



## PRIVACY POLICY

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In line with the General Data Protection Regulation, Penguin Recruitment is committed to providing clarity regarding the types of personal information we collect, how we use the information, who we share it with, and your data rights in terms of how your information is used, stored and shared.

This Privacy Policy explains how we embed this commitment in our business and describes the measures we take to protect the security of your information and how you can contact us to update your preferences and find out more about our privacy practices.

### **Personal Information That We May Request from You**

We will collect personal information about you using a variety of methods, such as (but not limited to) through our website, social media channels, events, surveys, job applications and interview and subsequent online, telephone and email contact. As part of providing our recruitment service, we may request the following types of personal information from you:

- Contact information (name, address, email address and telephone number).
- Employment history, education, qualifications, professional registrations and information about you provided in your CV or that you complete in our application form.
- Details of your skills, competencies and capability.
- Results of skills assessments,
- Information about citizenship, visa status and right to work in the UK.
- Results of criminal and other background checks.
- NI number.
- Date of birth.
- Details provided relating to age, gender, disabilities / health related information as well as information relating to other protected characteristics as defined under the Equality Act 2010 which may be gathered to support diversity monitoring.
- Details of those you provide as emergency contacts.
- Information provided about you in references.
- Information you provide about family, friends or other people you would like us to contact.
- Information you provide us with in surveys.
- Information about your performance on temporary assignments.
- Payroll and financial information (such as bank details, tax-related information, benefits you receive etc).
- Login details required for use of our website.



**PLEASE NOTE:** by completing our application form and other company or registration documentation, you are giving consent for us to use, store and share your personal data for the purpose of sourcing suitable work for you, monitoring/managing your assignments or placements and occasionally marketing relevant services that we provide to you. This is the legal basis on which we process your personal data and you can withdraw your consent at any time by emailing Sarah Bankhead, [Sarah.Bankhead@penguinrecruitment.co.uk](mailto:Sarah.Bankhead@penguinrecruitment.co.uk) or writing to Sarah Bankhead, 42 Newton Road, Mumbles, Swansea, SA3 4BQ. We will stop processing if we have no other legal basis or requirement to do so.

Where the personal data collected includes sensitive/special category data, we will obtain a separate, explicit consent from you for this, which may be withdrawn in the same way. Examples of special category data include but are not limited to information about your health, race, sexual orientation, criminal convictions etc.

### **Automated Information We May Collect from You**

When you visit our website, we may collect certain information by automated means, such as using cookies, web beacons and web server logs. The information we may collect in this manner includes IP address, unique device identifier, browser characteristics, device characteristics, operating system, language preferences, referring URLs, information on actions taken on our website, dates and times of visits to our website and other usage statistics.

Our websites use cookies to distinguish you from other users of our websites. They are widely used to make websites work, or work more efficiently, as well as to provide information to the operation of the site.

These are the cookies we use and why:

<b>Cookies We Use</b>	<b>Why We Use Them</b>
Google Analytics	To improve performance of our website and ensure that content remains relevant and interesting to our audience

A web beacon is an often-transparent small graphic image that is placed on a website or in an email that is used to monitor the behaviour of the user visiting the website or sending the email. It is often used in combination with cookies. We may obtain data (including but not limited to your browser information) through these automated collection methods as you click through various pages on our website. You may be able to restrict or disable certain types of cookies; however, this may prevent full use of all the features on our website. As required by law, we will obtain your consent before collecting personal data using cookies or similar automated means.



We may also use third-party apps, tools, plug-ins and widgets on our website and these may use automated means to collect information relating to how you interact with these features. Such information collected is subject to the privacy policies of those providers and to applicable law. Penguin Recruitment is not responsible for the practices of these providers.

