

## 1. **PARADIGM PARTNERS PRIVACY STATEMENT**

### **Introduction**

- 1.1 Paradigm Partners (of 28-32 Greenwood Street, Altrincham, Cheshire WA14 1RZ) is a provider of HR support, specialising in employment law related advice, guidance and training.
- 1.2 If you use our services as an individual (private client), we will be the data controller of the personal data that you give us.
- 1.3 If you are acting on behalf of an organisation (commercial client), and you give us personal data (for instance about your employees) then we are acting as your data processor and we will separately enter into an agreement (see our Term of Business) with you about how we fulfil our contract with you.
- 1.4 We have a separate Privacy Notice for our employees, workers and contractors.

### **What is the purpose of this document?**

- 1.5 This statement describes how we collect and use personal information in accordance with the General Data Protection Regulation (GDPR).
- 1.6 This statement is not part of any contract with you, and we may update it from time to time.

### **What are the principles we will abide by?**

- 1.7 We will comply with data protection law and principles, which means that your data will be:
  - a) Used lawfully, fairly and in a transparent way.
  - b) Collected only for valid purposes that we have agreed with you and not used in any way that is incompatible with those purposes.
  - c) Relevant to the purposes we have agreed with you and limited only to those purposes.
  - d) Accurate and kept up to date.
  - e) Kept only as long as necessary for the purposes we have told you about.
  - f) Kept securely.

### **What kind of information do we hold?**

- 1.8 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).
- 1.9 We will collect, store, and use the categories and types of personal information as outlined in **Table 1** at the end of this statement.
- 1.10 Some of the information we collect, store and use may be "special categories" of more sensitive personal information which is also outlined in **Table 1**.

### **How is personal information collected?**

- 1.11 If you are a private client, we generally will only gather personal data directly from you, or from sources that you direct us to.
- 1.12 If you are a commercial client we may typically:-
- a) Collect personal information about candidates through the application and recruitment process, either directly from them or sometimes from an employment or recruitment agency. We may sometimes collect additional information from third parties including former employers, educational or training organisations etc.
  - b) Collect data from you, your employees or ex-employees, in connection with the resolving of workplace issues, contractual matters, access to statutory rights etc.
  - c) Collect personal information including contact details about you as a client.
- 1.13 We will also collect personal information via our website and mailing software (e.g. Mailchimp). We use social share buttons and Google Analytics on our website and these may store your IP address in accordance with their own privacy policies.
- 1.14 We do not gather personal information from publicly accessible sources without specifically informing the data subject, and usually only when instructed by the client organisation.

### **What purposes do we use your personal information for?**

- 1.15 We will only use your personal information where it is lawful for us to do so and consistent with this statement and any other statement or policy that we issue.
- 1.16 We will only use your data for other reasons than those outlined in this statement, if we reasonably consider that it is compatible with the original purpose for which you gave us the information.

- 1.17 **Table 1** at the end of this statement outlines why we need to use your personal information (the purpose), and our 'lawful basis'<sup>1</sup> for doing so.
- 1.18 Wherever we use your personal data for our own legitimate interests, or those of a third party, we will only do so where your interests and fundamental rights do not override our interests.
- 1.19 Although uncommon, we may process personal data including 'special categories' of data, 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.

#### **Do we need your consent?**

- 1.20 We do not need your consent if we use your personal data as outlined in this statement, because generally we will only be using your data to fulfil a contract with you.
- 1.21 In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.
- 1.22 You should be aware that it is not a condition of a contract with us that you agree to any request for consent from us.
- 1.23 If at any time you give us consent, you have the right to withdraw it. This might happen, for instance, if your only relationship with us is that you have registered for our Newsletter(<http://bit.ly/ExecutiveHRNews>). You will have given your consent when registering, and you can unsubscribe at any time.

#### **How do we protect your data?**

- 1.24 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.
- 1.25 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.
- 1.26 We will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

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<sup>1</sup> The law provides for the use of personal data in a number of prescribed circumstances which are known as the 'lawful basis' for processing personal data.

