



## **PRIVACY POLICY**

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**Sixteen South Limited (Company Number NI063274) whose registered office is at Pilots View, Heron Road, Belfast, BT3 9LE 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, in accordance with the General Data Protection Regulation (GDPR).**

We are required under data protection legislation to notify you of the information contained in this privacy notice. This notice explains how we collect and use personal data and provides information about individuals' rights. It applies to personal data provided to us, both by individuals themselves and by others.

Note if you are providing us with information you must ensure you have the authority to disclose the personal data and have provided the necessary information to the data subjects regarding its use; you may use relevant sections of this privacy notice or refer data subjects to this privacy statement if you consider it appropriate to do so. It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes or where you provide us with an individual's personal data you should ensure it is kept complete accurate and up to date.

### **CHANGES TO THIS PRIVACY NOTICE**

We reserve the right to update this privacy notice at any time. Please check our website from time to time for any changes we may make.

### **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 as long as necessary for the purposes we have told you about.
6. Kept securely.

### **THE KIND OF INFORMATION WE HOLD ABOUT YOU**

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data). There are 'special categories' of more sensitive personal data which require a higher level of protection, such as information about a person's health or sexual orientation.

The exact information we will request will depend on the type of application that has been made to us. Our policy is only to collect the personal data necessary in connection with applications made to us and we ask persons only to share personal data where it is strictly needed for those purposes. Where we need to process personal data in connection with applications made to us we ask applicants to provide the necessary information to the relevant data subjects concerned regarding its use. Most, if not all, applications that we process will be in respect of responses to job applications which have been advertised by us although this may also extend to unsolicited applications that we may receive. We process many different categories of personal data given the broad range of services we provide, including, where appropriate:

- o Contact details such as name, title, addresses, telephone numbers, and email addresses.
- o Date of birth, gender and nationality,
- o National Insurance number.
- o Bank/building society account details.
- o Information to verify identity e.g. copy of driving license or passport and a recent utility bill.
- o Insurance details.
- o Where relevant, details relating to previous experience, work or employment history and records.

We may also collect, store and use the following 'special categories' of more sensitive personal information:

- o Information about your race or ethnicity, disabilities, religious beliefs, sexual orientation, disabilities and political opinions. This is requested for equal opportunity monitoring and reporting but this is not mandatory information.
- o Information about criminal convictions and offences.

## **HOW IS YOUR PERSONAL INFORMATION COLLECTED?**

We may obtain information about you from a number of sources:

- o Where we need to process personal data in connection with applications received, we ask applicants to provide the necessary information to the data subjects regarding its use. Applicants may use relevant sections of this privacy notice or refer data subjects to this privacy statement if they consider it appropriate to do so.
- o Generally we collect personal data from applicants or from third parties acting on the instructions of the relevant applicant.
- o Information may be passed to us by third parties. Typically these organisations may be:
  - o Banks or building societies or other lenders, funders or financial organisations
  - o Current, past or prospective employers
  - o Educators and examining bodies
  - o Professional bodies and regulatory authorities
  - o Suppliers and service providers
  - o Employment and recruitment agencies
  - o Other professional services firms such as accountants, independent financial advisors, auditors, insurance companies
  - o Law enforcement, local council and departmental and non-departmental government bodies
- o On websites non-identifiable information on you may be collected
- o Other publically available sources
- o AccessNI check

## **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 necessary to perform the contract we have entered into with the data subject.
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 or for official purposes.

## **SITUATIONS IN WHICH WE WILL USE YOUR PERSONAL INFORMATION**

We need all the categories of information in the list above primarily to perform a contract with you (where applicable), to pursue legitimate interests by allowing us to process the application and provide services (provided your interests and fundamental rights do not override those interests), and to enable us to comply with legal and regulatory obligations. In some cases we may use your personal information to pursue other 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.

