

# Monarch Education Privacy Notice

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## Contents

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1.	Introduction .....	2
2.	Who we are .....	2
3.	Collection and use of personal data .....	2
4.	Source of your personal data .....	4
5.	Sharing of personal data .....	4
6.	Overseas transfers .....	6
7.	Protection of your data .....	6
8.	Data Retention .....	6
9.	Your rights.....	6
10.	Complaints or queries.....	7

## 1. Introduction

Monarch Education takes your privacy very seriously and we are committed to protecting your personal data. This includes information you provide to us and information that we obtain about you from other sources. The statement below describes what data we will obtain, how the data is used and how the data is protected.

## 2. Who we are

Monarch Education is part of the Affinity Workforce Limited group of companies (our group). Monarch Education will be responsible for the management, processing and protection of data that you provide to us.

Monarch Education is a recruitment business which provides work-finding services to its clients and work-seekers. Monarch Education must process personal data (including sensitive personal data) so that it can provide these services – in doing so, Monarch Education acts as a data controller.

You may give your personal details to Monarch Education directly, such as on an application or registration form or via our website, or we may collect them from another source such as a jobs board. Monarch Education 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.

Any questions about your data or our privacy policy can be addressed in writing to our Group Data Protection Officer, Emily Joyce - [DPO@affinityworkforce.com](mailto:DPO@affinityworkforce.com).

## 3. Collection and use of personal data

### **Purpose of processing and legal basis**

Monarch Education will collect your personal data (which may include sensitive personal data) and will process this for the purposes of providing you with work-finding services. This includes for example, contacting you about job opportunities, assessing your suitability for those opportunities, updating our databases, putting you forward for job opportunities, arranging payments to you and developing and managing our services and relationship with you and our clients.

In some cases we may be required to use your data for the purpose of investigating, reporting and detecting crime and also to comply with laws that apply to us. We may also use your information during internal audits to demonstrate our compliance with certain industry standards.

The legal bases we rely upon to offer these services to you are:

- Where we have a legitimate interest;
- To comply with a legal obligation that we have;
- To fulfil a contractual obligation that we have with you; and/or

- Your consent for direct marketing related to non-work finding services.

### **Legitimate interest**

As a recruitment business, Monarch Education has a legitimate interest in identifying suitable individuals for work opportunities with our clients provided it is reasonable and does not go against what you would reasonably expect from us. We are also interested in trends in recruitment and the development of reports that help us to advise our clients on recruitment strategies for hiring the best staff.

This can include:

- Managing our database and keeping work-seeker records up to date;
- Contacting you to seek your consent where needed;
- Providing work-finding services to you, including sending your information to our clients where you have demonstrated an interest in doing that work.

### **Legal obligations**

Given the nature of recruitment, Monarch Education has a large number of legal obligations to various individuals, clients and public bodies. Our activity is regulated and obliges us to take reasonable steps to ensure your suitability for any work opportunities that we introduce you for. As an education recruiter, we have important obligations relating to the safeguarding of children and vulnerable adults. certain information, such as copies of your passport and DBS certificate are used to determine whether you can lawfully and/or safely engage in certain types of work or activities.

We will process data related to Criminal Records solely for the purposes of fulfilling our legal obligations under Regulation 18-22 of the Conduct of Employment Agencies & Employment Businesses Regulations 2003 and the specific safeguarding legislation outlined in the statutory guidance Department for Education 'Keeping Children Safe in Education' and Welsh Government 'Keeping Learners Safe'.

We are required by law to verify a candidate's mental and physical fitness to carry out their responsibilities and permitted to ask questions about disability and health in order to establish whether an individual has physical or mental capacity for a specific role in Section 60 of the Equality Act.

We will process data related to health and disability for the purposes of fulfilling our legal obligations under Regulation 18-22 of the Conduct of Employment Agencies & Employment Businesses Regulations 2003, health and safety legislation and the statutory requirements outlined in the Department for Education's 'Keeping Children Safe in Education' and the Welsh Government's 'Keeping Learners Safe' guidance.

Where you undertake paid work through us, either directly or through an intermediary, we will be obliged to share certain data with HMRC and/or other relevant public authorities in compliance with the Income Tax (Earnings and Pensions) Act 2003.

## **Contractual obligations**

In the course of our activities, we may assume certain contractual obligations to both you and to our clients. This includes the obligation to pay you for any work undertaken and to ensure you gain the benefit of any statutory or contractual rights. It may also include certain audit rights that a client may have in relation to the services we provide.

If we are unable to obtain or hold the information necessary to meet our legal or contractual obligations we will not be able to provide work finding services to you.

## **Consent**

If we, or any member of our group, wish to contact you about other products or services not related to the provision of work finding services, we will seek your explicit consent before doing so. We will not be required to obtain such consent where you have voluntarily expressed an interest in services or where you have requested that we contact you.

From time to time we may ask you to undertake a customer satisfaction survey. You do not have to do so but this assists us to provide the best recruitment services to you.

