

# Privacy Policy

## Introduction

This document outlines the Privacy Policy of Allegro Recruitment Consulting Pty Ltd (in Australia and New Zealand), Allegro Recruitment Consulting Ltd (in the UK and Europe), and Allegro Recruitment Consulting of Texas Inc (in the United States of America). All will be referred to in this document as “Allegro”.

Allegro takes seriously its commitment to preserve the privacy of the personal information that we collect.

We will only collect information that is reasonably necessary for the legitimate interest and proper performance of our activities or functions as a recruitment agency.

We may decline to collect unsolicited personal information from or about you and Allegro may take such measures as we think appropriate to purge it from our systems.

Allegro’s Privacy Policy complies with the 13 Australian Privacy Principles (APPs) contained in Schedule 1 of the *Privacy Amendment (Enhancing Privacy Protection) Act 2012*, which amends the *Privacy Act 1988*. For the latest versions of these Acts visit the ComLaw website: [www.comlaw.gov.au](http://www.comlaw.gov.au). The APPs are available from the Office of the Australian Information Commissioner (OAIC) website: <http://www.oaic.gov.au/privacy/privacy-act/australian-privacy-principles>

## GDPR

Allegro Recruitment Consulting Ltd of First Floor, Bellamy House, Winton Road, Petersfield, Hampshire, GU32 3HA UK is a “data controller” with regard to data we hold and process relating to our employees, contractors, and candidates.

As a Data Controller, we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this Privacy Notice.

This notice applies to any prospective, current and former ‘members’ of the entity referenced above. This notice does not form part of any contract for the provision of services. We may update this notice at any time.

It is important that you read this notice, together with any other Privacy Notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

## Information Collection

Allegro manages personal information as an Australian Privacy Principles (APP) entity under the Australian Privacy Principles (APPs) of the Privacy Act.

We will collect personal information from you directly when you fill out and submit one of our registration forms, application forms, or any other information in connection with your application to us for work.

As a contracted service provider to a range of Commonwealth, State and Territory government agencies, it may be necessary for us to collect and manage personal information as an Agency under different privacy arrangements. To find out if this may apply please contact us on the details noted in Section 1.13 below.

## 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 the 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 for a period that is only as long as necessary for the purposes we have told you about.
6. Kept securely.

## **Kinds of Information We Collect and Hold**

### Visiting our website

Allegro collects non-Personal Information on Site visits by users including, without limitation, which sections of the Site are most frequently visited, how often and for how long. This data is always used as aggregated, non-Personal Information, and may be shared with Allegro's partners to provide them with information relating to how Allegro's visitors 'use' the Site.

### Information of Candidates, Client and Referees

The type of personal information that we collect and hold is information that is reasonably necessary for the proper performance of our activities or functions as a recruitment agency and is likely to differ depending on whether you are:

- A Candidate – i.e. someone who is looking for a placement or work through us; or whom we have identified as a person who might be receptive to an offer of a placement or work through us;
- A Client – i.e. someone other than a Candidate who is looking to acquire our services as a recruitment agency or whom we have identified as someone who might be interested in acquiring our services; or
- A Referee – i.e. a person from whom we have sought facts or opinions regarding the suitability of one of our Candidates for work or positions through us; and who may be a Referee nominated by the Candidate, a Client or us.

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).

Where we do hold any "special categories" of more sensitive personal data about you, we will ensure it receives a higher level of protection.

Sensitive information is only collected with your (verbal or written) consent and where it is necessary for the performance of our functions and activities as a recruitment agency. Sensitive information will need to be collected where it relates to a genuine occupational requirement, for the purposes of the right to work verification or an inherent requirement of the job or work being considered. Our collection of some types of sensitive information is also governed by equal opportunity and anti-discrimination laws.

You may choose not to provide us your personal information or to act under a pseudonym. However, to do so will render us unable to provide you our services in seeking and being placed into work.

