

Opera Group Companies – General Privacy Policy

Company Name	The Opera Group (“The Company”)
Opera Group Companies	Richmond Nursing Ltd ProHealthCare Ltd Opera Holdings Ltd Freight Personnel Ltd Total Staff Services Ltd The WorkBank (a trading name of Total Staff Services Ltd) Head Start (a trading name of Total Staff Services Ltd) Choice Bureau (a trading name of Total Staff Services Ltd) Staff Call (a trading name of Total Staff Services Ltd) Merlin Financial Consultants
Company Contact details:	The Data Protection Officer, Opera Holdings, 15 Wheatstone Court, Waterwells Business Park, Quedgeley, Glos, GL2 2AQ Email: dataprotection@operagroup.co.uk
Policy Effective Date	16/11/20

The Opera Group knows that your personal information is very important to you. The purpose of this statement is to explain how we may use the information we obtain about you across all our systems including within our offline databases and administration systems.

The Opera Group reserves the right to amend this policy at any time: we will notify you of any necessary changes.

For the purpose of the Data Protection Act 1998 and the EU GDPR regulations, the data controller is The Opera Group.

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General Privacy Policy

This policy (together with our terms of use and any other documents referred to on it) sets out the basis on which any personal data we collect from you, or that you provide to us, will be processed by us. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it.

The Opera Group and its member companies provide work-finding services to its clients and work-seekers. The Company must process personal data (including sensitive personal data) so that it can provide these services – in doing so, the Company acts as a data controller.

You may give your personal details to the Company directly, such as on an application or registration form or via our websites, or we may collect them from another source such as a jobs board or when talking with you on the telephone. The Company must have a legal basis for processing your personal data. For the purposes of providing you with work-finding services and/or information relating to roles relevant to you, we will only use your personal data in accordance with the terms of the following statement.

Collection and use of personal data

Purpose of processing and legal basis

The Company will collect your personal data (which may include sensitive personal data) and will process your personal data for the purposes of providing you with work-finding services. The legal bases we rely upon to offer these services to you are:

- Legitimate interest
- Consent
- Legal obligation
- Contractual obligation

We collect and use your personal data for legitimate human resources, work-finding, business management, payroll processing and accounting reasons including:

- identifying and evaluating candidates for potential employment, as well as for future roles that may become available;
- recordkeeping in relation to recruiting and hiring;
- ensuring compliance with statutory and legal requirements, including the provision of tax and payroll information to HMRC as well as diversity and inclusion requirements and practices;
- conducting criminal history checks as permitted by applicable law;
- protecting our legal rights to the extent authorized or permitted by law; or

- emergency situations where the health or safety of one or more individuals may be endangered.

We process your personal data for the purposes described above: when we have your consent to do so; when necessary to enter into an employment contract with you; when necessary for us to comply with a legal obligation; or when necessary for the purposes of our legitimate interests as an employer and supplier of employment services.

Legitimate interest

Where the Company has relied on a legitimate interest to process your personal data our legitimate interests are as follows:

- in pursuit of the Company's legitimate business interest in the supply of Agency Workers to third party companies seeking employment services.
- in pursuit of the Company's legitimate business interest in the introduction of work-seekers to third party companies seeking contract or permanent staff.

Recipient/s of data

The Company will process your personal data and/or sensitive personal data with the following recipients:

- **To Our Group Companies**

We may disclose your personal data to any member of our group of companies (this means our subsidiaries, our ultimate holding company and all its subsidiaries) insofar as reasonably necessary for the purposes set out in this notice.

- **Our insurers/professional advisers**

We may disclose your personal data to our insurers and/or professional advisers insofar as reasonably necessary for the purposes of obtaining and maintaining insurance coverage, managing risks, obtaining professional advice and managing legal disputes.

- **Our clients/potential employers/partner agencies**

We may disclose your personal data and account data to our clients, potential employers, and our partner agencies insofar as reasonably necessary in relation to potential job vacancies, and in the process of representing you to employers who may have an appropriate vacancy for you and administering any job placement.

- **Providing your personal data to any third party**

Where we share your personal data with any third party, we will ensure this processing is protected by appropriate safeguards including a suitable data processing agreement with that third party.

