

OSA RECRUITMENT LIMITED

PRIVACY NOTICE

1. What is the purpose of this document?

OSA Recruitment Limited ("**OSA**") is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you during and after your relationship with us, in accordance with the Data Protection (Bailiwick of Guernsey) Law 2017 (the Guernsey Data Protection Law).

OSA is a "controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to all candidates, clients and service providers whether existing, prospective, declined, exited or former and users of our website. This notice does not form part of any contract to provide services. We may update this notice at any time.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

2. Data protection principles

We will comply with data protection law. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only if necessary, for the purposes we have told you about.
6. Kept securely.
7. Looked after responsibly.

3. The kind of information we hold about you

Personal data, or personal information, means any information relating to an identified or identifiable individual. It does not include data where no natural person can be identified from the data.

There are "special categories" of personal data which require a higher level of protection (Special Category

We may collect, store, and use the following categories of personal information about you:

- Personal Details:
 - Full name
 - Title
 - Resident/Company address
 - Telephone, fax, email
 - Nationality
 - Passport number
 - Occupation and employer

- Public positions held
- Place of birth
- Date of birth
- Marital status / certificate
- Verified identification i.e. passport and driving license
- Verified residential address
- Curriculum vitae
- Proof of qualifications
- References
- Job Descriptions
- File notes which may contain personal data / and potentially special category data.
- Resident Certificate/Permit or Employment Permit

We may also collect, store and use the following Special Category Data:

- Information about your health, including any medical condition, health and sickness records.
- Information about the commission or alleged commission of a criminal offence.

4. How is your personal information collected?

We collect your personal information when you contact us by email, letter, telephone or in person, or by entering your details in the fields requested on, or any documents linked to or downloaded from our website, or any other forms provided to you. We will collect the data to enable us to deal with your enquiry or provide you with the relevant services.

We also use cookies and collect IP addresses (an IP address is a number that can uniquely identify a specific computer or other network device on the internet). We use analysis software (Google Analytics or equivalent) to look at IP addresses and cookies for the purpose of enhancing your user experience. This data is not used to develop a personal profile of you and the log files are regularly removed.

We may sometimes collect additional information from third parties including clients, client advisers, background check providers, credit reference agencies or public open sources.

We will collect additional personal information during service-related activities throughout the period of providing services to you.

5. How we will use information about you

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to perform the contract we have entered into with you.
2. Where we need to comply with a legal obligation.
3. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations, which are likely to be rare:

1. Where we need to protect your interests (or someone else's interests).
2. Where it is needed in the public interest.

6. Situations in which we will use your personal information

We need all the categories of information in the list above (see 'The kind of information we hold about you' on page 1, point 3.) primarily to allow us to perform contracts with you and to enable us to comply with legal obligations. In some cases, we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below.

- Providing bespoke professional services to you
- Administering the contract we have entered into with you
- Business management and planning, including accounting and auditing
- Making arrangements for the termination of our commercial relationship
- Education, training and development requirements
- Dealing with legal disputes involving you
- To prevent fraud
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.
- To conduct data analytics studies to review and better understand client retention and attrition rates.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

7. If you fail to provide personal information

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you, or we may be prevented from complying with our legal obligations.

8. Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

9. How we may use special category data

Special Category Data requires higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with your explicit written consent.
2. Where we need to carry out our legal obligations and in line with our data protection policy.
3. Where it is needed in the public interest, such as for equal opportunities monitoring, and in line with our data protection policy.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

10. Automated decision-making

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision-making in the following circumstances:

1. Where we have notified you of the decision and given you 21 days to request a reconsideration.
2. Where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights.
3. In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

If we make an automated decision on the basis of any Special Category Data, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making unless we have a lawful basis for doing so and we have notified you.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

You have the right to ask for a human being only to make the decisions about your information.

11. Data sharing

We may have to share your data with third parties, including third-party service providers.

We require third parties to respect the security of your data and to treat it in accordance with the law.

If we do, you can expect a similar degree of protection in respect of your personal information.

