

Applicant Privacy Policy

Complygate Limited (“Complygate”, also referred to as “we”, “us” or “our” throughout this privacy policy) is committed to safeguarding your privacy online. It is very important to us that you should be able to use and enjoy our websites without having to compromise your privacy in any way. This policy may change from time to time so please check our websites regularly.

Throughout this privacy policy we refer to “you”, the applicant, and “your” personal data and legal rights. Please see the section ‘Our role’ below, to understand whether you are an “A applicant” or an “B applicant” and how this policy will apply to you.

This privacy policy covers:

- our website - www.complygate.co.uk (“website”)
- our systems – HR Software, Global Screening platform, Compliance Centre and mobile apps (“systems”)

Complygate is responsible for the website and systems.

Our role

In most cases, Complygate acts as a data processor of all applicant personal data it receives and our clients (who request checks on an applicant’s behalf) are data controllers of that data. Our clients include employers, recruitment agencies and SIA approved contractors, as common examples. Applicants whose checks are requested by a client of Complygate are referred to as “**A applicants**” throughout this policy.

Where applicants apply for a basic individual check directly with us, Complygate is the data controller of the personal data that applicant provides to us directly. Applicants of this nature are referred to as “**B applicants**” throughout this policy.

Depending upon whether you are an **A** applicant or **B** applicant, please refer to the applicable sections of this policy for details on how we process your personal data. The sections of this policy that are not specifically addressed to either A or B applicants apply to all applicants.

Third-party links

These websites 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. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

These websites are not intended for children and we do not knowingly collect data relating to children.



It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

Who is collecting your information?

Our websites and systems are operated by Complygate Limited, whose **registered office** is:

11 Kingfisher Business Park
Arthur Street
Redditch
Worcestershire
B98 8LG

and **head office** is at:

11 Brindley Place
2 Brunswick Square
Birmingham
B1 2LP

What personally identifiable information is collected from you?

Personal information may be gathered when you submit information to us or register for services via our websites. This may include asking you for your name and address, including an email address and your profession or employer. The more accurate the information you volunteer, the better we are able to respond to your enquiries and customise your experience of our web sites.

Complygate occasionally asks users to complete surveys that we use for research purposes. Whenever we collect personal information, we include a link to this Privacy Policy on the page in question.

The data we collect about 'B Applicants'

As explained, Complygate acts as the data controller of your personal information where you are 'B applicant.' This means that we control your personal data and determine the purposes for which your data is processed.

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).

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

together follows:

- **Name and alias**
- **Date of birth**
- **Current address (and address history)**
- **Email address**
- **Contact numbers**
- **Nationality**
- **Employment history (including gaps)**
- **Educational and professional qualifications**
- **The financial and criminal information**
- **Identity and right to work documents**
- **Directorships and sanctions data**
- **Criminal history**
- **Social media details**
- **Adverse credit history including insolvency, bankruptcy, and IVA**
- **Politically exposed person disclosure**
- **Financial data including Bank statements**
- **Financial data using Open Banking**

We also collect, use and share Aggregated Data such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

We do not collect any Special Categories of Personal Data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services).

If you choose not to provide your personal data to us for the purposes outlined, we will not be able to process

the checks requested by you (A applicants) or by our clients on your behalf (B applicants).

How is your personal data collected?

We use different methods to collect data from and about you including through:

- Direct interactions. You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
 - apply for our products or services
 - create an account on our website
 - subscribe to our service or publications
 - request marketing to be sent to you
 - enter a competition, promotion or survey; or
 - give us some feedback
- Automated technologies or interactions. As you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies

We may also receive Technical Data about you if you visit other websites employing our cookies. Please see our cookie policy for further details.

- Third parties or publicly available sources. We may receive personal data about you from various third parties and public sources as set out below. Technical Data from the following parties:
 - (a) analytics providers such as Google based outside the EU;
 - (b) advertising networks such as LinkedIn, Facebook and other social media platforms based inside OR outside the EU: and
 - (c) search information providers such as Google, Bing etc. based inside OR outside the EU.
- Contact, Financial and Transaction Data from providers of technical, payment and delivery services such as Stripe, PayPal etc. based inside OR outside the EU.
- Identity and Contact Data from publicly available sources such as Companies House and the Electoral Register based inside the EU.
- Skilled worker Sponsor list based in the UK.
- UK SIA Contractor List.