### For Candidates

We will collect, store, and use the following categories of personal information about you to identify you and facilitate the provision of our services to you (assess amenability to work offers and work availability; suitability for placements; or to manage the performance in work obtained through us):

- Name, title, date of birth, nationality.
- Phone numbers (home, work, mobile), email addresses, residential addresses, work locations.
- Personal income and employment details.
- Information submitted and obtained from the Candidates and other sources (e.g. Referees or Clients) in connection with applications for work.
- Information about personality, character, skills, qualifications, and experience.
- Information about career path and preferences.
- Information about work entitlement and ability to undertake specific types of work.
- Information about health status and ability to undertake specific types of work.
- Work performance information.
- Information about incidents in the workplace.
- Information in relation to absences from work due to leave, illness, or other causes.
- Bank details, Tax information, Insurance Details/Certificates, Superannuation accounts, 401K other Pension/Retirement Funds.
- Information required to undertake criminal history checks and obtain criminal history records.
- Information required to ascertain a Candidate's right to work (passport, visas, work permits, etc).

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

- Information about criminal convictions and offences which you may inform us about from time to time which may be used to provide advice your duties as a director, or your eligibility to act as a director of a business.

### For Clients

The type of information that we typically collect and hold about Clients is information that is necessary to help us manage the presentation and delivery of our services and includes:

- Client relationship information.
- Information about position, contracting and hiring authority.
- Information about team structures and roles.
- Information about incidents in the workplace.
- Client facility addresses, ABN, key personnel and contact details.
- Credit check and financial information.

#### For Referees

The type of information that we typically collect and hold about Referees is information that is necessary to help make determinations about the suitability of one of our Candidates for particular jobs or particular types of work and may include:

- Information about work position, authority to give a reference and preferred contact details.
- Opinions of the Referee regarding the Candidates character and work performance or work environment.
- Facts or evidence in support of those opinions, sometimes involving the Referee's own knowledge and experience of having worked with the Candidate.

#### **Collection Purposes**

The purposes for which we collect, hold, use and disclose your personal information are for legitimate interest and reasonably necessary for the proper performance of our functions and activities as a recruitment agency.

- Candidates – personal information is typically used for recruitment and work placement operations, pre-employment screening, staff management, training, remuneration, workplace health and safety, statistical purposes, and statutory compliance requirements.
- Clients – personal information is typically used for client and business relationship management, review of workplace operations and health and safety management, credit checking, statistical purposes, and statutory compliance requirements.
- Referees – personal information is typically used to confirm identity and authority to provide references and for candidate suitability assessment.

#### **How Your Personal Information Is Collected**

Generally, information will be collected directly from you.

- Candidate – information is collected through your online job board applications, LinkedIn (and other online profiles), interview processes, from referees, results of any competency test or similar, directly from you over the phone, email, text, messaging apps, your resume/CV, and other sources such as registrations or any professional disciplinary matter. We may collect additional personal information during our engagement relating to the services we provide.
- Client – information is collected when you provide it to us for business purposes.
- Referee – information is collected from the Candidate during their application for work, and from you when providing the reference.

We may also collect personal information about you from publicly available sources including newspapers, journals, directories, the Internet, and social media sites. This information will be included in our records only if reasonably necessary for the performance of our activities or functions as a recruitment agency.

#### Photos & Images

We may request proof of identification from you including copies of your passport, visa, driver's license, or any other relevant licences and will do so for the performance of our activities or functions as a recruitment agency.

#### Electronic Transactions

We may also collect personal information through our websites and social networking services such as LinkedIn, Facebook, and Twitter. We use this information to improve our website.

#### **How Your Personal Information Is Held**

When your personal information is collected it will be held in our Information Record System until it is no longer needed for any purpose for which it may be used or disclosed, at which time it will be de-identified or destroyed provided that it is lawful for us to do so.

#### Our Information Record System

Information you provide to us is stored in our secure cloud-based email servers, recruitment databases, CRM software, and document storage system, which are restricted and accessible by staff using individual log-in credentials.

#### Information 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 employees, 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. Details of these measures may be obtained from us.

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.

### **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 we need to perform the contract we have entered into with you.
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.

