

Company Name:	Jambo Ltd ('the Company')
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Document:	Privacy Notice (including for use on the company website)
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The Company is a recruitment business which provides work-finding services to its clients and work-seekers. The Company must process personal data (including special categories of personal data) so that it can provide these services – in doing so, the Company acts as a data controller.

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. 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 this privacy statement. We will comply with current data protection laws at all times.

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### **1. Collection and use of personal data**

#### **a. Purpose of processing and legal basis**

The Company will collect your personal data (which may include special categories of personal data) and will process your personal data for the purposes of providing you with work-finding services. This includes for example, contacting you about job opportunities, assessing your suitability for those opportunities, updating our databases, putting you forward for job opportunities, arranging payments to you and developing and managing our services and relationship with you and our clients.

On some occasions we may be required to use your data for the purpose of investigating, reporting and detecting crime and also to comply with laws that apply to us. We may also use your information during the course of internal audits to demonstrate our compliance with certain industry standards.

We must have a legal basis to process your personal data. The legal bases we rely upon to offer our work-finding services to you are:

- Your consent
- Where we have a legitimate interest
- To comply with a legal obligation that we have
- To fulfil a contractual obligation that we have with you

#### **b. Legitimate interest**

This is where the Company has a legitimate reason to process your data provided it is reasonable and does not go against what you would reasonably expect from us. Where the Company has relied on a legitimate interest to process your personal data our legitimate interests is/are as follows:

- Managing our database and keeping work-seeker records up to date;
- Providing work-finding services to you and our clients;
- Contacting you to seek your consent where we need it;
- Giving you information about similar products or services to those that you will have used from us recently;

#### **c. Statutory/contractual requirement**

The Company has certain legal and contractual requirements to collect personal data (e.g. to comply with the Conduct of Employment Agencies and Employment Businesses Regulations 2003, immigration and tax legislation, and in some circumstances safeguarding requirements). Our clients may require this personal data, and we may need your data to enter into a contract with you. If you do not give us the personal data we need to collect in order to comply with our statutory and legal requirements, we may not be able to continue to provide work-finding services to you.

#### **d. Recipient/s of data**

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

- Clients (who we may introduce or supply you to)
- Your former employers who we may seek references from

- Payroll service providers who manage payroll on our behalf or other payment intermediaries who we may introduce you to
- Other recruitment agencies in the supply chain
- Auditors who are assessing the compliance and processes of the business to ensure its adherence to all relevant legislation and good practice guidance
- Third party safeguarding companies who may collect your personal documents and obtain your references on our behalf.

## **2. Information to be provided when data collected not from the data subject**

**Categories of data:** The Company has collected the following personal data on you:

*Personal data:*

- Name, address, mobile no., email
- National insurance no.
- Bank details
- Emergency Contact details
- Nationality (through right to work check)
- Employment History

*Special categories of personal data:*

- Health information including whether you have a disability
- Criminal conviction(s) including overseas police check (if applicable)
- Barred Lists
- Teacher Reference Number (if applicable)
- Qualifications

**Source of the personal data:** The Company sourced your personal data/special categories of personal data:

- From jobs boards, LinkedIn
- A former employer
- A referee whose details you previously provided to us
- Software providers who we use to support our services
- Cookies listed in section 7
- From a third party safeguarding company who we have outsourced to collect your documents

This information came from a publicly accessible source.

## **3. Overseas Transfers**

The Company may transfer the information you provide to us to countries outside the UK and/or the European Economic Area ('EEA') for the purposes of providing you with work-finding services. We will take steps to ensure adequate protections are in place to ensure the security of your information. The EEA comprises the EU member states plus Norway, Iceland and Liechtenstein.

#### **4. Data retention**

The Company will retain your personal data only for as long as is necessary for the purpose we collect it. Different laws may also require us to keep different data for different periods of time. For example, the Conduct of Employment Agencies and Employment Businesses Regulations 2003, require us to keep work-seeker records for at least one year from (a) the date of their creation or (b) after the date on which we last provide you with work-finding services. We are required to keep your records relating to the right to work in the UK 2 years after employment or the engagement has ended alterable and working time records including your 48 hour opt out notice annual leave/holiday records 2 years from the time they were created.

Additionally, we must also keep your payroll records, holiday pay, sick pay and pensions auto-enrolment records for as long as is legally required by HMRC and associated national minimum wage, social security and tax legislation. This is currently 3 to 6 years.

Where the Company has obtained your consent to process your personal and special categories of 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 data and sensitive personal data.

The Conduct of Employment Agencies and Employment Businesses Regulations 2003 requires us to keep work-seeker records for at least one year from (a) the date of their creation or (b) after the date on which we last provide you with work-finding services. We must also keep your payroll records, holiday pay, sick pay and pensions auto-enrolment records for as long as is legally required by HMRC and associated national minimum wage, social security and tax legislation.

If we arrange an interview or an engagement then we must retain your records for 6 years from the date of interview or the last day of assignment for legal reasons.

#### **5. Your rights**

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;
- 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; and
- The right to withdraw consent at any time.

Where you have consented to the Company processing your personal data and sensitive personal data you have the right to withdraw that consent at any time by contacting our Data Protection Officer. Please note that if you withdraw your consent to further processing that does not affect any processing done prior to the withdrawal of that consent, or which is done according to another legal basis.

