



FOMAC Privacy Policy

Introduction

Fomac Construction Ltd is a recruitment business who provides temporary and permanent recruitment services to clients in the construction industry. We must process personal data (including sensitive personal data) so that we can provide these services – in doing so, Fomac Construction Ltd is recognised by the Information Commissioners Office (ICO) as the Data Controller i.e. we determine the purposes and means of processing an individual's Personal Data.

We have appointed a data protection officer (DPO) who is responsible for overseeing questions in relation to this privacy policy. If you have any questions about this privacy policy, including any requests to exercise *your legal rights*, please contact the DPO using the details set out below.

- **Head Office Address:** Fomac House, 13 Steele Road, Park Royal. London NW10 7AR
- **Contact Tel No:** 020 8961 4004
- **Lead Data Protection Officer:** James Mc Mahon
- **Contact Email Address:** gdpr@fomac.co.uk

Complaints

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.

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

Scope of this Privacy Policy

Fomac Construction Ltd is committed to respecting your right of privacy and as such this policy:

- sets out the types of Personal Data that we collect;
- explains how and why we collect and use Personal Data;
- explains how long we keep Personal Data for;
- explains when, why and with whom we will share Personal Data;
- sets out the legal basis we have for using Personal Data;
- explains the effect of refusing to provide Personal Data when requested;
- explains the different rights and choices a person has when it comes to their Personal Data; and
- explains how we may contact you and how you can contact us.

Changes to our Privacy Policy

We review our policies annually or sooner if there is an amendment to law or if there is a change in circumstances. You should check this page from time to time to ensure that you are happy with any changes.



Who do we collect data from?

We collect Personal Data from the following types of people to carry out our business

- A candidate – either existing or prospective
- A client – either existing or prospective
- A user of our website
- A supplier to our company
- A Fomac Construction Ltd employee

What is Personal Data?

Personal data is any information that can identify a person as a living individual.

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

- **Identity Data** includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender.
- **Contact Data** includes address, email address and telephone numbers.
- **Financial Data** includes salary details.
- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.
- **Profile Data** includes your username and password, your interests, preferences, feedback, survey responses, psychometric tests and aptitude tests.
- **Usage Data** includes information about how you use our website and services.
- **Communications Data** includes your preferences in receiving job alerts from us.

Information collected can also include **Sensitive Personal Data** that reveals racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic or biometric data concerning an individual's health, sex life or sexual orientation.

Sensitive Personal Data must be protected to a higher standard than generic Personal Data.

What legal basis do we have in processing your Personal Data?

If you are a candidate, a client, a user of the Fomac website, a supplier or a Fomac employee, the legal basis on which we rely for processing your information will be our legitimate interests, performance of contract and to comply with a legal or regulatory obligation

Candidates - we will be using your personal data to:

- register you as a new candidate
- match your skills, experience and education with a potential employer
- source potential opportunities or roles as part of our recruitment services
- process an application with a potential employer in order to collect monies owed to us



- collect further information needed to assess your eligibility through the various stages of recruitment.
- collate market information or trends including providing analysis to potential or actual clients
- personalise your experience and our offering with appropriate content, whether via our website or otherwise

Clients and Suppliers – We retain records of our dealings and transactions with you and where applicable, we use such records for the purposes of:

- establishing compliance of contractual obligations;
- addressing any query or dispute that may arise (including establishing, exercising or defending any legal claims);
- maintaining a backup of our systems, with the purpose of being able to restore them to a particular point in the event of a system failure or security breach;
- evaluating quality and compliance (including compliance with this Privacy Policy);
- requesting and evaluating client feedback to enable us to improve our services

Employees – we will use your Personal Data to:

- Process payroll, tax and other UK legislative requirements e.g hours worked
- Assist in the formulation and implementation of employment policies and procedures for recruitment, training, promotion, dismissal etc to ensure that they are free of any bias on grounds of sex, sexual orientation, religion or belief, race, age or disability.
- Ensure you receive the correct pay, holidays, pension and other entitlements and benefits
- Administer and protect our business

Job information from us

We may use your Personal 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 jobs may be relevant to you.

You will receive job communications alerts from us if you have requested information from us or if we have provided you with recruitment services and, in each case if you have not opted out of receiving such alerts.

From where do we source Personal Data?

