

Privacy Policy

Version 2023.04

Summary

Manaba is a recruitment business which provides work-finding services to its clients and work-seekers. Manaba must process personal data including special categories of personal data, so that it can provide these services, in doing so, Manaba acts as a data controller.

You may give your personal details to Manaba 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. Manaba 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 this privacy statement. We will comply with current data protection laws at all times.

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Collection & Use of Personal Data

Purpose of Processing & Legal Basis

Manaba will collect your personal data (which may include special categories of personal data) and will process your personal data 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.

If you have opted-in we may also send you marketing information and news via email/text. You can opt-out from receiving these at any time by clicking “unsubscribe” when you receive these communications from us.

On some occasions 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 the course of internal audits to demonstrate our compliance with certain industry standards.

We must have a legal basis to process your personal data. The four legal scenarios we rely upon to offer our work-finding services to you are;

- Your consent
- A legitimate interest
- To comply with a legal obligation
- To fulfil a contractual obligation

Legitimate Interest

This is where Manaba has a legitimate reason to process your data, provided it is reasonable and does not go against what you would reasonably expect from us. Some examples of our legitimate business interests are as follows;

- For administration and statistical purposes
- Managing our database and keeping work-seeker records up to date
- Providing work-finding services to you and our clients
- Contacting you to seek your consent where needed
- Giving you information about similar products or services to those that you will have used from us recently
- Contacting candidates about job opportunities
- Assessing suitability for those opportunities
- To provide clients with information about applicants
- To maintain client and job records
- Arranging interviews
- Arranging payments
- Developing and managing our relationship with our candidates and our clients

- Audits, to demonstrate our compliance with certain industry standards
- Establishing compliance with contractual obligations with clients or suppliers
- Addressing any query or dispute that may arise including legal claims
- Maintaining a backup of our system, for the purpose of being able to restore the system to a particular point in the event of a system failure or security breach
- Evaluating quality and compliance
- Determining staff training
- Determining system development requirements
- Determining the level of interaction with our web pages and app
- Providing candidates with information about similar products or services
- Collating market information or trends including providing analysis
- Personalising your experience and our service

Statutory, Contractual & Legal Obligation

Manaba has certain legal and contractual requirements to collect personal data. Our clients may require this personal data, and we may need your data to enter into a contract with you. If you do not give us the personal data we need to collect in order to comply with our statutory and legal requirements, we may not be able to continue to provide work-finding services to you.

Some examples of our legal requirements to collect personal data. These include, but are not limited to;

- To comply with the Conduct of Employment Agencies and Employment Businesses Regulations 2003
- Immigration and tax legislation & HMRC reporting
- To carry out vetting checks
- To comply with the Safeguarding Vulnerable Groups Act 2006
- To comply with the Education Health Standards (England) Regulations 2003
- To verify your suitability to work in regulated activity
- To verify your right to work
- To verify your identity
- To maintain records for specific periods

Recipients of Data

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

- Clients (who we may introduce or supply you to)
- Your former employers who we may seek references from

- Payroll service providers who manage payroll on our behalf or other payment intermediaries who we may introduce you to
- Other recruitment agencies in a supply chain if relevant
- External auditors who are assessing the compliance and processes of the business to ensure its adherence to all relevant legislation and good practice guidance

Categories of Data Collected

Manaba will collect the following data on you;

Personal Data:

- Personal details such as name, address, email address and phone number
- National Insurance Number
- Nationality through Right to Work checks
- ID documents
- Employment information such as current job position, salary and working hours
- Education and professional background information, including qualifications
- Previous application information and employment history
- Applicant subject specialism, work preferences
- Information provided on job boards and/or LinkedIn
- CV (including video CVs)
- Photograph, for clients to be able to identify our agency workers when booked
- References
- Client feedback
- Interview notes
- Online activity specific only to Manaba's websites and app

Special Category Personal Data:

- Health information, including whether you have a disability, in accordance with the Education Health Standards (England) Regulations 2003
- Criminal record information, in accordance with the Safeguarding Vulnerable Groups Act, 2006

Sources of Personal Data

Manaba may source your personal data in various ways. This is not an exhaustive list but for example:

- Directly, such as on an application via the app, website, email or by telephone
- Jobs Boards such as Indeed, Total Jobs, CV Library and others similar.