There may be circumstances where the Company will still need to process your data for legal or official reasons. Where this is the case, we will tell you and we will restrict the data to only what is necessary for those specific reasons.

If you believe that any of your data that the Company processes is incorrect or incomplete, please contact us using the details above and we will take reasonable steps to check its accuracy and correct it where necessary.

**You can also contact us using the above details if you want us to restrict the type or amount of data we process for you, access your personal data or exercise any of the other rights listed above.**

## **7. Cookies**

We may obtain data about you from cookies. These are small text files that are placed on your computer by websites that you visit. They are widely used to make websites work, or work more efficiently, as well as to provide information to the owners of the site. Cookies also enable us to deliver more personalised content.

The table below explains the cookies we use and why.

Cookie	Name	Purpose	More information
My.jambo.co	.aspxauth	This cookie stores information regarding a session, it allows someone who logs into the system to view their personal contracts, and timesheets.	<a href="https://ico.org.uk/for-organisations/guide-to-pecr/guidance-on-the-use-of-cookies-and-similar-technologies/what-are-cookies-and-similar-technologies/#cookies3">https://ico.org.uk/for-organisations/guide-to-pecr/guidance-on-the-use-of-cookies-and-similar-technologies/what-are-cookies-and-similar-technologies/#cookies3</a>

Most web browsers allow some control of most cookies through the browser settings.

## **8. Login Files**

We use IP addresses to analyse trends, administer the site, track users' movements, and to gather broad demographic information for aggregate use. IP addresses are not linked to personally identifiable information.

## **9. Links to external websites**

The Company's website may contain links to other external websites. Please be aware that the Company is not responsible for the privacy practices of such other sites. When you leave our site we encourage you to read the privacy statements of each and every website that collects personally

identifiable information. This privacy statement applies solely to information collected by the Company's website.

## **10. Sale of business**

If the Company's business is sold or integrated with another business your details may be disclosed to our advisers and any prospective purchasers and their advisers and will be passed on to the new owners of the business. Where the sale of the business results in the transfer of your details to a different data controller we will notify you of this.

## **11. Data Security**

The Company takes every precaution to protect users' information.

Only employees who need the information to perform a specific job (for example, consultants, our accounts clerk or a marketing assistant) are granted access to your information.

The Company uses all reasonable efforts to safeguard your personal information. However, you should be aware that the use of email/ the Internet is not entirely secure and for this reason the Company cannot guarantee the security or integrity of any personal information which is transferred from you or to you via email/the Internet.

If you share a device with others, we recommend that you do not select the "remember my details" function when that option is offered.

**If you have any questions about the security at our website, you can email our data protection officer at [legaldepartment@jambo.co](mailto:legaldepartment@jambo.co)**

## **12. Changes to this privacy statement**

We will update this privacy statement from time to time. We will post any changes on the statement with revision dates. If we make any material changes, we will notify you.

## **13. Complaints or queries**

If you wish to complain about this privacy notice or any of the procedures set out in it please contact our data protection officer at [legaldepartment@jambo.co](mailto:legaldepartment@jambo.co)

You also have the right to raise concerns with the Information Commissioner's Office on 0303 123 1113 or at <https://ico.org.uk/make-a-complaint/>, or any other relevant authority should your personal data be processed outside of the UK and you believe that your data protection rights have not been adhered to.

Annex A

**a) The lawfulness of processing conditions for personal data are:**

1. **Consent:** the individual has given clear consent for you to process their personal data for a specific purpose.
2. **Contract:** the processing is necessary for the performance of a contract with the data subject or in order to take specific steps before entering into a contract.
3. **Legal obligation:** the processing is necessary for compliance with a legal obligation to which the data controller/data processor is subject to.
4. **Vital interests:** the processing is necessary to protect someone's life.
5. **Public task:** the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official functions, and the task or function has a clear basis in law.
6. **Legitimate interests:** the processing is necessary for the legitimate interests pursued by the data controller or a third party, unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.

**b) The lawfulness of processing conditions for special categories of personal data are:**

1. The *data subject* has given explicit consent to the *processing* of the *special categories of personal data* for one or more specified purposes, except where the *data subject* is not permitted or able to give consent.
2. *Processing* is necessary for carrying out obligations and exercising specific rights of the *data controller* or of the *data subject* under employment, social security or social protection law, in so far as it is authorised by UK law or a collective agreement, provided for appropriate safeguards for the fundamental rights and interests of the *data subject*.
3. *Processing* is necessary to protect the vital interests of the *data subject* or another person where the *data subject* is physically or legally incapable of giving consent.
4. *Processing* is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the *personal data* are not disclosed outside that body without the consent of the *data subject(s)*.
5. *Processing* relates to *personal data* which manifestly made public by the *data subject*.
6. *Processing* is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity
7. *Processing* is necessary for reasons of substantial public interest on the basis of UK law which is proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and interests of the data subject domestic law.
8. *Processing* is necessary for the purposes of preventative or occupational medicine, for assessing the working capacity of the employee medical diagnosis, the provision of health or social care or treatment or management of health or social care systems and services on the basis of UK law or a contract with a health professional and subject to relevant conditions and safeguards.
9. *Processing* is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices on the basis of UK law.
10. *Processing* is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and interests of the *data subject*.