

## Privacy notice – client

gap personnel holdings limited ('the Company') is a recruitment business which provides work-finding, recruitment, training and related services to its clients and work-seekers.

Within our group there are several subsidiaries including:

- gap Technical Limited
- Kickstart2employment
- Gatewen Training Services Limited
- Kerr Recruitment Limited
- Atkinson Page
- Global personnel group

Our parent company is BeNext Group Inc. who is a global human resources and staffing provider; BeNext Group Inc. 3F NBF Comodio Shiodome, 2-14-1 HigashiShimbashi, Minato-ku, Tokyo 105-0021.

The Company must process personal data so that it can provide these services – in doing so, the Company acts as a data controller.

We will only use your personal data in accordance with the terms outlined in our contracts and our privacy notice.

### 1. Collection and use of personal data

- a) You may give your personal details to the company directly, such as by seeking services from us.
- b) In some circumstances, your personal details may have been provided to us by another person in your company in order for us to offer and / or perform a contractual obligation between gap personnel and your company.
- c) Your details may have been identified via publicly available sources in relation to your professional history (e.g. LinkedIn or your company website).

In any case the Company must have a legal basis for processing your personal data. We will only use your personal data in accordance with the terms of a contract and our privacy notice.

### 1.2 Purpose of processing and legal basis

The Company will collect your personal data and process your personal data, which may include sensitive data, for the purposes of providing you with our services. The legal bases we rely upon when providing and/or offering to provide these services to you are:

Legal base	Example of purpose
<b>Legal obligation</b>	to comply with law, e.g. HMRC and tax legislation.
<b>Contractual obligation</b>	to provide our services including work-finding, recruitment, training and related services; to assist us / you/your company to establish / exercise or defend legal claims.
<b>Legitimate interest</b>	for marketing and public relations in relation to our services; to improve the services we offer and provide including work-finding, recruitment, training and related services.
<b>Consent</b>	where we have explicitly obtained your consent to share your data with other potential clients e.g. to provide a testimonial and/or reference about our service provision.
<b>Public interest</b>	review if it applies where we supply into public sector.
<b>Vital interest of data subject</b>	this is unlikely, however as we do host events at our offices, in the event of an emergency situation, the limited information we hold on you would be provided to emergency services as necessary.

### 1.3 Recipient/s of data

Where we need to share your personal data, we have contracts and data sharing agreements in place with the recipients that require them to treat your information as confidential and ensure the continued protection of your data whilst in their possession. The Company will process your personal data with the following recipients:

- a) Our parent company BeNext Group Inc. and any of our group companies:

- gap Technical Limited
  - Kickstart2employment
  - Gatewen Training Services Limited
  - Kerr Recruitment Limited
  - Atkinson Page
  - Global personnel group
- b) Candidates / workers that are introduced to and/or supplied to your company;
- c) Governing bodies and authorities as required by law;
- d) Our software providers;
- e) Third party suppliers, e.g. business associates and professional advisers, such as external consultants, technical and IT support functions, independent auditors;
- f) Third party, where necessary to protect your vital interest, e.g. emergency services;
- g) Marketing technology platforms and suppliers;
- h) We may transfer your personal information to a third party as part of a sale of some or all of our business and assets to any third party or a part of any business restructuring or reorganisation. However, we will take steps with the aim of ensuring that your privacy rights continue to be protected.

## 2. Overseas transfers

The Company may transfer the information you provide to us to countries outside the European Economic Area ('EEA'). The EEA comprises the EU member states plus Norway, Iceland and Liechtenstein.

The most common reason for this is since our parent company BeNext Group Inc. is based in Japan. Whenever your data is shared with BeNext Group Inc. it is done so through our UK based secure SharePoint system.

Whenever your data is shared, inside or outside of the EEA, we will take every step possible to ensure adequate protections are in place to ensure the security of your information.

## 3. Automated decision making

The company does not use automated decision-making, including profiling. Should the company intend to change this process you will be notified in advance.

## 4. Data access restriction and retention

The Company will retain your personal data and/or sensitive data only for as long as is necessary. Different laws require us to keep different data for different periods of time.

### 4.1 Where services have not been provided

If we have not provided you/your company with our services, or had valuable contact with you (or, where appropriate, the company you are working for or with) for two consecutive years, your personal data will be deleted from our systems unless; save where we believe in good faith that the law or other regulation requires us to preserve it.

### 4.2 Where services have been provided

Your personal details may be included in several documents created during the course of our contract with you/your company. To comply with legal requirements e.g. HMRC, Agency Workers Regulation and tax legislation, your data will be kept by gap personnel for 7 tax years directly prior to the last date on which services were provided to you/your company.

Where the Company has obtained your consent to process your personal data and sensitive personal data we will do so in line with the relevant schedule detailed above. After expiry of that period your data will no longer be kept by gap personnel.

## 5. Security precautions in place to protect the loss, misuse or alteration of your information

We are committed to taking all reasonable and appropriate steps to protect the personal information that we hold from misuse, loss, or unauthorised access. We do this by having in place a range of appropriate technical and organisational measures, e.g.:

- a) encryption of our services and data;
- b) review our information collection, storage and processing practices, including physical security measures;
- c) restrict access to personal access to personal information;
- d) internal policies setting out our data security approach and training for employees, these include measures to deal with any suspected data breach.

gap systems are placed on servers dedicated to gap personnel, running on an industry standard virtualisation platform based on VMware. Our server provider, where we store most of the data, is ISO 27001 accredited and follows industry best practice and regularly patches and upgrades platforms. All servers that we use to store your data are placed in UK area and comply with the General Data Protection Regulation. Our security systems are kept up to date and align with the guidance to security information.

## 6. Your rights

Please be aware that you have the following data protection rights:

- a) The right to be informed about the personal data the Company processes on you;
- b) The right of access to the personal data the Company processes on you;
- c) The right to rectification of your personal data;
- d) The right to erasure of your personal data in certain circumstances;
- e) The right to restrict processing of your personal data;
- f) The right to data portability in certain circumstances;
- g) The right to object to the processing of your personal data that was based on a public or legitimate interest;
- h) The right not to be subjected to automated decision making and profiling; and
- i) 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 completing on-line request ([click here](#)) or emailing Data Protection Officer [dpo@gap-personnel.com](mailto:dpo@gap-personnel.com)

## 7. Complaints or queries

If you wish to complain about this privacy notice or any of the procedures set out in it please contact: Data Protection Officer by emailing [dpo@gap-personnel.com](mailto:dpo@gap-personnel.com)

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