- Social Media pages such as Linked-In/Twitter/Facebook
- College or University Faires
- Recommendations from colleagues, friends, former employees and customers
- A referee whose details you previously provided to us
- Software providers who we use to support our services
- Cookies

The information does not always come from a publicly accessible source. Where information from third party sources is of no use to us, or where you have notified us that you do not want us to provide you with services, we shall discard it, however we may maintain a limited record in order to avoid the duplication of process. Where we consider that information may be of use to us in pursuance of the provision of our Recruitment Services, any processing will be in accordance with this Privacy Notice. You do have the right to object to processing, please see the 'Your rights' section below.

Cookies

We may obtain data about you from cookies. These are small text files that are placed on your computer by websites that you visit. They are widely used in order to make websites work more efficiently, as well as to provide information to the owners of the site. Cookies enable us to deliver more personalised content.

Most web browsers allow some control of most cookies through the browser settings. Please note that in a few cases some of our website features may not function if you remove cookies from your browser.

Login Files

We use IP addresses to analyse trends, administer the site, track users movements, and to gather broad demographic information for aggregate use. IP addresses are not linked to personally identifiable information.

Links to External Websites

Manaba's website and app may contain links to other external websites. Please be aware that Manaba is not responsible for the privacy practices of such other sites.

When you leave our sites we encourage you to read the privacy statements of each website that collects personally identifiable information. This privacy statement applies solely to information collected by Manaba's website & app.

This means that for our commercial viability, and to pursue these legitimate interests, we may continue to process your personal data for as long as we consider necessary for these purposes.

Sharing Personal Data

We shall not share your personal information unless we are entitled to do so. The categories of recipients with whom we may share your personal information include:

- Individuals, hirers and other third parties necessary for the provision of our Recruitment Services
- Teaching Regulation Agency to perform qualification, teacher sanction, and restriction checks
- UK Government's Visas and Immigration and the Home Office for checking Right to Work Status
- Overseas criminal records agencies and law enforcement for residents outside of the UK
- Audit and accreditation providers, such as The Recruitment and Employment Confederation (REC)
- Yoti for ID checking. The Yoti Privacy Policy is here - [Yoti developer documentationdevelopers.yoti.com](https://documentationdevelopers.yoti.com)
- UCheck for DBS applications. The UCheck Privacy Policy is here - <https://www.ucheck.co.uk/blogs/data-protection-gdpr-compliant/>
- Disclosure & Barring Service for Status Checks
- Named individuals provided as referees
- Any regulatory authority or statutory body pursuant to a request for information or any legal obligation which applies to us, for example pension providers, and HMRC for audit purposes and the provision of employment and payroll information
- Parties who process data on our behalf, which may include
 - outsourced payroll providers
 - IT support
 - storage service providers including cloud
- Legal and professional advisers
- Insurers
- Health or disability information may be shared with booking clients, with express consent, and only in situations where the medical information or disability could lead to a need for workplace adjustment, or to ensure the health & safety of our candidates and the children in their care.
- Criminal record information may be shared with booking clients, with express consent, in order for risk assessments to be completed before a candidate arrives for work. Candidates are required to take their DBS certificate to all bookings.

Automated Decisions

We may use software to assist us with our assessment of your suitability for a particular job role. If you consider that any such assessment has been made wrongly or incorrectly, we ask you to contact us.

Data Retention

Manaba will retain your personal data only for as long as is necessary for the purpose we collect it. Different laws require us to keep different data for different periods of time. For example, 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. This is currently 3 to 6 years. There is a legitimate interest to hold your personal data for no longer than 6 years after our work-finding service relationship ends. Where Manaba has obtained your consent to process your personal data and sensitive data, we will do so in line with our Data Retention table below.

Data Recorded	Period of Time Retained
Agency Worker Key Information documents, plus work seeker records including application details, CVs, ID checks, terms of engagement, details of assignments, opt out notices and interview notes. Hirer records, including client details, terms of business, assignment, and vacancy details.	1 year from the last date of providing work finding services as defined in the Conduct of Employment Agencies and Employment Business Regulations 2003 (Conduct Regulations)
Terms of Engagement with temporary workers and Terms of Business with clients.	6 years, in order to deal with any civil action in the form of contractual claim (Limitation Act 1980)
Working Time Records, 48 hour opt out notices, annual leave and holiday records.	2 years after employment or engagement has ended (unaltered)
Appraisal or Assessment records	As long as necessary
References	At least 1 year following the introduction or supply of a work seeker to a client