- **To comply with legal obligations**

In addition to the specific disclosures of personal data detailed above, we may also disclose your personal data where such disclosure is necessary for compliance with a legal obligation, or in order to protect your vital interests or the vital interests of another individual.

- **Statutory/contractual requirement**

Your personal data is not required as part of a statutory and/or contractual requirement, and/or a requirement necessary to enter into a contract.

Overseas Transfers

The Company may transfer only the information you provide to us to countries outside the European Economic Area ('EEA') for the purposes of providing you with work-finding services. We will take steps to ensure adequate protections are in place to ensure the security of your information. The EEA comprises the EU member states plus Norway, Iceland and Liechtenstein.

Data retention

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

The Conduct of Employment Agencies and Employment Businesses Regulations 2003, require us to keep work-seeker records for at least one year from (a) the date of their creation or (b) after the date on which we last provide you with work-finding services.

We must also keep your payroll records, holiday pay, sick pay and pensions auto-enrolment records for as long as is legally required by HMRC and associated national minimum wage, social security and tax legislation.

We will retain details of your work history for the purposes of providing employment references. We may also need to retain details of your work history and your suitability to work, including compliance and training records, for six years following the date you last worked for us, in order to provide a legal defence against possible claims for breach of contract.

Where the Company has obtained your consent to process your personal data, we will do so in line with our retention policy. Upon expiry of that period the Company will seek further consent from you. Where consent is not granted the Company will cease to process your personal data.

Your rights under GDPR

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

- **The right to access**

You may ask us to give you access to any personal information we hold about you; we will provide you with a copy of the personal information we hold provided your request is not found to be excessive or unjustified, in which case a charge may apply; we will also require appropriate evidence of your identity. We may withhold personal information that you request according to legal constraints.

- **The right to rectification of your personal data;**

You have the right to request that we correct any incomplete or inaccurate data we hold about you.

- **The right to erasure of your personal data in certain circumstances;**

In certain circumstances you may ask us to delete the personal data that we hold about you. For example:

- it is no longer necessary for us to hold your personal data in relation to the purposes for which it was originally collected or otherwise processed;
- you withdraw your consent to any processing for which you gave us explicit consent;
- the processing is for direct marketing purposes;
- you believe we have processed your personal data unlawfully.

However, there are certain general exclusions to the right to erasure, including where processing is necessary in order to exercising the right of freedom of expression and information or for compliance with a legal obligation or for establishing, exercising or defending legal claims.

- **The right to restrict processing of your personal data;**

In certain circumstances you have the right for the processing of your personal data to be restricted. This is the case where: you do not think that the personal data we hold about you is accurate; your data is being processed unlawfully, but you do not want your data to be erased; it is no longer necessary for us to hold your personal data for the purposes of our processing, but you still require that personal data in relation to a legal claim; and you have objected to processing, and are waiting for that objection to be verified. Where processing has been restricted for one of these reasons, we may continue to store your personal data. However, we will only process it for other reasons: with your consent; in relation to a legal claim; for the protection of the rights of another natural or legal person; or for reasons of important public interest.

- **The right to data portability in certain circumstances;**

- **The right to object to processing of personal data based on public or legitimate interest;**

You can object to us processing your personal data on grounds relating to your particular situation, but only as far as our legal basis for the processing is that it is necessary for: the performance of a task carried out in the public interest, or in the exercise of any official authority vested in us; or the purposes of our legitimate interests or those of a third party. If you make an objection, we will stop processing your personal information unless we are able to: demonstrate compelling legitimate grounds for the processing, and that these legitimate grounds override your interests, rights and freedoms; or the processing is in relation to a legal claim.

- **The right not to be subjected to automated decision making and profiling;**

We do not perform automated data processing.

- **The right to withdraw consent at any time.**

If we have obtained your explicit consent to processing your personal data, you are entitled to withdraw that consent at any time. Withdrawal will not affect the lawfulness of processing before the withdrawal.

- **Your right to object to direct marketing**

You may ask us at any time not to process your personal information for marketing purposes. However, usually you will either have agreed in advance to our use of your personal information for marketing purposes, or you will be able to opt out of the use of your personal information for marketing purposes.

Complaints or queries

If you have any questions or complaints regarding this privacy notice or any of the procedures set out in it please contact the Data Protection Officer using the contact information at the top of this notice.

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.