- o Making a decision regarding an application for a position within Sixteen South Limited
- o Communicating with you during the matter and managing our relationship.
- o Making payments and keeping financial records of transactions.
- o Seeking advice from third parties in connection with a matter.
- o Responding to any complaint or allegation against us.
- o Internal management and planning, which includes:
  - Resource management;
  - Planning;
  - Storage and archiving of files and documents.
- o Providing you with information about recent developments and opportunities that could benefit you.
- o Accounting and auditing.
- o Quality and risk management activities.
- o Providing services.
- o Developing and improving our businesses and services.
- o Maintaining and using IT systems.
- o Hosting events.
- o Complying with any requirement of law, regulation or a professional body of which we are a member.

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

## **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.

## **HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION**

‘Special categories’ of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data. 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 or exercise rights in connection with employment.
3. Where it is needed in the public interest, such as for equal opportunities monitoring.
4. Where it is needed in relation to legal claims.
5. Where you have already made the information public.

6. Where necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent.

## **DO WE NEED YOUR CONSENT?**

We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations, where it is needed in relation to legal claims or in the exercise specific rights in the field of employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

## **INFORMATION ABOUT CRIMINAL CONVICTIONS**

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.

## **AUTOMATED DECISION-MAKING**

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.

## **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. We may transfer your personal information outside the EU. If we do, you can expect a similar degree of protection in respect of your personal information.

## **WHY MIGHT YOU SHARE MY 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.

## **WHICH THIRD-PARTY SERVICE PROVIDERS PROCESS MY 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: IT services, professional advisers, storage companies and confidential waste disposal.

## **HOW SECURE IS MY 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.

## **WHAT ABOUT OTHER THIRD PARTIES?**

We may also need to share your personal information with a regulator or to otherwise comply with the law. During the course of performing our functions we may need to disclose some information to parties outside Sixteen South Limited but these disclosures are only made when required to provide services or otherwise to comply with the law. Examples might include providing information to:

- o Professional Advisers
- o Equality commission
- o Suppliers and service providers
- o Professional bodies, regulatory authorities and auditors
- o Law enforcement, local council and departmental and non-departmental government bodies

## **TRANSFERRING INFORMATION OUTSIDE THE EU**

In processing the data as set out above, we may transfer the personal information we collect about you outside the EU. We will only do so in the following circumstances:

### **WHERE YOU HAVE PROVIDED PRIOR WRITTEN CONSENT**

Where there is an adequacy decision by the European Commission in respect of the relevant country. This means that the country to which we transfer your data are deemed to provide an adequate level of protection for your personal information.

Where the transfer is pursuant to a valid cross-border transfer mechanism so that we can ensure that appropriate safeguards are in place to ensure an adequate level of protection with respect to the privacy rights of individuals as required by Article 46 of the General Data Protection Regulation e.g. the European Commission approved standard contractual clauses.

### **WHERE THE TRANSFER OTHERWISE COMPLIES WITH THE LAW**

#### **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 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.

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.

## **DATA RETENTION**

### **HOW LONG WILL YOU USE MY INFORMATION FOR?**

We will 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.

## **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 or personal information relating to others which you have provided to us changes.

Your rights in connection with personal information Under certain circumstances, by law you have the right to:

- o Request access to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- o Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- o Request erasure of your personal information. This enables you to ask us to delete or remove personal information 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 information where you have exercised your right to object to processing (see below).
- o Object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- o Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- o Request the transfer of your personal information to another party.

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 our Technical Manager, in writing.

## **NO FEE USUALLY REQUIRED**

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such 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 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.

## **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 our Technical Manager. 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. 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.

## **CHILDREN**

Our services are not aimed specifically at children as children are generally represented by parents or guardians. If you are a child and need further advice or explanation about how we would or do use your data please contact our Technical Manager.

**APPLICABLE LAW**

Please note that this privacy notice is governed by the law of Northern Ireland and the Courts of Northern Ireland will have exclusive jurisdiction in relation to same.

If you have any questions about this privacy notice, please contact our Technical Manager.

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