

## **BlackSofa Privacy Policy**

This Privacy Policy explains what we do with your personal data, whether we are in the process of helping you find a job, continuing our relationship with you once we have found you a role, providing you with a service, receiving a service from you, using your data to ask for your assistance in relation to one of our Candidates, or you are visiting our website.

It describes how we collect, use and process your personal data, and how, in doing so, we comply with our legal obligations to you. Your privacy is important to us, and we are committed to protecting and safeguarding your data privacy rights.

This Privacy Policy applies to the personal data of our Website Users, Candidates, Clients, Suppliers, and other people whom we may contact in order to find out more about our Candidates or whom they indicate is an emergency contact. It also applies to the emergency contacts of our Staff. To be clear, if you are a member of BlackSofa's' Staff, you should refer to the BlackSofa's' Staff Handbook, which is available on the BlackSofa server.

For the purpose of applicable data protection legislation (including but not limited to the General Data Protection Regulation (Regulation (EU) 2016/679) (the "GDPR"), the company responsible for your personal data ("BlackSofa" or "us") can be found here.

It is important to point out that we may amend this Privacy Policy from time to time. Please just visit this page if you want to stay up to date, as we will post any changes here.

If you are dissatisfied with any aspect of our Privacy Policy, you may have legal rights and, where relevant, we have described these as well.

This Privacy Policy applies in relevant EEA countries. This allows us to ensure that we're complying with all applicable data privacy protections, no matter where you are.

### **What kind of personal data do we collect?**

#### **Candidate Data:**

- In order to provide the best possible employment opportunities that are tailored to you, we need to process certain information about you. We only ask for details that will genuinely help us to help you, such as your name, age, contact details, education details, employment history, emergency contacts, immigration status, financial information (where we need to carry out financial background checks), and national insurance number (and of course you may choose to share other relevant information with us). Where appropriate and in accordance with local laws and requirements, we may also collect information related to your health, diversity information or details of any criminal convictions.
- To the extent that you access our website we will also collect certain data from you.

#### **Client Data:**

- If you are a BlackSofa's customer, we need to collect and use information about you, or individuals at your organisation, in the course of providing you services such as: finding Candidates who are the right fit for you or your organisation; providing you with a recruitment service (or assisting another organisation to do so); and/or notifying you of content published by BlackSofa's which is likely to be relevant and useful to you (for example our Salary Survey).
- To the extent that you access our website we will also collect certain data from you.

**Supplier Data:**

- We need a small amount of information from our Suppliers to ensure that things run smoothly. We need contact details of relevant individuals at your organisation so that we can communicate with you. We also need other information such as your bank details so that we can pay for the services you provide (if this is part of the contractual arrangements between us).
- To the extent that you access our website we will also collect certain data from you.

**People Whose Data We Receive From Candidates And Staff, Such As Referees And Emergency Contacts:**

- In order to provide Candidates with suitable employment opportunities safely and securely and to provide for every eventuality for them and our Staff, we need some basic background information. We only ask for very basic contact details, so that we can get in touch with you either for a reference or because you've been listed as an emergency contact for one of our Candidates or Staff members.

**Website Users:**

- We collect a limited amount of data from our Website Users which we use to help us to improve your experience when using our website and to help us manage the services we provide. This includes information such as how you use our website, the frequency with which you access our website, and the times that our website is most popular.

A number of elements of the personal data we collect from you are required to enable us to fulfil our contractual duties to you or to others. Where appropriate, some, for example Candidates' national insurance number and, religious affiliation, are required by statute or other laws. Other items may simply be needed to ensure that our relationship can run smoothly.

Depending on the type of personal data in question and the grounds on which we may be processing it, should you decline to provide us with such data, we may not be able to fulfil our contractual requirements or, in extreme cases, may not be able to continue with our relationship.

## **How do we collect your personal data?**

**Candidate Data:**

There are two main ways in which we collect your personal data:

1. Directly from you; and
  2. From third parties
- To the extent that you access our website or read or click on an email from us, we may also collect certain data automatically or through you providing it to us.

**Client Data:**

There are two main ways in which we collect your personal data:

- 1 Directly from you; and
  - 2 From third parties (e.g. our Candidates) and other limited sources (e.g. online and offline media).
- To the extent that you access our website or read or click on an email from us, we may also collect certain data automatically or through you providing it to us.

**Supplier Data:**

We collect your personal data during the course of our work with you.

- To the extent that you access our website or read or click on an email from us, we may also collect certain data automatically or through you providing it to us.

**People whose data we receive from candidates and staff, such as referees and emergency contacts:**

We collect your contact details only where a Candidate or a member of our Staff puts you down as their emergency contact or where a Candidate gives them to us in order for you to serve as a referee.

**Website Users:**

We collect your data automatically via cookies when you visit our website, in line with cookie settings in your browser. We will also collect data from you when you contact us via the website, for example by using the CV/brief drop & online job application.

