

## PRIVACY NOTICE

Kind Consultancy Limited ("**we**", "**us**" or "**our**") are committed to protecting and respecting your privacy.

Our company is **Kind Consultancy Limited**, registered in England and Wales (company number 08065412) with registered office at Fourth Floor St James House, St James' Square, Cheltenham, Gloucestershire, GL50 3PR, United Kingdom. We are the data controller for the purposes of the Data Protection Laws, meaning we are responsible for the processing of your personal data.

We are a recruitment agency and recruitment business as defined in the Employment Agencies and Employment Businesses Regulations 2003 (our business). We also provide training, outsourcing, and consultancy services. We collect the personal data of the following types of people to allow us to undertake our business;

- Prospective and placed candidates for permanent or temporary roles;
- Prospective and live client contacts;
- Supplier contacts to support our services; and
- Employees, consultants, temporary workers.

Please read the following carefully to understand our privacy policies in regard to your personal data.

### 1 About this Privacy Policy

We respect and are committed to protecting your privacy and are committed to safeguarding the privacy of our customers, partners, suppliers and website users.

Our website is only intended for persons over the age of consent and we do not knowingly collect data relating to children. If you are under the age of 18, please do not use our website unless your guardian has given you their consent to do so.

**Data Protection Laws:** Our privacy policy complies with the UK data protection legislation in force from time to time.

### 2 The personal data we collect about you

Personal data means any information about an individual from which that person can be identified.

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identity Data** includes first name, last name, any previous names, username or similar identifier, marital status, title, date of birth, gender, your company, job title, compliance documentation and references verifying your qualifications and experience and your right to work in the United Kingdom, curriculum vitae and photograph, links to your professional profiles available in the public domain e.g. LinkedIn, Twitter, business Facebook or corporate website.

- **Contact Data** includes email address, telephone numbers and your postal address for billing, delivery and communications.
- **Financial Data** includes bank account and payment card details.
- **Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us.
- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, device ID and other technology on the devices you use to access our website.
- **Profile Data** includes your username and password, purchases or orders made by you, your interests, preferences, feedback and survey responses.
- **Usage Data** includes information about how you interact with and use our website or our products and services.
- **Communications Data** includes your messages sent through our website, email messages and telephone conversations.
- **Marketing Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We also collect, use and share **aggregated data** such as statistical or demographic data which is not personal data as it does not directly (or indirectly) reveal your identity (the '**anonymous data**' referred to above). For example, we may aggregate individuals' Usage Data to calculate the percentage of users accessing a specific website feature in order to analyse general trends in how users are interacting with our website to help improve the website and our service offering.

We do not collect any special category of personal data about you.

### 3 How is your personal data collected?

We collect information from and about you in the following ways:

- **Your interactions with us.** You may give us your personal data by filling in online forms on our site [www.kindconsultancy.com](http://www.kindconsultancy.com) or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
  - use our website;
  - enter our database;
  - apply for and/or use our services;
  - request marketing to be sent to you;
  - give us feedback or contact us;

- attend our events;
  - share your CV with us;
  - participate in discussion boards or other social media functions on our website;
  - information you contribute to our community, including reviews;
  - enter a competition, promotion, poll, or survey; and
  - when you report a problem with our site.
- **Automated technologies or interactions.** As you interact with our website, we will automatically collect Technical Data about your equipment, browsing actions and patterns to monitor how you use our website and services. We collect this personal data by using cookies, server logs and other similar technologies. Please see our cookie policy <https://www.kindconsultancy.com/privacy-policy/#cookies> for further details.
  - **Third parties or publicly available sources.**
  - We work closely with third parties including companies within our Group, business partners, sub-contractors in technical, professional, payment and other services, advertising networks, analytics providers, search information providers, credit reference agencies, professional advisors and others. We may receive information about you from them for the purposes of our recruitment services and ancillary support services.
  - Technical Data is collected from the following parties:
    - analytics providers such as Microsoft based outside the UK; and
    - search information providers such as Google based outside the UK.
  - Contact, Financial and Transaction Data is collected from providers of technical, payment and delivery services such as Stripe based outside the UK.
  - Identity and Contact Data is collected from publicly available sources such as LinkedIn, corporate websites, job board websites, online CV libraries, your business card, personal recommendations, and others.

#### *Information you post on our website*

Our website allows you to post information, which may be read, copied, downloaded, or used by other people. For example, when you leave a review or post a message on our website, it would be assumed that you consent for that message to be seen by others. We may include your username with your message, and your message may contain information that is personal data.

