

Consultant Privacy Notice

This privacy notice explains how Options Consultancy Services Limited and, where applicable, any of its group companies ('Options') collects and processes data about applicants for consultancy roles and the data of those who are successful at application stage.

Options is a 'data controller'. This means that 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 does not form part of any contract to provide services. We may update this notice at any time but if we do so, we will provide you with an updated copy of this notice as soon as reasonably practicable including by posting it on our website at www.options.co.uk.

Please read and retain 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 and what your rights are under the data protection legislation.

Data Protection Principles

Options will comply with data protection law. This says that the personal information we hold about you must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

What information does Options collect?

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 certain types of more sensitive personal data which require a higher level of protection, such as information about a person's health or sexual orientation. Information about criminal convictions also warrants this higher level of protection. Options will collect, store and use the following categories of personal information about you:

Applicants and consultants:

- Your name, address and contact details, including email address/telephone number;
- Any CV that you submit to us and details of your qualifications, skills, experience and history, including start and end dates of previous engagements with third parties that you have held. We may ask you to provide original documents, we will take copies;
- Right to work in country, visa, passport etc. – a copy of which will be retained as part of our records;
- Information about your nationality and entitlement to work in the UK or any other country; you will be asked to provide original documents; we will take copies;
- Information about your criminal record and financial information about you such as any judgements awarded against you;
- Fee rate history or salary in previous engagements/roles;
- Results of vetting checks (against vetting databases which Options uses);
- Google and social media checks;
- Disclosure and Barring Service (DBS) or disclosure checks where we have a legal requirement or reason for doing this;
- References we may have obtained about you.

Consultants we engage:

- All contractual documents such as ToRs and scopes of work relating to your engagement and which include terms for the remuneration package agreed with you;
- Details of programmes and engagements you work on;
- Details about hours/days worked by you as part of the engagement and information about rates of and actual payments made to you;
- Details of your bank account;
- Details relating to the remittance of tax in compliance with national legislation if required;
- Information about your next of kin and emergency contacts;
- Assessments of your performance as a consultant, including any related correspondence;
- Communications with you e.g., by email.

How is your personal information collected?

We collect personal information about consultants through the application and engagement process, either directly from candidates, our own staff, social media sites or sometimes from third parties or background check providers. We may sometimes collect additional information from third parties including former third parties who have engaged you, credit reference agencies or other background check agencies such as the DBS and through the vetting database which we use, currently Dow Jones. We will collect additional personal information in the course of your activities as a consultant throughout the period of you are engaged by us.

How will we use this 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:

Applicants and consultants:

- Assess your skills, qualifications, and suitability for the role.
- Carry out background and reference checks, where applicable (including refresher checks).
- Communicate with you about the recruitment process.
- Keep records related to our consultant management processes.
- Comply with legal or regulatory requirements.

Consultants whom we engage:

- Where we need to perform the contract we have entered into with you or a third party for whom you will be providing services on our behalf.
- Where we need to comply with a legal obligation.
- Where it is necessary for legitimate interests pursued by us or a third party and your interests and fundamental rights do not override those interests.

Situations in which we will use your personal information

We need all the categories of information in the list above primarily to allow us to assess your suitability for the engagement and, if appointed, perform our contract with you and to enable us to comply with legal obligations. In some cases, we may use your personal information to pursue legitimate interests provided your interests and fundamental rights do not override those interests. Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

The situations in which we will process your personal information are listed below. These situations are indicative:

Applicants and consultants:

- run consultancy recruitment processes;
- Review of CVs against a specific requirement (Terms of Reference)
- interview notes with applicants for consultancy roles.
- Inclusion of your name and CV as part of a proposal to a client

Consultants whom we engage:

- maintain accurate and up-to-date records about the consultants whom we engage and contact details (including details of who to contact in the event of an emergency), and records of contractual and statutory rights;
- for programme bidding purposes including inclusion of your Personal Data in bids that you have expressed an interest in being part of;
- for programme management purposes;
- operate and keep a record of absence and absence management procedures;

- obtain security and occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that consultants are receiving the fees or other benefits to which they are entitled;
- operate and keep a record of hours/days worked to allow effective management, to ensure that Options complies with its contractual and statutory duties and to ensure that consultants are receiving the fees and expenses to which they are entitled;
- ensure effective business administration;
- provide references on request for current or former consultants;
- respond to and defend against legal claims.