**How do we use your personal data?**

**Candidate Data:**

- The main reason for using your personal details is to help you find employment or other work roles that might be suitable for you. The more information we have about you, your skillset and your ambitions, the more bespoke we can make our service. Where appropriate and in accordance with local laws and requirements, we may also use your personal data for things like marketing, profiling and diversity monitoring. Where appropriate, we will seek your consent to undertake some of these activities. We will store candidate data via our online database system; bullhorn and any data stored here will be used for recruitment purposes only.

**Client Data:**

- The main reason for using information about Clients is to ensure that the contractual arrangements between us can properly be implemented so that the relationship can run smoothly. This may involve: identifying Candidates who we think will be the right fit for you or your organisation; providing you with recruitment services (or assisting another organisation to do so). The more information we have, the more bespoke we can make our service.

**Supplier Data:**

- The main reasons for using your personal data are to ensure that the contractual arrangements between us can properly be implemented so that the relationship can run smoothly, and to comply with legal requirements.

**People Whose Data We Receive From Candidates And Staff, Such As Referees And Emergency Contacts:**

- We use referees' personal data to help our Candidates to find employment, which is suited, to them. If we are able to verify their details and qualifications, we can make sure that they are well matched with prospective employers. We may also use referees' personal data to contact them in relation to recruitment activities that may be of interest to them. We use the personal details of a Candidate or Staff member's emergency contacts in the case of an accident or emergency affecting that Candidates or member of Staff.

**Website Users:**

- We use your data to help us to improve your experience of using our website, for example by analysing your recent job search criteria to help us to present jobs to you that we think you'll be interested in. If you are also a Candidate or Client of BlackSofa's, we may use data from your use of our websites to enhance other aspects of our communications with, or service to, you.

- Please note that communications to and from BlackSofa's Staff including emails may be reviewed as part of internal or external investigations or litigation.

## **Who do we share your personal data with?**

### **Candidate Data:**

- We may share your personal data with various parties, in various ways and for various reasons. Primarily we will share your information with prospective employers to increase your chances of securing the job you want. Unless you specify otherwise, we may also share your information with any of our group companies and associated third parties such as our service providers where we feel this will help us to provide you with the best possible service.

### **Client Data:**

- We will share your data: primarily to ensure that we provide you with a suitable pool of Candidates. Unless you specify otherwise, we may share your information with any of our group companies and associated third parties such as our service providers to help us meet these aims.

### **Supplier Data:**

- Unless you specify otherwise, we may share your information with any of our group companies and associated third parties such as our service providers and organisations to whom we provide services.

### **People Whose Data We Receive From Candidates And Staff, Such As Referees And Emergency Contacts:**

- Unless you specify otherwise, we may share your information with any of our group companies and associated third parties such as our service providers and organisations to whom we provide services.

### **Website Users:**

- Unless you specify otherwise, we may share your information with providers of web analytics services, marketing automation platforms and social media services to make sure any advertising you receive is targeted to you.

## **How do we safeguard your personal data?**

- We care about protecting your information. That's why we put in place appropriate measures that are designed to prevent unauthorised access to, and misuse of, your personal data.

## **How long do we keep your personal data for?**

- If we have not had meaningful contact with you (or, where appropriate, the company you are working for or with) for a period of 36 months, we will delete your personal data from our systems unless we believe in good faith that the law or other regulation requires us to preserve it (for example, because of our obligations to tax authorities or in connection with any anticipated litigation). After this period, it is likely your data will no longer be relevant for the purposes for which it was collected.

## **How can you access, amend or take back the personal data that you have given to us?**

Even if we already hold your personal data, you still have various rights in relation to it. To get in touch about these, please contact us. We will seek to deal with your request without undue delay, and in any event in accordance with the requirements of any applicable laws. Please note that we may keep a record of your communications to help us resolve any issues, which you may raise.

**Right To Object:**

- If we are using your data because we deem it necessary for our legitimate interests to do so, and you do not agree, you have the right to object. We will respond to your request within 30 days (although we may be allowed to extend this period in certain cases). Generally, we will only disagree with you if certain limited conditions apply.

**Right To Withdraw Consent:**

- Where we have obtained your consent to process your personal data for certain activities (for example, for profiling your suitability for certain roles), or consent to market to you, you may withdraw your consent at any time.

**Data Subject Access Requests:**

- Just so it's clear, you have the right to ask us to confirm what information we hold about you at any time, and you may ask us to modify, update or Delete such information. At this point we may comply with your request or, additionally do one of the following:
  - we may ask you to verify your identity, or ask for more information about your request; and
  - where we are legally permitted to do so, we may decline your request, but we will explain why if we do so.

**Right To Erasure:**

- In certain situations (for example, where we have processed your data unlawfully), you have the right to request us to "erase" your personal data. We will respond to your request within 30 days (although we may be allowed to extend this period in certain cases) and will only disagree with you if certain limited conditions apply. If we do agree to your request, we will delete your data but will generally assume that you would prefer us to keep a note of your name on our register of individuals who would prefer not to be contacted. That way, we will minimise the chances of you being contacted in the future where your data are collected in unconnected circumstances. If you would prefer us not to do this, you are free to say so.