## **How We Use the Information We Collect**

We will use the information you provide to:

- Provide you with our recruitment services.
- Respond to your enquiries.
- Assess your suitability as a candidate and validate your experience, competence, qualifications, registrations etc as required by the position for which you are applying.
- Provide you with job opportunities and work.
- Provide career advice.
- Process payments to you and send you payslips.
- Monitor and manage your performance and discipline.
- Audit compliance with prevailing employment law and honour contractual agreements with our clients.
- Manage client relationships.
- Analyse data and trends from our websites and using data held on our recruitment software.
- Send you information about vacancies, promotional material and other communications (e.g. invitations to participate in our surveys or events).
- Prevent fraudulent and unlawful activity and comply with legal requirements, industry standards, contractual obligations and company policies/procedures.
- Improve our business services and the performance of our website.

## **Information We Share**

We will only disclose personal information we collect about you to facilitate delivery of our services. As such your personal data may be shared with clients or organisations with whom we work to help you find a job.

[We may disclose your personal data to third parties in the event that we sell or buy any business or assets. If we merge with, or are acquired by, another business, personal data held by us may be shared, but you will be sent notice in advance]

Where personal information is shared with a managed service provider or other 3<sup>rd</sup> party supplier, we do not authorise them to use or disclose your personal data except in the provision of the service that they have been engaged to supply or to comply with legislation.



Finally we may disclose your personal data to comply with any applicable law, in connection with an investigation of suspected or actual fraudulent activity or is based on a lawful disclosure request.

If we share your information with other countries outside of the EEA or Switzerland who have different legislation, we will protect your information in line with this privacy policy and prevailing UK legislation relating to data protection.

We will never:

- Sell your personal data to a third party.
- Share your personal data with a third party for marketing purposes without your consent.

### How Long We Will Retain Your Personal Data

We will retain your personal information for a reasonable duration to provide you with our services and to comply with prevailing legislation and regulation as follows:

Type of Records	Statutory Retention Period	Statutory Authority
Accident book / accident records & reports	3 years from date of the last entry (or if the accident involves a child, until that person reaches the age of 21.	Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (SI 1995/3163) as amended, and Limitation Act 1980.
Accounting records	3 years	Section 221 of the Companies Act 1985 modified by the Companies Acts 1989 and 2006.
Income tax and NI returns, income tax records and correspondence with HMRC	Not less than 3 years after the end of the financial year to which they relate.	The Income Tax (Employments) Regulations 1993 (SI 1993/744) as amended, for example by The Income Tax (Employments) (Amendment No. 6) Regulations 1996 (SI 1996/2631).
Statutory maternity pay records, calculations, certificates or other medical evidence	3 years after the end of the tax years in which the maternity period ends.	The Statutory Maternity Pay (General) Regulations 1986 (SI 1986/1960) as amended.



Wage / salary records, overtime, bonuses, expenses	6 years	Taxes Management Act 1970.
National minimum wage records	3 years after the end of the pay reference period following the one that the records cover.	National Minimum Wage Act 1998
Records relating to working time	2 years from the date on which they were made	The Working Time Regulations 1998 (SI 1998/1833).

For many types of HR records, there is no definitive retention period and we are entitled to decide how long to keep them. Penguin Recruitment has based our records retention periods below on the time limits for potential UK tribunal or civil claims and guidance in the Conduct of Employment Agencies and Employment Businesses Regulations 2003. The UK Limitation Act 1980 contains a 6-year time limit for starting many legal proceedings, so where documents may be relevant to a contractual claim, we will keep these records for at least this period. Other records may be retained longer or permanently. These retention periods are in line with CIPD recommendations.

Type of Records	Minimum Retention Period
Actuarial valuation reports	Permanently
Application forms and interview notes (for unsuccessful candidates)	6-12 months.
Assessments under health and safety regulations and records of consultations with safety representatives and committees	Permanently
Inland Revenue/HMRC approvals	Permanently
Parental leave	5 years from birth/adoption of the child or 18 years if the child receives a disability allowance.
Pension scheme investment policies	12 years from the ending of any benefit payable under the policy.
Candidate files, personnel files and training records (including disciplinary records and working time records)	7 years after the date on which we last provide services to the associated applicant or client or 7 years after employment has ended. We may hold data significantly longer if contractually required to do so, and for



	contract clients we will hold all data relating to service provided for a minimum of seven years after the contract expires. Where such records could be relevant to a claim for personal injury, we will retain them for a minimum of 21 years from contract expiry.
Redundancy details, calculations of payments, refunds, notification to the Secretary of State	6 years from the date of redundancy
Senior executives' records (that is, those on a senior management team or their equivalents)	Permanently
Statutory Sick Pay records, calculations, certificates, self-certificates	6 years after the employment ceases.
Timesheets	2 years after audit
Trade union agreements	10 years after ceasing to be effective

After these durations have elapsed, your personal data will be securely deleted or destroyed.