We do not specifically use this information except to allow it to be displayed or shared.

When you post your personal data, you should satisfy yourself about the privacy level of other people who might use it as once it enters the public domain, we have no control over what any individual third party may do with it. Please note we do not accept responsibility for their actions at any time.

Provided your request is reasonable and there is no legal basis for us to retain it, then at our discretion we may agree to your request to delete personal data that you have posted. You can make a request by contacting us at [enquiries@kindconsultancy.com](mailto:enquiries@kindconsultancy.com).

#### *Job application and employment*

If you send us information in connection with a job application, we may keep it for up to three years in case we decide to contact you at a later date.

If we employ you, we collect information about you and your work from time to time throughout the period of your employment. This information will be used only for purposes directly relevant to your employment. After your employment has ended, we will keep your file for six years before destroying or deleting it.

## 4 How we use your personal data

### *Legal basis*

The law requires us to have a legal basis for collecting and using your personal data. We rely on one or more of the following:

- **Performance of a contract with you:** Where we need to perform the contract we are about to enter into or have entered into with you.
- **Legitimate interests:** We may use your personal data where it is necessary to conduct our business and pursue our legitimate interests, for example to prevent fraud and enable us to give you the best and most secure customer experience. We make sure we consider and balance any potential impact on you and your rights (both positive and negative) before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law).
  - As a recruitment business and recruitment agency we introduce candidates to clients for permanent employment, temporary worker placements or independent professional contracts. The exchange of personal data of our candidates and our client contact details is a fundamental part of this process.
  - In order to support our candidates' career aspirations and our clients' resourcing needs, we require a database of candidate and client personal data. The database will contain historical information as well as current resourcing requirements.
  - To maintain, expand and develop our business, and deliver our ancillary services we need to record the personal data of prospective candidates and client contacts.

- **Legal obligation:** We may use your personal data where it is necessary for compliance with a legal obligation that we are subject to. We will identify the relevant legal obligation when we rely on this legal basis.
- **Consent:** We rely on consent only where we have obtained your active agreement to use your personal data for a specified purpose, for example if you subscribe to an email newsletter. You have the right to withdraw consent to marketing at any time by sending us an email asking us to stop emailing or contacting you.
- **Vital interests:** In situations where processing personal information is necessary to protect someone’s life, where consent is unable to be given and where other lawful bases are not appropriate, we may process personal information on the basis of vital interests. For example, we may inform relevant organisations if we have a safeguarding concern about a vulnerable person.

*Purposes for which we will use your personal data*

For ease, we have set out below a description of all of the reasons why we process your personal data.

Purpose/Use	Type of data	Legal basis and retention period
<p>To carry out our obligations arising from any contracts we intend to enter into or have entered into between you and us and to provide you with the information, products and services that you request from us or we think will be of interest to you because it is relevant to your career or to your organisation, including:</p> <p>(a) verify your identity when you use our services;</p> <p>(b) provide you with our services; and</p> <p>(c) provide you with suggestions and advice on products, services and how to obtain the most benefit.</p>	<p>(a) Identity</p> <p>(b) Contact</p>	<p>Performance of a contract with you.</p> <p>We will retain this data and continue to process this information until the contract between us ends or is terminated by either party under the terms of the contract.</p> <p>We run data routines to check individuals we have not contacted for 12 months consent to their data continuing to be held.</p>
<p>To process and deliver your order including:</p>	<p>(a) Identity</p> <p>(b) Contact</p>	<p>(a) Performance of a contract with you</p> <p>(b) Necessary for our legitimate interests (to recover debts due to us)</p>

<p>(a) manage payments, fees and charges; and</p> <p>(b) collect and recover money owed to us.</p>	<p>(c) Financial</p> <p>(d) Transaction</p> <p>(e) Marketing and Communications</p>	<p>We may retain your personal data for as long as is reasonably needed to maintain and expand our relationship with you and in order to comply with our legal and contractual obligations and/or to assist in resolving potential disputes.</p> <p>We run data routines to check individuals we have not contacted for 12 months consent to their data continuing to be held.</p>
<p>To manage our relationship with you which will include:</p> <p>(a) notifying you about changes to our terms or privacy policy; and</p> <p>(b) dealing with your requests, complaints and queries.</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Profile</p> <p>(d) Marketing and Communications</p>	<p>(a) Performance of a contract with you.</p> <p>(b) Necessary to comply with a legal obligation.</p> <p>(c) Necessary for our legitimate interests (to keep our records updated and manage our relationship with you).</p> <p>We may retain your personal data for as long as is reasonably needed to maintain and expand our relationship with you and in order to comply with our legal and contractual obligations and/or to assist in resolving potential disputes.</p> <p>We run data routines to check individuals we have not contacted for 12 months consent to their data continuing to be held.</p>
<p>To enable you to partake in a prize draw, competition or complete a survey.</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Profile</p> <p>(d) Usage</p> <p>(e) Marketing and Communications</p>	<p>(a) Performance of a contract with you.</p> <p>(b) Necessary for our legitimate interests (to study how customers use our products/services, to develop them and grow our business).</p> <p>We may retain your personal data for as long as is reasonably needed to maintain and expand our relationship with you and in order to comply with our legal and contractual obligations and/or to assist in resolving potential disputes.</p>

