

Smart Recruitment Solutions (Swindon) Limited (The Company) is an organisation 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. The company acts as a Data Controller. Smart Recruitment has a sister organisation called Wise Employment (Swindon) Limited who also trades as Pro Education, Elite Recruitment Solutions and WDS (Wise Driver Solutions). The following person has been nominated as the Company's contact for any matter relating to data protection:-

Joanne Fisher, Administration Manager  
Smart Recruitment Solutions (Swindon) Limited  
Unit 5 Kingsdown Orchard  
Hyde Road  
Swindon  
Wiltshire, SN2 7RR  
E-mail; [GDPR@smartgroup.co.uk](mailto:GDPR@smartgroup.co.uk)

You may give your personal details to the Company directly (for example, via our Website, e-mail or by completing an application form), or we may collect them from another source such as a Job Board or a referral. 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 this notice.

### **Collection and Use of Personal Data**

If your data is not provided to us directly (e.g. via a Job Board), the company will collect your name, telephone number, e-mail address and any information that you have provided on your CV, which may include sensitive personal data (Health Information, Criminal Conviction information) if you documented it in your CV or covering letter.

If the Company collects your personal data directly (e.g. via e-mail, or interview) the company will collect your personal data such as Name, Address, Date of Birth, National Insurance Number, and sensitive personal data (i.e. Relevant Health Information, Relevant Criminal Convictions) and will process your personal data for the purposes of providing you with work-finding services. The legal basis we rely upon to offer these services to you are:-

- Consent
- Legitimate interest
- Legal obligation
- Contractual obligation

Where the Company has relied on a legitimate interest to process your personal data, our legitimate interest are as follows:-

- Your personal data will be processed in order to make first contact with you where your information was collected via a Job Board, a referral or by any other indirect means.
- Your personal data will be processed to any client at which you have accepted and carried out an assignment for audit purposes or to administer any legal claim. If work is undertaken at a client where an assignment includes the processing and packaging of fresh food, drinks and other produce or within the agriculture or horticulture sectors, your data may be processed to their customers for audit purposes to ensure compliance with our Gangmaster Licence.
- Your personal data may be processed with Wise Employment (Swindon) Limited to provide work finding services in line with the Consent you have provided to Smart Recruitment Solutions (Swindon) Limited.
- Your personal data may be processed with URS (Our ISO Quality & Environmental Accreditation Company) for audit purposes.
- Your personal data may be processed with REC (Our Governing Body, who may carry out audits) to ensure we are complying with legal requirements and their Code of Conduct.
- Your personal data will be processed in order to provide references to Companies upon request, if you have carried out assignments as a Temporary worker. Please be aware of the data retention policy below, after which time, we will no longer be able to provide a reference for you. You are therefore advised to keep suitable records of you work through Smart Recruitment.
- Next of Kin information provided will be used in the event of a concern or emergency.
- Where your name is provided as an employee of a Company seeking recruitment services, your name and position will be retained on our database and used only for the purposes of providing services to your employer.

### **Contractual Obligation**

The company may process your data to comply with the requirements of any Terms of Engagement that you have with the Company, for example, to pay you for work you have carried out or to correspond with you (via telephone, post or e-mail) regarding your assignment or registration.

### **Recipient of Data**

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

- HMRC or any other Government Department (to comply with legislative requirements)
- NOW Pensions (to comply with legislative requirements)
- Wise Employment (Swindon) Limited, a sister Company to Smart Recruitment Solutions (Swindon) Limited who share offices, staff members, working practices, Company Policies.
- To client companies who have job opportunities or where you have accepted an assignment.
- To URS and REC who may audit our premises at any time
- To ISV and Educare who are providers of on-line training & testing facilities (Name and E-mail Address only)
- To Arnfold Software who provide an on-line timesheet facility (Name, E-mail Address and place of work)
- To the providers of our CRM System when providing technical support for our Database.

### **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 Business Regulations 2003 require us to keep work seeker records for at least one year after the date on which we last provided you with work finding services (i.e. put your details forward for a job). Paper application packs will be destroyed within 2 months of this date, unless you have accepted an assignment at a client where there is a specific contractual requirement to retain them for longer.

If you carried out an assignment for Smart Recruitment, we must also keep your records for payroll and accounting purposes for as long as is legally required by HMRC and associated legislation. Currently, this can be up to 6 years from the end of the tax year of your last day of work.

If you work as a Temporary Worker, we are required to keep your proof of right to work for a period of 2 years following your last day of work.

Your details held on ISV, Educare, Timesheet Portal can be deleted any time, and in any event will be deleted when your consent has expired or been withdrawn or when you are no longer active on our Company Database.

Where the Company has obtained your consent to process your personal/sensitive personal data, we will do so in line with 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/sensitive data for the purposes that you provided consent for.

**Overseas Transfers:** Smart Recruitment does not transfer your information overseas.

**Rights of Individuals:** 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 (This Policy)
- 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 (Smart Recruitment does not use automated decision-making or profiling.
- The right to withdraw consent at any time

Where you have consented the Company processing your personal data and/or sensitive personal data you have the right to withdraw that consent at any time.

### **Queries or Requests under this Policy**

Please direct any queries or requests (including requests relating to your rights) to the Data Protection Contact named at the top of this document.

If you wish to complain about this privacy notice or any of the procedures set out, please write to the Data Protection Contact named at the top of this document.

You also have the right to raise concerns with the ICO Commissions office on 0303 123 1113, 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.