How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract, we are about to enter into or have entered into with you.
- 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.
- Where we need to comply with a legal or regulatory obligation.

Generally, we do not rely on consent as a legal basis for processing your personal data other than in relation to sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so.

We have also identified what our legitimate interests are where appropriate. Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data.

Marketing

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising.

Promotional offers from us

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing).

You will receive marketing communications from us if you have requested information from us or purchased goods or services from us or if you provided us with your details when you entered a competition or registered for a promotion and, in each case, you have not opted out of receiving that marketing.

Third-party marketing

We will get your express opt-in consent before we share your personal data with any company outside the Complygate group of companies for marketing purposes.

Opting out

You can ask us or third parties to stop sending you marketing messages at any time by logging into the website and checking or unchecking relevant boxes to adjust your marketing preferences or by following the opt-out links on any marketing message sent to you or] by contacting us at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a product/service purchase, warranty registration, product/service experience or other transactions.

Cookies

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly. For more information about the cookies we use.

Change of purpose

We will only use your personal data 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 you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data 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 data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

Disclosures of your personal data

We may have to share your personal data with the parties for example, third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets or Internal Third Parties, and External Third Parties (please refer to the glossary below). 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 notice.

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.

International transfers

Information that we collect may be stored and processed in and transferred between any of the countries in which we operate in order to enable us to use the information in accordance with this privacy statement.

Complygate processes personal data in its operations centres based in the UK and India. Personal data will only be processed in the UK and India with the consent of our client (Data Controller). There is no systematic transfer of data outside of the UK or the EU for any other purpose.

Based on the international demographic of candidates and applicants it may be necessary to transfer elements of personal data to countries for the purposes of conducting background, criminal record and identity checks, including Australia, The United States and other countries which do not have data protection laws equivalent to those in force in the European Economic Area or the UK.

Information will only be transferred outside of the UK where we are required to do so based on the candidate's background and checks assigned. Complygate has undertaken appropriate assessments to determine whether the international data transfer provides an adequate level of protection to candidates. We will only transfer personal data outside the UK where we are satisfied that the third country is able to provide such protection.

Complygate is committed to using EU model clauses and full UK GDPR Contract Addendums in all contracts where data may be transferred to the USA or outside of the EEA and UK or as otherwise required.

In addition, personal information that you submit for publication on the website (this does not include the system portals which do not get published and are secure) will be published on the internet and may be available, via the internet, around the world. We cannot prevent the use or misuse of such information by others.

Data security

We 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.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

Data retention

How long will you use my personal data for?

We will only retain your personal data 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.

To determine the appropriate retention period for personal data, we consider 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 requirements.

By law we have to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for six years after they cease being customers for tax purposes.

In some circumstances you can ask us to delete your data

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

Your legal rights

Under data protection law, you have rights including:

Your right of access - You have the right to ask us for copies of your personal information.

Your right to rectification - You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

Your right to erasure - You have the right to ask us to erase your personal information in certain circumstances.

Your right to restriction of processing - You have the right to ask us to restrict the processing of your personal information in certain circumstances.

Your right to object to processing - You have the the right to object to the processing of your personal information in certain circumstances.

Your right to data portability - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

Please contact us at email: data@complygate.co.uk | telephone: 0121 655 0311 | postal address: 11 Brindley Place, 2 Brunswick Square, Birmingham, B1 2LP if you wish to make a request.

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). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your 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 may 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.

Glossary

LAWFUL BASIS

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights 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). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Comply with a legal or regulatory obligation means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

THIRD PARTIES

Internal Third Parties

Our staff, employees, contractors and agents.

External Third Parties

- Service providers acting as processors who provide IT and system administration services.
- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based in the UK who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances.

YOUR LEGAL RIGHTS

You have the right to:

Request access to your personal data (commonly known as a "data 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. 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) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal data

This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) 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 (d) you have objected to our use of your data but we need to verify whether



we have overriding legitimate grounds to use it.

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. 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.

Contact details

Our full details are:

Full name of legal entity: Complygate Limited

Name or title of DPO: Mrs Neharika

Email address: data@complygate.co.uk

Postal address: Complygate Limited, 11 Brindley Place, 2 Brunswick Square, Birmingham, B1 2LP

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

The ICO's address:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Helpline number: 0303 123 1113

ICO website: <https://www.ico.org.uk>

Approved by: Rajiv Ranjan

CEO

09/01/2023