### **Who do we share your information with?**

- 1.27 We may share your personal information with third parties as long as we have a 'legal basis' for doing so.
- 1.28 Typically, third parties may include our legal and IT support services.
- 1.29 All our third-party providers are required to take appropriate security measures, and only use your data in accordance with our written instructions. They cannot use your data for their own purposes, and they are subject to a duty of confidentiality.
- 1.30 We do not directly share your information outside of the EU, but we do use a number of on-line databases that may store your information outside the EU. These include backup and synchronisation services such as Microsoft OneDrive, emailing services such as Mailchimp, and facilities such as our [psychometric profiling portal](#) and legal document databases.
- 1.31 When we use these 'on line' facilities, we ensure that they only move your data outside the EU where they are permitted to do so under Articles 44 to 49 of the GDPR.
- 1.32 We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of our 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.

### **How long do we retain your personal data for?**

- 1.33 The information we hold will be regularly reviewed to ensure its continuing relevance.
- 1.34 Your data will be retained for up to six years after the end of a case or other assignment that we have handled for you, except with regard to information gathered in the course of recruitment which will normally be retained for six months. This means that it will normally be deleted during the six months following the retention period.
- 1.35 Any data collected through cookies on our website will be deleted after 14 months. It will be automatically deleted during the next monthly deletion processing. You can manage the cookies we use on this site through the settings on your internet browser. For further information about this, go to [www.allaboutcookies.org](http://www.allaboutcookies.org).

- 1.36 When records are destroyed, whether held as paper records or in electronic format, we will ensure that they are safely and permanently erased.

**What are your rights?**

- 1.37 Under certain circumstances, you have the right by law to access the information we hold, request corrections, request deletion, object to processing, request the restriction of processing, and a transfer to another party.

- 1.38 If you want to find out more about your rights, this can be found at <https://ico.org.uk/for-the-public/>.

- 1.39 If you believe that we are not complying with your data protection rights, please tell us. You can also complain to the Information Commissioner - <https://ico.org.uk/concerns/>

**Can we change this privacy notice?**

- 1.40 We reserve the right to update this privacy notice at any time, and we will provide you with or draw your attention to a new privacy notice when we make any substantial updates that affect you. We may also notify you in other ways from time to time about the processing of your personal information.

**What if you do not provide personal data?**

- 1.41 We may not be able to provide our services to you if you do not supply us with the personal data we require.

**TABLE 1 PERSONAL DATA: OUR PURPOSE AND LAWFUL BASIS FOR PROCESSING**

Categories of data	Purpose	Lawful basis and 'special category' exceptions
<p>a) Basic personal information including</p> <ul style="list-style-type: none"> <li>Personal contact details such as name, title, addresses, telephone numbers, and personal email and IP addresses. Date of birth. Gender.</li> </ul>	<p>Dealing with legal disputes involving you, or your employees, workers and contractors if you are a Commercial Client, including accidents at work.            Providing advice on HR issues.            Registering you for events            Providing email newsletters and other correspondence to you.            Monitoring traffic to our website.</p>	<p>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).            4. With your consent to our mailing list where you are otherwise not a client of ours – see <a href="http://bit.ly/ExecutiveHRNews">http://bit.ly/ExecutiveHRNews</a> .</p>
<p>b) Financial and tax information including</p> <ul style="list-style-type: none"> <li>National Insurance number. Bank account details, payroll records and tax status information. Salary, annual leave, pension and benefits information.</li> </ul>	<p>Dealing with legal disputes involving you, or your employees, workers and contractors if you are a Commercial Client, including accidents at work.            Providing advice on HR issues.            Registering you for events</p>	<p>See 1,2 3 above.</p>
<p>c) Recruitment information including</p> <ul style="list-style-type: none"> <li>Start date. Location of employment or workplace. Copy of driving licence. Other recruitment information, including references and other information in a CV or cover letter or as part of the application process. Health information, particularly with regard to any disability. Test Results. Evidence of Skills and Qualifications. Details of Professional Memberships.</li> </ul>	<p>Making a decision about your recruitment or appointment.            Advising on the terms on which you are engaged.            To comply with a requirement to make reasonable adjustments.            Dealing with legal disputes involving you, or your employees, workers and contractors if you are a Commercial Client, including accidents at work.            Providing advice on HR issues.</p>	<p>See 1,2 3 above, and 8 below.</p>
<p>d) Employment records including</p>	<p>Gathering evidence for possible grievance or disciplinary hearings.</p>	<p>See 1,2 3 above.</p>