		We run data routines to check individuals we have not contacted for 12 months consent to their data continuing to be held.
To administer and protect our business and our website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data).	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise).  (b) Necessary to comply with a legal obligations.  We may retain your personal data for as long as is reasonably needed to maintain and expand our relationship with you and in order to comply with our legal and contractual obligations and/or to assist in resolving potential disputes.  We run data routines to check individuals we have not contacted for 12 months consent to their data continuing to be held.
To deliver relevant website content and online advertisements to you and measure or understand the effectiveness of the advertising we serve to you.	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications (f) Technical	Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy).  We may retain your personal data for as long as is reasonably needed to maintain and expand our relationship with you and in order to comply with our legal and contractual obligations and/or to assist in resolving potential disputes.  We run data routines to check individuals we have not contacted for 12 months consent to their data continuing to be held.
To use data analytics to improve our website, products/services, customer relationships and experiences and to measure the	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated

<p>effectiveness of our communications and marketing.</p>		<p>and relevant, to develop our business and to inform our marketing strategy).</p> <p>We may retain your personal data for as long as is reasonably needed to maintain and expand our relationship with you and in order to comply with our legal and contractual obligations and/or to assist in resolving potential disputes.</p> <p>We run data routines to check individuals we have not contacted for 12 months consent to their data continuing to be held.</p>
<p>To send you relevant marketing communications and make personalised suggestions and recommendations to you about goods, services or job opportunities that may be of interest to you based on your Profile Data.</p>	<p>(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile (f) Marketing and Communications</p>	<p>(a) Necessary for our legitimate interests (to carry out direct marketing, develop our products/services and grow our business).</p> <p>(b) Through Consent, having obtained your prior consent to receiving direct marketing communications.</p> <p>We may retain your personal data for as long as is reasonably needed to maintain and expand our relationship with you and in order to comply with our legal and contractual obligations and/or to assist in resolving potential disputes.</p> <p>We run data routines to check individuals we have not contacted for 12 months consent to their data continuing to be held.</p>
<p>To carry out market research through your voluntary participation in surveys.</p>		<p>Necessary for our legitimate interests (to study how customers use our products/services and to help us improve and develop our products and services).</p> <p>We may retain your personal data for as long as is reasonably needed to maintain and expand our relationship with you and in order to comply with our legal and contractual obligations and/or to assist in resolving potential disputes.</p>



		We run data routines to check individuals we have not contacted for 12 months consent to their data continuing to be held.
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**5 Direct marketing**

During the registration process on our website, you will be asked to indicate your preferences for receiving direct marketing communications from Kind Consultancy via email. You can exercise your right to accept or prevent processing for marketing purposes by checking the boxes on the forms we provide you when we collect your data. You can also exercise the right to not have your data used for marketing purposes at any time by contacting us at enquiries@kindconsultancy.com.

We may also analyse your Identity, Contact, Technical, Usage and Profile Data to form a view which products, services and offers may be of interest to you so that we can then send you relevant marketing communications.

*Third-party marketing*

We will get your express consent before we share your personal data with any third party for their own direct marketing purposes.

**6 Cookies**

For more detailed information on the cookies we use, the purposes for which we use them and how to change your cookie preferences, please see our cookie policy at <https://www.kindconsultancy.com/privacy-policy/#cookies>

**7 Sharing your information**

We may share your personal data with the below trusted third parties and suppliers who we work with to help us deliver our services to you:

- Specific third parties such as:
  - Credit reference agencies: to assist us with payment cancellations.
  - Service providers and business partners: As examples: we may pass your payment information to our payment service provider to take payments from you; or we may use fraud prevention agencies and credit reference agencies to for identity verification purposes.
  - Where you have given us explicit permission to do so, to selected third party associates whom we consider may provide products or services you would find useful.
- Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## 8 International transfers

If we should need to transfer your personal data outside of the UK to prospective employers or service providers that may carry out certain functions on our behalf, we shall ensure a similar degree of protection is afforded to the personal data being transferred by ensuring that the requisite safeguards are in place, as set out under the applicable law at the time of transfer.