We may also use your personal information in the following situations, which are likely to be rare:

- Where we need to protect your interests (or someone else's interests).
- Where it is needed in the public interest or for official purposes.
- Where we are obliged to use the information about you in order to deal with our contractual obligations to a third party such as a client or funder.

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.

Situations in which we will use your sensitive personal information

"Special categories" of particularly sensitive personal information, such as information about your health, racial or ethnic origin, sexual orientation or trade union membership, 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 appropriate policy documents which we are required by law to maintain when processing such data. In general, we will not process particularly sensitive personal information about you unless it is necessary for performing or exercising obligations or rights in connection with employment. On rare occasions, there may be other reasons for processing, such as it is in the public interest to do so. The principal situations in which we will process your particularly sensitive personal information are listed below.

- In limited circumstances, with your explicit written consent.
- Where we need to carry out our legal obligations or exercise rights in connection with your engagement. This includes the various DBS, vetting and other checks that we have referred to in this notice.
- Where it is needed in the public interest.

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 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 that we do so in line with our data protection policy. This should be supplied to all applicants but if you have not received it please email options-compliance@options.co.uk to request a copy.

We envisage that we will hold information about criminal convictions. We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. Where appropriate, we will collect information about criminal convictions as part of the engagement process or we may be notified of such information directly by you in the course of you working for us.

Automated decision making

Options does not use this type of decision making.

Who has access to data?

Your information will be shared internally, including with members of the HR and recruitment team, legal and compliance and managers in the business area in which you are engaged. We may also have to share your data with third parties, including our funders, third-party service providers and other entities in the group. 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 in the following circumstances:

- where required by law;
- where we are putting in a proposal for a programme in respect of which you are a named individual;
- where you will be working on a specific programme and the client or funder has asked for your details;
- where it is necessary to administer the 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) and other entities within our group. The following activities are carried out by third-party service providers:

- IT services and support;
- people management system / CV and records database;
- DBS and vetting checks providers;
- financial systems providers; and
- insurance cover typically where you are travelling on our business.

Options will share your personal information with other entities in our group as part of our regular reporting activities on company performance, as part of our programme support, in the context of a business reorganisation or group restructuring exercise, for system maintenance support and/or hosting of data.

What about other third parties?

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. In this situation we will, so far as possible, share anonymised data with the other parties before the transaction completes. Once the transaction is completed, we will share your personal data with the other parties if and to the extent required under the terms of the transaction. We may also need to share your personal information with a regulator or to otherwise comply with the law.

Your data may be transferred to countries outside the European Economic Area (EEA) to comply with specific donor requirements. Data is transferred outside the EEA based on consent, legal requirement and legitimate interest to do so. Data transfers will be conducted in accordance with the conditions outlined in the data protection policy.

How does Options protect data?

Options takes the security of your data seriously. Options has internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties. Options has achieved Cyber Essentials certification to ensure that its systems comply with Government standards of Data Security.

Where Options engages third parties to process personal data on its behalf, they do so on the basis of contracts containing written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

For how long does Options keep data?

For unsuccessful applicants for specific consultancy roles we may retain your data and may contact you about future opportunities: for that reason we shall retain data for up to 2 years after the consultant has been notified that they have not been successful on that specific role.

For all other consultants: the guiding principle is that Personal Data should not be kept indefinitely and only stored for a limited and appropriate length of time. For specific queries please email options-compliance@options.co.uk.

Your rights

As a data subject, you have a number of rights as follows:

Your rights in connection with personal information

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 that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- 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).
- 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.
- 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.
- Request the transfer of your personal information to another party.

Further information about these rights is provided in the data protection policy.

If you would like to exercise any of these rights, please contact options-compliance@options.co.uk or visit the data protection section on our website.

If you believe that Options has not complied with your data protection rights, you can complain to the Information Commissioner. Details available from www.ico.gov.uk.

Where our processing is based on your consent please note that you have the right to object to the processing. Please contact options-compliance@options.co.uk if you wish to do this.

If you have any questions about this privacy notice, please contact options-compliance@options.co.uk.