Personal Data can be provided by telephone, email or otherwise directly from you for example:

- the information you provide to us while searching for a new opportunity
- the information you provide when registering with us via our website
- the information provided to us during the different stages of the recruitment process



- the information provided to us when we request feedback

Personal Data can be provided via Third Parties for example:

- Other recruitment agencies you may have registered with
- CV Library
- Job Boards
- LinkedIn
- Gumtree
- Word of mouth

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 (e.g. provide recruitment services to clients or process your job application with a potential employer). In this case, we may have to cancel a service you have with us but we will notify you if this is the case at the time.

How long will we store your Personal Data?

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 and candidates (including Contact, Identity, Financial and Transaction Data) for six years after they cease being a customer or candidate for tax and contractual purposes.

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 pension's auto-enrolment records for as long as is legally required by HMRC and associated national minimum wage, social security and tax legislation.

Disclosure of your data to third parties and Data Security

We may have to share your personal data with external third parties:

- Service providers acting as processors based inside and outside the EU who provide IT, system administration services, payroll and CV formatting
- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom.
- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based in the EU who provide consultancy, banking, legal, insurance and accounting services.

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.

Cookies and IP Policy

Our Cookies Policy can be found on our website and is reviewed annually or when there are changes in the law.

What are your Rights?

By law, you have a number of rights when it comes to your Personal Data. Further information and advice about your rights can be obtained from the Information Commissioner’s Office.

Rights	What does this mean?
1. <i>The right to be informed</i>	You have the right to be provided with clear, transparent and easily understandable information about how we use your information and your rights. This is why we are providing you with the information in this Privacy Policy.
2. <i>The right of access</i>	You have the right to obtain access to your information (if we are processing it), and certain other information (similar to that provided in this Privacy Policy). If you would like to make a request for information, please contact gdpr@fomac.co.uk . This is so you are aware and can check that we are using your information in accordance with the GDPR.
3. <i>The right to rectification</i>	You are entitled to have your information corrected if it is inaccurate or incomplete. We will respond to such a request within 1 month.

<p>4. <i>The right to erasure</i></p>	<p>This is also known as ‘the right to be forgotten’ and in simple terms, enables you to request the deletion or removal of your information where there is no compelling reason for us to keep using it. This is not a general right to erasure; there are exceptions.</p>
<p>5. <i>The right to restrict processing</i></p>	<p>You have the right to ‘block’ or suppress further use of your information. When processing is restricted, we can still store your information, but cannot use it further. We keep lists of people who have asked for further use of their information to be ‘blocked’ to make sure the restriction is respected in future.</p>
<p>6. <i>The right to data portability</i></p>	<p>You have the right to obtain and reuse your personal data for your own purpose. For example, if you decide to switch to a new recruitment agency, this enables you to move, copy or transfer your information easily between our IT system and theirs safely and securely, without affecting its usability.</p>
<p>7. <i>The right to object to processing</i></p>	<p>You have the right to object to certain types of processing, including processing for direct marketing (e.g. if you no longer want to be contacted with potential job opportunities).</p>
<p>8. <i>The right to lodge a complaint</i></p>	<p>You have the right to lodge a complaint about the way we handle or process your personal data with the ICO https://ico.org.uk.</p>
<p>9. <i>The right to withdraw consent</i></p>	<p>If you have given your consent to anything we do with your personal data, you have the right to withdraw your consent at any time (although if you do so, it does not mean that anything we have done with your personal data with your consent up to that point is unlawful). This includes your right to withdraw consent to us using your personal data for marketing purposes.</p>

Please note that should we receive any requests from you to erase data or stop processing your information 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.

Please note we may retain a record of such requests as well as the actions taken by us. This will serve as both evidence of our compliance to your request as well as enable us to take steps to curtail any future processing of your data should it be received again from a third-party source.



It is our usual practice to provide information free of charge. However, we reserve the right to charge a reasonable fee in order to cover our administrative costs of providing the information for:

- baseless or excessive/repeated requests, or
- further copies of the same information.

Please consider your request responsibly before submitting it. We will respond as soon as is practicable. This will be within one month of the date when your request is received; however, in the event that the request is likely to take longer for any reason, we will inform you of the likely timeframe at the time.

For any questions surrounding your rights or should you wish to exercise any of these rights, please contact gdpr@fomac.co.uk