## **4. Source of your personal data**

We source work seekers data by two different methods, either directly from you registering with us or obtaining your Curriculum Vitae (C.V.) and contact details via a job board you have uploaded it to.

It is important that the personal information we hold about you is accurate and current. Please keep us informed by emailing your recruitment consultant if your personal information changes during the period which we hold your data.

You may provide Monarch Education with details of other individuals (including, without limitation, referees and next of kin/persons to be contacted in an emergency). By doing so you are confirming that you have that person's consent to provide us with their details, to process the information for the intended purpose and to contact them for the intended purpose if necessary and/or appropriate.

## **5. Sharing of personal data**

We are not a job board, or a commercial database and we will not sell access to your data to other businesses for marketing or any other purpose.

We may share your data with the following people or companies:

### **Clients**

Monarch Education will share relevant data with our clients only when introducing you for work opportunities or supplying your services to them. We will share your information with our suppliers or partners only when it is necessary for providing you the benefit of our services. We may also share data with your former or prospective new employers in order to obtain or provide references.

### **Payroll provider or third-party employer**

Where you have chosen to use a named payroll provider or third-party employer, we will share relevant information to enable the provider to complete any legal or contractual obligations that they may have.

### **Public bodies**

We may be required by law to share your information with certain public bodies or regulatory authorities. For example; this may include HMRC in respect of payments and deductions for tax and national insurance, or a local authority in respect of information required for safeguarding purposes.

### **Third parties who ensure our business is run correctly**

Third parties we may engage to ensure we run our business correctly include:

- Auditors
- Legal advisors
- Insurers
- Government departments

### **Suitability checks**

Monarch Education use companies to carry out suitability checks on work-seekers, these include:

- Security Watchdog
- The Disclosure and Barring Service (DBS)
- Department for Education and Teaching Regulation Agency
- TP Online (DBS barred children's list checks)
- Home Office employers' checking service

### **Group Companies**

Monarch Education may share your data with other members of our group for the purposes of monitoring and managing the services provided by Monarch Education.

Other members of our group include:

- CER
- Quality Teachers
- Team 24
- 4Front Healthcare

- Medicare First
- Medicare First Nursing

## 6. Overseas transfers

Our data centres are located in Northern Ireland and the Netherlands. Monarch Education staff and other members of our group with access to your data are all based in the United Kingdom.

Monarch Education will always notify you if any of your personal information will be transferred or stored in countries outside the European Economic Area ('EEA').

## 7. Protection of your data

We are committed to taking all reasonable and appropriate steps to protect the personal information that we hold from misuse, loss or unauthorised access.

Access to your data is restricted to ensure it can only be accessed by authorised users. We have minimised the need for data to be accessed unless this is strictly necessary to meet our obligations or to respond to any reasonable and lawful request and information is regularly backed up on cloud services to reduce the risk of loss or corruption.

## 8. Data Retention

Monarch Education will retain your personal data only for as long as is necessary for the purpose we collect it. Different laws may also require us to keep different data for different periods of time.

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.

## 9. Your rights

Please be aware, you have the following Data Protection rights:

- The right to be informed about the personal data the Company processes on you;
- The right of access to the personal data the Company processes on you;
- The right to rectification of your personal data;
- The right to erasure of your personal data in certain circumstances;
- The right to restrict processing of your personal data;
- The right to data portability in respect of any data that has been provided to us directly by you;
- The right to object to the processing of your personal data that was based on a public or legitimate interest;
- The right not to be subjected to automated decision making and profiling; and

- The right to withdraw consent (where consent has been freely and lawfully provided by you) at any time.

Where you have consented to Monarch Education processing your personal data you have the right to withdraw that consent at any time by contacting your recruitment consultant.

There may be circumstances where Monarch Education will still need to process your data for legal or official reasons. We will inform you if this is the case. Where this is the case, we will restrict the data to only what is necessary for meeting those specific reasons.

You can also contact us if you want us to restrict the type or amount of data we process for you, access your personal data or exercise any of the other rights listed above.

## 10. Changes to the Privacy Notice

This Privacy Notice was last updated on 22 May 2018. If it is necessary for us to alter the terms of this Privacy Notice, we will post the revised policy on this website.

## 11. Complaints or queries

Monarch Education is committed to meeting the highest standards when collecting and using personal information and expects all staff to share this commitment. For this reason, we take any complaints very seriously. We encourage you to bring it to our attention if you think that our collection or use of your information is unfair, misleading or inappropriate.

This privacy notice was drafted with brevity and clarity in mind. It does not provide exhaustive detail of all aspects of Monarch Education's collection and use of personal information. However, we are happy to provide any additional information or explanation needed. Any requests for this should be sent to the email address below.

If you wish to complain about this privacy notice or any of the procedures set out in it please contact our Group Data Protection Officer – [DPO@affinityworkforce.com](mailto:DPO@affinityworkforce.com)

You also have the right to raise concerns with Information Commissioner's Office on 0303 123 1113 or at <https://ico.org.uk/concerns>, if you believe that your data protection rights have not been adhered to.