Categories of data	Purpose	Lawful basis and 'special category' exceptions
<ul style="list-style-type: none"> <li>Job titles, work history, working hours, training records and professional memberships, qualifications etc. Compensation history. Performance information. Disciplinary and grievance information. Absence and leave records. Contracts. Work Locations.</li> </ul>	<p>Making arrangements for the termination of your working relationship.</p> <p>Dealing with legal disputes involving you, or your employees, workers and contractors if you are a Commercial Client, including accidents at work.</p> <p>To comply with any legal and statutory requirements.</p> <p>To provide references on request for current or former employees.</p> <p>Providing advice on HR issues.</p>	
<p><b>'Special categories' of personal data</b></p>	<p>Wherever we use 'special categories' of personal data, we will need a 'lawful basis' (see 1 to 4 above in this table), and in addition, one of the 'exceptions' (4 to 8 below). In most case if you are a private client you will be giving us your consent, or we will need this information to fulfil our contract with you. If you are a commercial client, it will be your responsibility to ensure that you have a 'lawful basis' and that one of the 'exceptions' applies.</p>	
<p>f) Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.]</p>	<p>Dealing with legal disputes involving you, or your employees, workers and contractors if you are a Commercial Client, including accidents at work.</p>	<p>See 1,2 3 &amp; 4 above and:</p> <p>5. In limited circumstances, with your explicit written consent.</p> <p>6. Where we need to carry out our legal obligations or exercise rights in connection with employment.</p> <p>7. Where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our occupational pension scheme.</p> <p>8. Where processing is necessary for the establishment, exercise or defence of legal claims.</p>
<p>g) Trade union membership.</p>	<p>Dealing with legal disputes involving you, or your employees, workers and contractors if you are a Commercial Client, including accidents at work.</p> <p>Providing advice on HR issues.</p>	<p>See 1,2 3, 4, 5, 6, 7 &amp; 8 above.</p>
<p>h) Information about your health, including any medical condition, health and sickness records including</p> <ul style="list-style-type: none"> <li>details of absence or leave taken, the</li> </ul>	<p>Ascertaining your fitness to work.</p> <p>Managing sickness absence.</p> <p>To enable us to make reasonable adjustments.</p> <p>Provide advice on the administer statutory benefits such as</p>	<p>See 1,2 3, 4, 5, 6, 7 &amp; 8 above.</p> <p>8. Where processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of an employee, and medical diagnosis.</p>

Categories of data	Purpose	Lawful basis and 'special category' exceptions
<p>reasons for absences, the type of leave, information about medical or health conditions, reasonable adjustments, records of absence management discussions, correspondence with employees and written warnings.</p>	<p>maternity pay, statutory sick. Dealing with legal disputes involving you, or your employees, workers and contractors if you are a Commercial Client, including accidents at work. Gathering evidence for possible grievance or disciplinary hearings. Providing advice on HR issues.</p>	
<p>i) Genetic information and biometric data.</p>	<p>Dealing with legal disputes involving you, or your employees, workers and contractors if you are a Commercial Client, including accidents at work. Gathering evidence for possible grievance or disciplinary hearings. Providing advice on HR issues.</p>	<p>See 1,2 3, 4, 5, 6, 7 &amp; 8 above..</p>
<p>j) Information about criminal convictions and offences.</p>	<p>Dealing with legal disputes involving you, or your employees, workers and contractors if you are a Commercial Client, including accidents at work. Gathering evidence for possible grievance or disciplinary hearings. Providing advice on HR issues.</p>	<p>See 1,2 3, 4, 5, 6, 7 &amp; 8 above.</p>