We will use information about you for the following purposes:

- Making decisions about salary, remuneration and compensation (based on the terms of our engagement with you, your personal services company, or your payroll provider).
- Providing recruitment support and work finding services to you and/or your business (in accordance with the terms of our engagement with you, your personal services company, or your payroll provider).
- Making decisions about your continued engagement with us (in accordance with the terms of our engagement with you, your personal services company, or your payroll provider).
- Making arrangements for the termination of our working relationship (in accordance with the terms of our engagement with you, your personal services company, or your payroll provider).
- Dealing with disputes involving you (in accordance with us performing our terms of our engagement with you, your personal services company, or your payroll provider).
- Understanding and analysing working patterns to ensure compliance with legal obligations (in accordance with the terms of our engagement with you, your personal services company, or your payroll provider).
- To prevent fraud (in accordance with our legal obligations).
- Processing payroll and making payments to your chosen bank account(s) in accordance with the terms of our engagement with you, your personal services company, or your payroll provider.
- Informing government entities of necessary information in order to comply with various legal obligations imposed (I.e. s44 Income Tax Earnings and Protection Act 2003) in accordance with the terms of our engagement with you.
- Equal opportunities monitoring in relation to providing access to our services to comply with our legal obligations.

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

### **If you fail to provide personal information**

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as providing our services to you or your business), or we may be prevented from complying with our legal or regulatory obligations (such as to report financial impropriety in relation to anti-money laundering),

### **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 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
3. In line with our data protection policy, and Engagement Letter and terms of business and/or

4. Where it is needed in the public interest, such as for equal opportunities monitoring and in line with our data protection policy.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public. We may also process such information about members or former members in the course of legitimate business activities with the appropriate safeguards.

#### **Disclosures**

##### General Disclosures

We may disclose your personal information for any of the purposes for which it is primarily held or for a related purpose where lawfully permitted. We may disclose your personal information where we are under a legal duty to do so, including circumstances where we are under a contractual duty to disclose information.

Disclosure will usually be internally and to our related entities, to our Clients, and to Referees for suitability and screening purposes.

##### Related Purpose Disclosures

We may outsource several services to contracted service suppliers (CSPs) from time to time. Our CSPs may see some of your personal information. Typically, our CSPs would include Software solutions providers, IT contractors and/or Background checking and screening agents.

We take reasonable steps to ensure that terms of service with our CSPs recognise that we are bound by obligations to protect the privacy of your personal information and that they will not do anything that would cause us to breach those obligations.

##### Cross-Border Disclosures

Some of your personal information is likely to be disclosed to overseas recipients. Our database providers may hold any information held on our recruitment databases on their servers in NZ, the UK, the USA, and certain other countries from time to time.

We will take such steps as are reasonable in the circumstances to ensure that the overseas recipient does not breach the Australian Privacy Principles. For individuals in the European Economic Area (EEA), this means that your data may be transferred outside of the EEA. Where your personal data is transferred outside the EEA, it will only be transferred to countries that have been identified as providing adequate protection for EEA data (like New Zealand), or to a third party where we have approved transfer mechanisms in place to protect your personal data.

#### **Data Sharing**

We may have to share your data with third parties, including third-party service providers and recruitment businesses.

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 in some circumstances which will be explained to you ahead of data being transferred.

If we do, you can expect a similar degree of protection in respect of your 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: payroll, pension administration, benefits provision, and administration, IT and record management services, and financial services. The following third-party service providers process personal information about you for the following purposes:

Background Check Agencies	To allow necessary background checks to take place in order to perform our obligations in accordance with our contract with you.
Prospective employers or end clients	In order to allow us to perform our contract with you by sharing your information with prospective employers or end clients.
ATO/HMRC	For tax compliance activities.
End clients	To whom you are engaged to provide services to enable them to manage your engagement; protect your health and safety at work; process working time and comply with their legal, regulatory and contractual obligations in relation to the same.
Payroll providers and accountants	In order to allow us to pay you for your services to the end client, in accordance with our contractual obligations.



### **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.

### **When might you share my personal information with third parties?**

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of Allegro, or for the purposes of regulatory compliance activities.

We may share your information with a third party in order to facilitate necessary background checks. In such circumstances, we will share your name, email address, role title with entities providing these services.

As part of the background check, we will verify your identity by checking your passport and viewing proof of your address either by way of a utility bill, bank statement, or driving license.

## **Data Retention**

### **How long will you use my information for?**

We will only 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. Details of retention periods for different aspects of your personal information are available from [sarah@arcaustralia.com.au](mailto:sarah@arcaustralia.com.au). 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.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer a member of Allegro, we will retain and securely destroy your personal information in accordance with our data retention policy or applicable laws and regulations (where appropriate).

