

## **McGINNIS LOY ASSOCIATES PRIVACY POLICY**

### **Introduction**

This privacy policy outlines the steps McGinnis Loy Associates take when your personal data is collected and processed, in accordance with EU General Data Protection Regulations (GDPR) and the UK Data Protection Act 2018.

Should you decide to submit personal data whilst on the [www.mcginnisloy.com](http://www.mcginnisloy.com) website, through other online sources (Job Boards, Linked-In, Facebook etc) or directly to us via email, you agree to be bound by this Privacy Policy and other policies displayed in the Legal Notices section of our website.

We use the term “processing” to cover all activities involving your personal data including collecting, handling, storing, sharing, accessing, using, transferring and disposing of the information. This privacy policy documents our lawful basis for processing your data and outlines our compliance to the regulations as a Data Controller. Before you disclose the personal data of another person to us, you must obtain that person’s consent to both the disclosure and the processing of that personal information in accordance with this policy.

### **1. Lawful basis for processing your personal data**

We may rely on the following lawful reasons when we collect and use personal data to operate our business and provide our services to you. We may process it under the following bases:

| <b>Lawful Basis</b>         | <b>Your Right to Erasure</b> | <b>Your Right to Portability</b> | <b>Your Right to Object</b>          |
|-----------------------------|------------------------------|----------------------------------|--------------------------------------|
| <b>Contract</b>             | ✓                            | ✓                                | x                                    |
| <b>Consent</b>              | ✓                            | ✓                                | x<br>(but right to withdraw consent) |
| <b>Legal Obligation</b>     | x                            | x                                | x                                    |
| <b>Legitimate Interests</b> | ✓                            | x                                | ✓                                    |

**Contract** – We may process personal data in order to perform our contractual obligations.

**Consent** – You have given McGinnis Loy Associates clear consent to process your personal data for a specific purpose.

**Legal Obligation** - Processing of your personal data is necessary for McGinnis Loy Associates Ltd to comply with the Law.

**Legitimate Interests** – We may rely on legitimate interests based on our evaluation that the processing is fair, reasonable and balanced, provided those interests are not outweighed by your rights and interests. These include:

- delivering services - to deliver the professional services our clients have engaged us to provide
- better communication - to modify, enhance, personalise or otherwise improve our communications for your benefit
- direct marketing - to deliver job-seeker insights and profiles, and specialist recruitment knowledge we believe is welcomed by our business clients, contacts and individuals who interact with us.
- marketing analysis - to determine the effectiveness of our marketing campaigns and advertising

You can object to our use of your personal data for marketing purposes. We may need to keep some minimal information to comply with your request to cease marketing to you. You can also ask us to temporarily restrict our processing of your personal data if you contest the accuracy of your personal data or you prefer to restrict its use rather than having us erase it completely. A temporary restriction may apply while verifying whether we have overriding legitimate grounds to process it. You can ask us to inform you before we lift that temporary processing restriction.

### **2. Why we collect personal data and what is our intended purpose?**

We aspire to be transparent when we collect and use personal data and tell you why we need it, which typically includes:

- Preparing a CV on your behalf which identifies you by name and contains comprehensive educational and professional work experience details in order to facilitate the recruitment process.
- Allowing us to contact you via telephone, text and email about job opportunities we feel may be appropriate
- Allowing us to forward your CV to companies so they can assess your suitability for roles at their businesses
- Confirming to our clients your eligibility to work in the UK and remuneration details
- Emailing you job interview details, giving your employment references/referee details to our clients where appropriate
- Confirming academic and professional qualifications, and verifying membership of professional institutes
- Informing clients of any health/medical conditions you have made us aware of, so they can accommodate and make any reasonable adjustments for you
- Dealing with enquiries or complaints made by or about you, relating to our recruitment services or website
- Promoting our professional services, products and capabilities to existing and prospective business clients.
- Verifying compliance with our Website Terms Of Use (including monitoring messages sent through our website “contact form”)
- Authenticating registered users to certain areas of our website
- Processing online requests including responding to communications from individuals or requests for proposals
- Administering, maintaining and ensuring the security of our information systems, applications and websites.
- Carrying out our obligations arising from any contracts entered into between you and us
- Complying with legal obligations as an Employment Agency including, but not limited to, the Employment Agencies Act, the Conduct of Employment Agencies & Employment Businesses Regulations, the Working Time Regulations and the Equality Act.