### How We Protect Your Personal Information

We maintain administrative, technical and physical safeguards to protect the personal information you provide against accidental, unlawful or unauthorised destruction, loss, alteration, access, disclosure or use.

### Your Rights & Choices

If you have any questions about the use of your personal information or would like to update your preferences, please contact us as specified below.

#### Your Right to Object

You have the right to ask us not to process your personal data if you do not believe we are permitted to do so, including for marketing purposes. Following such notification, we will stop processing your personal data unless there is a legal basis or requirement to do so.

#### Marketing

We will inform you (before collecting your data) if we intend to use your data for marketing purposes. We will only use your data for this if you have agreed in advance.

#### Correction of Information

If you notify us that the personal data we hold is complete or inaccurate we will correct or complete the information as soon as possible.



### Deletion of Information

You have the right to request that your personal data be deleted; including if we no longer need it for the purpose we collected it, or you withdraw your consent.

Following such a request we will erase your personal data without undue delay unless continued retention is necessary and permitted by law. If we made the personal data public, we will take reasonable steps to inform other data controllers processing about your erasure request.

### Restriction on Processing

You have the right to request that we stop processing your personal data, but hold it for you, in the event the personal data we hold is inaccurate, the processing is unlawful or we no longer need the personal data. Once the processing is restricted, we will only continue to process your personal data if you consent or we have another legal basis for doing so.

### Access to Information

You have the right to access information held about you and any access request will usually be free of charge and responded to within 30 days. We will endeavor to provide information in a format requested, but we may charge you a reasonable fee for additional copies.

### Data Portability

You have the right to receive a copy of your personal data which you gave to us. The copy will be provided in a commonly used and machine-readable format. You can also have it transmitted directly from us to another data controller, where technically possible.

### **Complaints Procedure**

If we fail to respond to your Subject Access Request (SAR) within 30 days of receipt or you wish to make a complaint relating to our response to your SAR or any other data rights request, you should initially contact:

Sarah Bankhead, 42 Newton Road, Mumbles, Swansea, Wales, SA3 4BQ.

[Sarah.Bankhead@penguinrecruitment.co.uk](mailto:Sarah.Bankhead@penguinrecruitment.co.uk)

01792 365009

We will aim to acknowledge a complaint within 48 hours an Investigation will commence immediately with an assessment of the situation and contact with all individuals involved.

Where appropriate, internal interviews will be held as soon as possible.

In every case we will take all reasonable and practicable steps to resolve the complaint within 15 working days of its receipt unless the nature of the complaint requires additional investigation or action by an appropriate third party in which case the complaint will be resolved as soon as possible thereafter.



During the complaints resolution process we will ensure that you are kept abreast of progress in resolving the complaint.

We maintain a written log of all complaints which includes your name and contact details, nature of the complaint, actions taken to resolve it and any changes to procedures to prevent recurrence.

### **Complaints Escalation**

If the Data Protection Officer cannot resolve the problem or if you are dissatisfied with any aspect of the handling of your complaint, you should contact Jim Richardson outlining the full details.

Jim Richardson  
Director  
42 Newton Road  
Mumbles  
Swansea  
Wales  
SA3 4BQ  
[Jim.Richardson@penguinrecruitment.co.uk](mailto:Jim.Richardson@penguinrecruitment.co.uk)

You also have the right to complain to the Information Commissioner's Office if you believe that we have not complied with the above policy or the law pertaining to your personal information on the following number: 0303 123 1113.

We are registered with the Information Commissioner's Office and our registered number is 4945160.