We will only transfer your personal data to countries that have been deemed by the UK to provide an adequate level of protection for personal data, namely within the EU or US or as otherwise registered on the ICO website.

## Keeping your information safe

We take our privacy responsibilities seriously and therefore have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

## 9 How long we hold your information for

*How long will you use my personal data for?*

We only retain your personal data for as long as is necessary for compliance with our legal obligations as data controller. We have set out above, in section 4, details of our retention periods. In determining these retention periods we have considered the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

In some circumstances we will anonymise your personal data for research or statistical purposes. As this information can no longer be associated with you, we aim to use this information for an indefinite period.

We do the following to try to ensure that the data we hold on you is accurate:

- prior to making an introduction we check that we have accurate information about you
- we keep in touch with you so you can let us know of changes to your personal data

We segregate our data so that we keep different types of data for different time periods. The criteria we use to determine whether we should retain your personal data include:

- the nature of the personal data;
- its perceived accuracy;
- our legal obligations;
- whether an interview or placement has been arranged; and
- our recruitment expertise and knowledge of the industry by country, sector and job role.

We may store and handle your data in the following ways:

- We may archive part or all of your personal data, retain it on our financial systems only or delete all or part of the data from our main Customer Relationship Manager (CRM) system.
- We may pseudonymise parts of your data, particularly following a request for restriction or erasure of your data, to ensure that we do not re-enter your personal data on to our database, unless requested to do so.

## 10 Your legal rights

You have several rights under data protection laws in relation to your personal data. These are set out below:

- Request access to your personal data (commonly known as a "subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- Request erasure of your personal data in certain circumstances. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) as the legal basis for that particular use of your data (including carrying out profiling based on our legitimate interests). In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your right to object.
- You also have the absolute right to object any time to the processing of your personal data for direct marketing purposes (see section 5 for details of how to object to receiving direct marketing communications).
- Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- Withdraw consent at any time where we are relying on consent to process your personal data (see the table in section 4 for details of when we rely on your consent as the legal basis for

using your data). However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

- Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in one of the following scenarios:
  - If you want us to establish the data's accuracy;
  - Where our use of the data is unlawful but you do not want us to erase it;
  - Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or
  - You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

If you wish to exercise any of the rights set out above, please contact us at [enquiries@kindconsultancy.com](mailto:enquiries@kindconsultancy.com)

*No fee usually required*

You will not have to pay a fee to access your personal data (or to exercise any of the other rights), except where the request is clearly unfounded, repetitive or excessive. We may also refuse the request in these circumstances.

*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 your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

*Time limit to respond*

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

## 11 Contact details

If you have any questions about this privacy policy or about the use of your personal data or you want to exercise your privacy rights, please contact us in the following ways:

- Email address: [enquiries@kindconsultancy.com](mailto:enquiries@kindconsultancy.com)
- Postal address: Kind Consultancy, Ground Floor, Langton House, Bird St, Lichfield WS13 6PY

When you contact us via any of the above methods, we collect the data you have given to us in order to reply with the information you need. We record your request and our reply in order to increase the efficiency of our business.

We may keep personally identifiable information associated with your message, such as Identity Data, so as to be able to track our communications with you to provide a high-quality service.

## 12 Complaints

We work hard to ensure you are satisfied with the measures we take to protect your personal information. If you have any concerns, please contact us in the first instance. You also have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK regulator for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)).

## 13 Changes to the privacy notice and your duty to inform us of changes

Any changes we make to our privacy notice in the future will be posted on this page and, where appropriate, notified to you by e-mail. Please check back frequently to see any updates or changes to our privacy notice.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us, for example a new address or email address.

## 14 Third-party links

Our website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you, however please note we do not have control over these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit.

## 15 Delivery of services using third party communications software

With your consent, we may communicate using software provided by a third party such as Facebook (Whatsapp), Apple (Facetime), Microsoft (Skype) or Zoom Video Communications (Zoom).

Such methods of communication should secure your personal data using encryption and other technologies. The providers of such software should comply with all applicable privacy laws, rules and regulations, including the UK GDPR.

If you have any concerns about using a particular software for communication, please contact us using the contact details in section 12.

## Contact

Questions, comments and requests regarding this privacy notice are welcomed and should be addressed to [enquiries@kindconsultancy.com](mailto:enquiries@kindconsultancy.com)