### 3. What personal data might we collect and process?

A list of personal data we commonly collect to conduct our business activities includes:

- Personal and business contact details (e.g., name, company name, job title, work and mobile telephone numbers, work and personal email address, postal address).
- Professional details (e.g., job and career history, educational/academic background and professional memberships, employment or character references).
- Financial information (e.g., current salary, current employment benefits)
- Identification documents to prove your Right to Work (e.g., passport and your photograph, date & place of birth; driving license, NI number, UK work visa details)
- Information provided to us by our clients in the course of a professional engagement.
- Notes from our face-to-face, video or telephone interviews with you
- Health conditions you tell us about that a potential employer should be made aware of for employment purposes
- Information about your visits to our website (including your IP address, geographical location, browser type and version, operating system, referral source, length of visit, page views and website navigation paths)
- Data you provide when registering on our website (name, contact details, email address etc)

### 4. How do we collect personal data?

**Directly** - We obtain personal data directly from individuals in a variety of ways including those who provide their business card to us, complete our online forms, attend meetings, visit our offices or apply for job opportunities. We may also obtain personal data directly when we are establishing a business relationship or performing professional services through a contract.

**Indirectly** - We obtain personal data indirectly from a variety of sources including other recruitment services and clients including former employers. We may attach personal data to our management records to better understand and serve our business clients, contacts and individuals, satisfy a legal obligation, or pursue our legitimate interests.

**Public sources** -- Personal data may be obtained from public registers (e.g., Companies House), news articles, professional networking sites and internet searches (e.g., your company website, Linked-In).

**Business clients** - Our clients may engage us to perform professional services which involve sharing personal data they control as part of that engagement. Our services may include processing personal data under our clients' control for example.

### 5. International data transfers

Data we collect may be transferred outside the EEA either by McGinnis Loy Associates or third parties whom your personal data may be disclosed to. Such transfers will occur where they are necessary as part of the services McGinnis Loy Associates provide to you - e.g. where you apply for a vacancy or position outside the EEA, or where the transfer is authorised by law. By providing personal data to us, you agree your data may be transferred outside of the EEA in such circumstances.

We use third party suppliers to provide an online recruitment software system, online website and online email system. We share your personal data with other third-party service providers that may assist us in recruiting job seekers and improving our recruiting practices. We maintain processes designed to ensure that any processing of personal data by third party service providers is consistent with this Privacy Policy and protects the confidentiality, availability and integrity of your personal data. Where required by law, we put in place legal mechanisms designed to ensure adequate data protection of your personal data.

### 6. Who do we share your personal data with?

The data shared internally is limited to what is required by each employee to perform their role on your behalf. Your personal data may be shared externally with the following:

- Business contacts who have managerial responsibility for you in a day-to-day employment capacity, or are acting on their behalf such as HR/Recruitment teams (eg, for interviewing, assessments, pre-employment screening)
- Business contacts in IT and their system owners who manage user access
- Audit and investigation contacts in relation to internal or external audits/investigations of their recruitment processes
- Clients who use Applicant Tracking Systems and Online Recruitment Software who request that we add your CV and other personal data of yours onto their online job portal, so that job applications can be made on your behalf
- Third party suppliers who offer our clients candidate interview and assessment services
- Third party suppliers who offer our clients background screening services (eg, credit checking agencies, employment referencing companies, criminal check bureaus)
- Academic institutions (universities, colleges, professional institutes) in validating any information you have provided
- Our professional advisers including lawyers, auditors and insurers.
- Parties that support us as we provide our services (e.g., Telecoms providers, IT system support, archiving services, document production services and cloud-based software services)
- Third-party suppliers or potential suppliers who provide recruitment and job-seeker related services on our behalf.
- A purchaser or potential purchaser of any business or asset that we are selling (or are contemplating to sell)
- Any person who we reasonably believe may apply to a court or other competent authority for disclosure of that personal information where, in our reasonable opinion, such court or authority would be reasonably likely to order disclosure of that personal data