12. Why might we share your personal information with third parties?

We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

13. Which third-party service providers process your personal information?

"Third parties" includes third-party service providers (including contractors and designated agents). The following activities are carried out by third-party service providers:

- Microsoft O365 – (Emails and SharePoint data) stored in EU datacentres located in Austria (Vienna), Finland (Helsinki), France (Paris, Marseille), Ireland (Dublin), Netherlands (Amsterdam)
- Microsoft Teams – UK data centres located in Durham, London, Cardiff

- Verifile – process credit checks, global sanctions checks, adverse media checks etc.
- QuickBooks – used to process invoices and payments received
- DNA – process our accounts
- PRISM – brain mapping tests for candidates/clients to complete
- Resolution IT – used to provide us with IT services
- Potting Shed – used to update our bespoke OSA System
- Offshore Payroll – used to process payroll of our temporary workers
- OSA Clients – may require processing checks and sign off paperwork obtained by OSA

14. How secure is your information with third-party service providers?

All our third-party service providers 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.

15. What about other third parties?

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. We may also need to share your personal information with a regulator or to otherwise comply with the law.

16. Data security

We have put in place measures to protect the security of your information. Details of these measures are available upon request.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions, and they are subject to a duty of confidentiality. Details of these measures may be obtained from Esther Weyson, Data Privacy Manager by emailing admin@osa.gg.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

17. Data retention

How long will we keep your information for?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. We will keep your personal information for as long as you are associated with OSA Recruitment Ltd. After you cease to be associated, we are required to keep your information for a period of 6 years in order to respond to any questions or complaints, show we treated you fairly and comply with any legal and regulatory rules regarding record keeping. We may be required for legal or regulatory reasons to keep your personal information for longer than 6 years.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you

are no longer associated with the company we will retain and securely destroy your personal information in accordance with our data retention policy and/or applicable laws and regulations.

18. Rights of access, correction, erasure, and restriction

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

Your rights in connection with personal information

Under certain circumstances, by law you have the:

- **Right to information about why personal data is collected from you:** when you are asked to provide any information about yourself, there is a legal requirement for us to make it clear who we are and what exactly is going to happen to your data – in legal terms this is known as giving you 'fair processing information'.
- **Right of access:** this entitles you to ask what data we hold about you and why by submitting a 'subject access request'. We must respond to your request within one month, although this can be extended if the request is complex.
- **Right to object to processing for direct marketing purposes:** if we are using your personal data to market products or services to you, you have a right to tell us to stop.
- **Right to object to processing on grounds of public interest:** this right is difficult to sum up as there are occasions where it does not apply. Generally speaking, it means that you have the right to ask us to stop processing your personal data because it is in our 'legitimate interests', or in the public interest. However, we can refuse your request if we are able to prove our reasons outweigh your reasons for wanting us to stop.
- **Right to object to processing for historical or scientific purposes:** if we are using your personal data for historical research or scientific purposes, you have the right to ask us to stop.
- **Right to rectification:** if we have information about you that is not factually correct and accurate you have the right to have the information put right.
- **Right to erasure:** this right is sometimes called the 'right to be forgotten'. In certain circumstances, you have the right to tell us to delete your information from our records entirely.
- **Right to restriction of processing:** in certain circumstances you have the right to tell us that we can only use your information for a specific purpose, or purposes.
- **Right to not be subject to decisions based on automated processing:** this means that you have the right to ask for a human being to make decisions about your information. This is to avoid the "computer says no" scenario whereby you may be refused a product or service solely based on an algorithm, or other automated decision-making processes.
- **Right of data portability:** you can tell us to remove your information from our systems and give it to you in a format that is 'machine-readable' so that it can be easily transported and entered into another organisation's IT system.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact Esther Weyson, Data Privacy Manager in writing at admin@osa.gg.

19. No fee required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights).

20. What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

21. Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact Esther Weysom, Data Privacy Manager in writing at admin@osa.gg. 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 in law.

22. Data protection officer and complaints

We have appointed Esther Weysom as Data Privacy Manager to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact Esther in writing at admin@osa.gg. You have the right to make a complaint at any time to the Authority established pursuant to the Guernsey Data Protection Law and to appeal any decisions. They can be contacted as follows:

Name: The Office of the Data Protection Authority

Telephone: 01481 742074

Email: enquiries@odpa.gg

23. Changes to this privacy notice

We reserve the right to update this privacy notice at any time, our most up to date version is available on our website. We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this privacy notice, please contact Esther Weysom, Data Privacy Manager at admin@osa.gg.

This policy was last updated on 21 October 2022.