Right to Work records	2 years after employment or engagement has ended (unaltered)
Criminal Record checks	The Disclosure and Barring Service (DBS) Code required registered bodies to handle all information provided to them by the DBS in line with the obligations under the data protection laws and no longer than is necessary
National Minimum Wage documentation; total pay, and hours worked, overtime/shift premia, any deduction of payment of accommodation. Any absences, rest breaks, sick leave, holiday. Any travel or training during work and its length, and total number of hours in a pay reference period	3 years after the end of the pay reference period for HMRC, following the one that the records cover (National Minimum Wage Act, 1998)
Sickness records (SSP)	In the best way suited to the business
Statutory Maternity, Paternity, & Adoption Pay	3 years from the end of the tax year to which it relates
Pensions, auto enrolment (including auto enrolment date, joining date, opt in and out notices, and contributions paid	6 years except for opt out notices, which should be kept for 4 years. Further information can be found via The Pensions Regulator detailed guidance for employers
Gender Pay Gap reporting	1 year, but the statement must be kept on the government website for 3 years.
VAT	6 years
Company Accounts	6 years
Payroll Information	3 years from the end of the tax year, more information on PAYE Record Keeping Guidance on gov.uk website
ITEPA (intermediaries legislation) records	Reports are due every quarter and records are to be kept for no less than 3 years after the end of the tax year to which they relate

Your Rights

It is important that you know that you have the following Data Protection rights;

- To be informed about the personal data that Manaba processes
- To request access to the personal data that we hold
- To object to our processing of your data based on a public or legitimate interest
- Request that we restrict processing of your data
- Request that data is erased in certain circumstances
- Withdraw your consent to our processing of your personal data for a particular purpose at any stage
- Request that inaccurate or incomplete data is rectified
- The right to data portability in certain circumstances
- To make a complaint to the Information Commissioner's Office
- To request that direct marketing by us to you is stopped
- The right not to be subjected to automated decision making and profiling

Where you have consented to Manaba processing your personal data and/or sensitive personal data, you have the right to withdraw that consent at any time by contacting Emma Collins (Director). Please note that if you withdraw your consent to further processing, that does not affect any processing done prior to the withdrawal of that consent, or which is done according to another legal basis.

There may be circumstances where Manaba will still need to process your data for legal or official reasons. Where this is the case, we will tell you and we will restrict the data to only what is necessary for those specific reasons.

If you believe that any of your data that Manaba processes is incorrect or incomplete, please contact us using the details above and we will take reasonable steps to check its accuracy and correct it where necessary.

You can also contact us using the below details 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.

Data Security

Manaba takes every precaution to protect users information. Security measures such as firewalls, browser certification technology, encryption, limited access, and the use of passwords are used.

Only employees who need the information to perform a specific job (for example, consultants, our accounts clerk or a marketing assistant) are granted access to your information.

Manaba uses all reasonable efforts to safeguard your personal information. However, you should be aware that the use of email/ the Internet is not entirely secure and for this reason Manaba cannot guarantee the security or integrity of any personal information which is transferred from you or to you via email/the Internet.

If you share a device with others, we recommend that you do not select the “remember my details” function when that option is offered.

If you have any questions about the security of our website, you can email Emma Collins (Director) details below.

Sale of Business

If Manaba’s business is sold or integrated with another business your details may be disclosed to our advisers and any prospective purchasers and their advisers and will be passed on to the new owners of the business. Where the sale of the business results in the transfer of your details to a different data controller we will notify you of this.

Changes to this Privacy Notice

We will update this privacy statement from time to time. We will post any changes on the statement with revision dates. If we make any material changes, we will notify you.

Complaints

If you wish to complain about this privacy notice or any of the procedures set out in it please contact Emma Collins details below.

You also have the right to raise concerns with the Information Commissioner’s Office, detailed below.

Information Commissioner’s Office

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Helpline Number: 0303 123 1113
ICO Website: www.ico.org.uk

Company Details

Company Name: Manaba Limited

Registered Company No: 14397527

Address: Carnac Place, Cams Hall Estate, Fareham, PO16 8UY

Data Protection Officer: Emma Collins (Director)

Phone: 01329 774225

Email: emma@manaba.co.uk