We may also share your personal data to the extent that we are required to do so by law, in connection with any ongoing or prospective legal proceedings. We may also disclose your personal data in order to establish, exercise or defend our legal rights (including providing information to others for the purposes of fraud prevention and reducing business risk)

## **7. How do we protect your information?**

We hold personal data in a combination of secure online and offline computer storage facilities, and paper-based files. We take all reasonable technical and organisational precautions to prevent the loss, misuse, destruction or alteration of your personal data, and we aim to ensure that access to your personal data is limited only to those who need to access it. A number of processes are used to protect your data including:

- Locks and security systems
- Computer passwords, firewalls and limited access to shared network drives to authorised staff only
- Virus checking programmes
- Auditing procedures and data integrity checks
- Recording of file movements
- Security classification to identify data needing special protection.

You are responsible for keeping your password for accessing our website confidential, we will not ask you for your password except when you log in to our site. Please be aware that transmission of data via the Internet is not completely secure. Whilst we do our best to try to protect the security of your data, we cannot ensure or guarantee the security of your data transmitted to our site; any transmission is at your own risk.

Where we share information with other parties, we require that such personal data is protected as required by law. We require our third-party suppliers to have the same level of protection as provided by ourselves, in accordance with GDPR.

## **8. How long do we hold your information for?**

We retain personal data to provide our services, stay in contact with you and comply with applicable laws, regulations and professional obligations that we are subject to. Unless a different time frame applies as a result of a business need or specific legal, regulatory or contractual requirement, where we retain personal data in accordance with these uses, we retain personal data for five years. We dispose of personal data in a secure manner when we no longer need it.

We use reasonable endeavours to ensure your personal data is maintained accurately and is up to date. We may contact you from time to time to check the data is still correct. You are required to inform us of any changes to your personal data to ensure it is up to date, and we will update or delete your information for you accordingly.

## **9. Deleting your information & your rights under GDPR**

You can request access to the data we have collected about you for the purposes of reviewing, modifying or requesting deletion of the data, free of charge. You can also complain to the ICO if you think there is a problem with the way we are handling your data. You can write, email or call them by visiting their 'contact us' page via this link: <https://ico.org.uk/global/contact-us/>

If you would like to make a request to access, review, correct or delete the personal data we have collected about you, please send an email to: [admin@mcginnisloy.com](mailto:admin@mcginnisloy.com) with "GDPR Data Request" as the subject heading.

## **10. What if you do not agree with this Privacy Policy?**

If you do not agree to our processing of your personal data in the manner outlined in this Policy, we request that you do not submit any personal data to us.

## **11. Cookies**

A "cookie" is a piece of information that is stored on your computer's hard drive and which records your navigation of our website so that when you revisit our website, it can present tailored options to you based upon the stored information about your last visit. For more information about how we use cookies, please read our Cookie Policy displayed in the "Legal Notices" section of our website.

## **12. Changes to our Privacy Policy**

We may update this Privacy Policy from time to time by publishing a new version on our website. You should check the "Legal Notices" page frequently to ensure you are happy with any changes. If at any time we decide to use your personal data in a manner significantly different from that stated in this Privacy Policy, or otherwise disclosed to you at the time it was collected, we will notify you by email and you will have a choice as to whether or not we can still use your information in the new manner as per GDPR guidelines.

## **13. Our details – McGinnis Loy Associates Ltd**

We are registered as a Data Controller with the UK Information Commissioner's Office, our data protection number is Z3189920.

This website is owned and operated by McGinnis Loy Associates Ltd, who are registered in England & Wales under company number 8047462, and our registered office is: Suite 80, 105 London Street, Reading, Berkshire, RG1 4QD.

You can contact us by writing to the business address above, using our online website contact form or by email to: [admin@mcginnisloy.com](mailto:admin@mcginnisloy.com) or telephone on 0845 862 6202.