## **Access, Correction, Erasure, and Restriction**

Subject to some exceptions that are set out in privacy law, you can gain access to the personal information that we hold about you. You will need to be able to verify your identity. There are some exceptions to providing access, such as when opinions have been provided confidentially in the course of our performing reference checks and access would impact on the privacy rights of other people.

Under certain circumstances, by law you have the right to:

- **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.
- **Request correction** of the personal information to ensure it remains accurate and up to date.
- **Request erasure** of some or all of your information which we hold on you, subject to us complying with our legal and regulatory obligations which may override your right to request erasure.
- **Right to request that we cease processing** some or all of your information, in whole or in part, subject to our legal and regulatory obligations which may override your right to request that we either pause our processing activities or cease processing your personal data entirely.
- **Right to request that your data is transferred to a third party** (portability) in the event that you look to use the services of a third party (such as if you chose to use another recruiter or apply for a mortgage), we will share data relating to your engagement with us with such third party (for example, your new accountant or mortgage provider), upon request.
- **Right to object** to some or all of your data no longer being processed by us (either temporarily or permanently). This will be subject to our legal and regulatory obligations which may override your right to request this, but we will ensure that such obligations and or/legitimate interest or ours (or others) are sufficiently compelling in order to override you rights in this regard.
- **If we use automated decision making or profiling**, you will be able to request manual/human intervention to ensure appropriate decisions are taken or advice provided.

If you find that personal information that we hold about you is inaccurate, out of date, incomplete, irrelevant, or misleading, please ask us to correct it by contacting us. We will take such steps as re reasonable in the circumstances to correct that information to ensure that, having regard to the purpose for which it is held, the information is accurate, up to date, complete, relevant and not misleading.

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

Please advise us if you wish to be removed from our recruitment software system. We will amend your status to “inactive” and will remove information that we have no present need for or obligation to retain.

### **No fee usually required**

You will not have to pay a fee to access or correct 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. We will generally respond to your request for access within five (5) working days.

### **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 respond to the point of contact from whom you received the last communication to which you consented to receive. 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.

### **Data Breaches**

Should we suspect a data breach, we will follow our Data Breach Response Framework. The data breach will be investigated quickly, and the appropriate notifications will be sent out. Should the breach be considered an eligible data breach, the Australian Information Commissioner (and/or relevant entities within the UK, European Union, or other countries we are providing services in) will be provided a statement as per our legal obligations and necessary processes dictated by those agencies and governing laws.

### **Complaints**

You have a right to complain about our handling of your personal information if you believe that we have interfered with your privacy. If you are making a complaint about our handling of your personal information, it should first be made to us in writing. Any complaints we receive will be investigated by our Management Team and a written response will be provided to you as soon as possible. Please contact our Managing Director on +61 3 9570 8490 or [sarah@arcaustralia.com.au](mailto:sarah@arcaustralia.com.au).

You can also make complaints to the *Office of the Australian Information Commissioner* (<http://www.oaic.gov.au/privacy/privacy-complaints>).

### **European Union**

If you are a resident of the European Union for the purposes of the GDPR, then in addition to what is set out above, the following applies to you. Allegro is a data controller for the purposes of the GDPR and by your consenting to this Privacy Statement, Allegro can process your Personal Data in accordance with this Privacy Statement. Our contact details are set out in the "More Information" paragraph below.

Should you have any concerns in relation to Allegro's collection and/or processing of your Personal Data, then in addition to the process set out in the "Complaints" section above (including the right to complain to the ICO), you have the right to complain to a supervisory authority (within the meaning of the GDPR).

### **Changes to This Privacy Notice**

We reserve the right to change and update this privacy notice at any time considering changes to privacy laws, technology, and business practice, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information. If you use our website regularly or conduct transactions with us that involve us to collect your personal information, it is important that you check this policy regularly to ensure that you are aware of the extent of any consent, authorisation or permission you might give.

### **More Information**

If you have any questions or for more information, please contact our Managing Director via email: [sarah@arcaustralia.com.au](mailto:sarah@arcaustralia.com.au) or phone: +61 3 9570 8490.