**Right Of Data Portability:**

- If you wish, you have the right to transfer your data from us to another data controller. We will help with this – either by directly transferring your data for you, or by providing you with a copy in a commonly used machine-readable format.

**Right To Lodge A Complaint With A Supervisory Authority:**

- You also have the right to lodge a complaint with your local supervisory authority.
- If your interests or requirements change, you can unsubscribe from part or all of our marketing content (for example job role emails or BlackSofa's newsletters) by clicking the unsubscribe link in the email, or by emailing us.

**How do we store and transfer your data?**

BlackSofas is part of a organisation – this is what enables us to offer the level of services that we do. In order for us to continue operating in this way, we may have to transfer or store your data. We will store any candidate & client data via our online database system; bullhorn and any data stored here will be used for recruitment purposes only.

**Who is responsible for processing your personal data on the BlackSofa's website?**

BlackSofa controls the processing of personal data on its website(s).

## **What are cookies and how do we use them?**

A "cookie" is a bite-sized piece of data that is stored on your computer's hard drive. They are used by nearly all websites and do not harm your system. We use them to track your activity to help ensure you get the smoothest possible experience when visiting our website. We can use the information from cookies to ensure we present you with options tailored to your preferences on your next visit. We can also use cookies to analyse traffic and for advertising purposes.

If you want to check or change what types of cookies you accept, this can usually be altered within your browser settings.

## **How to reject cookies**

If you don't want to receive cookies that are not strictly necessary to perform basic features of our site, you may choose to opt-out by changing your browser settings

Most web browsers will accept cookies but if you would rather we didn't collect data in this way you can choose to accept all or some, or reject cookies in your browser's privacy settings. However, rejecting all cookies means that you may not be able to take full advantage of all our website's features. Each browser is different; so check the "Help" menu of your browser to learn how to change your cookie preferences.

For more information generally on cookies, including how to disable them, please refer to [aboutcookies.org](http://aboutcookies.org). You will also find details on how to delete cookies from your computer.

## **OUR LEGAL BASES FOR PROCESSING YOUR DATA LEGITIMATE INTERESTS**

- Article 6(1)(f) of the GDPR is the one that is relevant here – it says that we can process your data where it "is necessary for the purposes of the legitimate interests pursued by [us] or by a third party, except where such interests are overridden by the interests or fundamental rights or freedoms of [you] which require protection of personal data."
- We don't think that any of the following activities prejudice individuals in any way – in fact, they help us to offer you a more tailored, efficient service, so everyone's a winner! However, you do have the right to object to us processing your personal data on this basis.
- Please note that in certain of the jurisdictions in which we operate, a different legal basis for data processing might apply in certain cases.

### **Candidate Data:**

- We think it's reasonable to expect that if you are looking for employment or have posted your professional CV information on a job board or professional networking site, you are happy for us to collect and otherwise use your personal data to offer or provide our recruitment services to you, share that information with prospective employers and assess your skills against our bank of vacancies. Once it's looking like you may get the job, your prospective employer may also want to double check any information you've given us (such as the results from psychometric evaluations or skills tests) or to confirm your references, qualifications and criminal record, to the extent that this is appropriate and in accordance with local laws. We need to do these things so that we can function as a profit-making business, and to help you and other Candidates get the jobs you deserve.
- We want to provide you with tailored job recommendations and relevant articles to read to help you on your job hunt. We therefore think it's reasonable for us to process your data to make sure that we send you the most appropriate content.

- We have to make sure our business runs smoothly, so that we can carry on providing services to Candidates like you. We therefore also need to use your data for our internal administrative activities, like payroll and invoicing where relevant.
- We have our own obligations under the law, which it is a legitimate interest of ours to insist on meeting! If we believe in good faith that it is necessary, we may therefore share your data in connection with crime detection, tax collection or actual or anticipated litigation.

**Client Data:**

- To ensure that we provide you with the best service possible, we store your personal data and/or the personal data of individual contacts at your organisation as well as keeping records of our conversations, meetings, registered jobs and placements. From time to time, we may also ask you to undertake a customer satisfaction survey. We think this is reasonable – we deem these uses of your data to be necessary for our legitimate interests as an organisation providing various recruitment services to you.

**Supplier Data:**

- We use and store the personal data of individuals within your organisation in order to facilitate the receipt of services from you as one of our Suppliers. We also hold your financial details, so that we can pay you for your services. We deem all such activities to be necessary within the range of our legitimate interests as a recipient of your services.

**People Whose Data We Receive From Candidates And Staff, Such As Referees And Emergency Contacts:**

- If you have been put down by a Candidate or a prospective member of Staff as one of their referees, we use your personal data in order to contact you for a reference. This is a part of our quality assurance procedure and so we deem this to be necessary for our legitimate interests as an organisation offering recruitment services and employing people ourselves.
- If a Candidate or Staff member has given us your details as an emergency contact, we will use these details to contact you in the case of an accident or emergency. We are sure you will agree that this is a vital element of our people-orientated organisation, and so is necessary for our legitimate interests.