatory or law enforcement agencies, if they require us to do so. We will also disclose your information where we are permitted and requested to do so by law

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 we will be unable to provide our services.

On rare occasions we may also use your personal data where we need to protect your interests (or someone else's interests) or where it is needed in public interest, for example for the investigation, detection and prevention of crime.

Sensitive Personal Information

We will use your particularly sensitive personal information in the following ways:

- We will use information about your disability status to consider whether we need to provide appropriate adjustments during the recruitment process, for example whether adjustments need to be made during an interview
- We will use information about your national or ethnic origin to ensure you have the relevant right to work within the location of the role
- We will use information regarding any medical condition you declare to us in order to assess your capability to carry out the role/s for which you wish to be considered
- We will use the results provided from your DBS check to assess your suitability for the role/s for which you wish to be considered

Convictions

We envisage that we will process information about criminal convictions.

We will collect information about your criminal convictions history if we would like to offer you a role conditional on checks and any other conditions, such as references, being satisfactory. We are required to carry out a criminal records check in order to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable for the role. In particular:

a) We are legally required to carry out criminal record checks for those carrying out a role which would involve them working with vulnerable people. Please note that you will be notified in advance of us applying for such check

b) The roles of teachers and nurses are ones which are listed on the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (SI 1975/1023) and are also specified in the Police Act 1997 (Criminal

Records) Regulations (SI 2002/233) so are eligible for a standard or enhanced check from the Disclosure and Barring Service

When processing such data appropriate safeguards will be maintained in accordance with the UK GDPR requirements.

How long we may retain your data for

We may retain your data for a period of 36 months, after which we can delete your data without consent. The 36 month timeframe begins at the moment we have obtained your data whether through direct communication with the company or other means, as described in '[How We Will Collect Your Data](#)'.

You may be contacted by one of our representatives prior to deletion, informing you that we still hold your data. If you wish to continue using our service, we will continue to process your data in accordance's with our legal requirement for another period of 36 months.

In the case where we have placed you into a job, we may retain your personal data for up to 6 years after your last employment. As your record may contain information on our clients or financial information, these details will need to be kept, for example, for the satisfaction of any taxation audits from HMRC.

Who we share your data with

We utilise third parties and share your personal data directly with them to perform functions on our behalf and to provide services to you, such as payroll companies.

These companies will process your data in accordance with our **Non-Disclosure Agreement (NDA).**

Your data is also shared with clients in which we are attempting to place you in employment with.

When legally necessary we would share your data with government agencies, such as; the courts, the police, HMRC, etc...

Third parties who provide the company services such as IT Support or IT Consultancy, will from time to time come in contact with personal data. Purely for the purpose of further developments, system upgrades, testing and security on the hardware or software your data is held on. These third parties comply with similar and equally stringent undertakings of privacy and confidentiality as Apex Educ8 LTD

Any third-party service provider required as part of our Safer Recruitment process – for example: to process your enhanced DBS application

****Disclaimer:**

All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

Your rights in connection with personal data

You can ask us to do certain things with your personal data such as provide a copy of it, correct it or even delete it. There may be occasions where we cannot comply with a request and we will tell you if this is the case and give our reasons. This will usually be for legal or regulatory reasons.

- **Request access to your personal data** – This enables you to confirm whether we process your personal data and to receive a copy of your personal data we are processing and certain information about how we use your personal data.
- **Request correction of the personal data that we hold about you** – This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request the erasure of your personal data** – You can ask us to delete or remove personal data where the processing is no longer necessary for the original purpose, or where you withdrew your consent, or the processing is unlawful or our personal data must be erased to comply with law. However in some cases, if we have another legal basis or legitimate interest for processing your personal data, we may not be able to comply. We will tell you if this is the case.
- **Request the restriction of processing of personal data** – You can ask us to restrict the processing of personal data where you think the personal data we hold is inaccurate until we can verify its accuracy, or you believe we no longer need to process your personal data (but

you do not want it erased), or you wish processing to be restricted pending confirmation that our processing is based on our overriding legitimate interest.

- **Object to processing of your personal data** – You have the right to object to us processing your personal data where we are doing so:
 - Based on our legitimate interest (for the purposes described in this Privacy Notice) unless we can demonstrate compelling grounds as to why the processing should continue in accordance with data protection laws.
 - For direct marketing purposes.
- **Request the transfer of your personal data to another party** – In certain circumstances you can ask us to send your personal data to a third party of your choice. For example where it is information which is processed by us by automated means and you have consented to such processing or we need to process the information to perform our contract with you.

- **Right to withdraw consent** – If you have provided your consent to the processing of your personal data for a specific purpose, you have the right to withdraw your consent for the specific processing at any time. This would not affect the validity of the processing prior to such date. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so.

We may ask you to verify your identity and for more information about your request.

Where you have consented to the company processing your personal data/and sensitive personal data you have the right to withdraw that consent or be informed of what data we hold on you at any time by contacting compliance@apexeduc8.co.uk.

If you request for deletion of your data, please be aware that we may not be required to do so, particularly where your file also holds information about our clients or financial information that we may keep for a period of up to six years i.e. that relate to tax matters. Where we are unable to comply with your request we will provide reasons for failing to do so.

How to exercise your rights

You can make a request by contacting Apex Educ8 LTD via a number of ways. However we will always ask you to confirm your request in writing, this is solely to ensure that we and you have a time and data stamped record of your request. Your request will be acted upon within one month of you putting it through.

In most cases we will not charge a fee to action your request. However a reasonable administration fee may be charged if your request is deemed unfounded, excessive, or if further copies of your data is requested.

For security we may need you to confirm specific information on your identity before actioning a request, purely to ensure that your personal data is not disclosed to any person who has no right to receive it.

Who to contact for queries about this privacy notice and the way Apex Educ8 LTD uses your data

If you have any enquires in regards to this notice or any of Apex Educ8 LTD policies or notices you can contact us at:

Department: **Compliance Team**

Head Office: **Apex House
1 Bridle Path
Watford**

**Hertfordshire
WD17 1UE**

Email: compliance@apexeduc8.co.uk

Right to complain and who to complain to

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

Department: **Complaints Team**

Head Office: **Apex House
1 Bridle Path
Watford
Hertfordshire
WD17 1UE**

Tel: **0203 9295150**

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.

How we secure your personal data

We understand that having the correct measures to ensure your privacy is paramount. We have undertaken several risk assessments and restructured our infrastructure to safeguard all data held on our systems.

All third parties who have access to our systems are only allowed access through the correct structured channels and only upon in-house authorisation.

Our systems are protected by modified high-grade firewalls and anti-viruses which are certified by cyber security experts.

Backups of all data are stored within fireproofed housing and encrypted ensuring that any data taken out of our infrastructure is inaccessible.

We run scheduled and unscheduled tests and audits on our security systems to make sure all policies and measures are in place where necessary to seek out and make improvements.

Changes made to this privacy notice

We reserve the right to update this privacy notice at any time, and we will notify you if we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal data. You should check our website at www.apexeduc8.co.uk periodically to view the most up to date Privacy Notice.