



acolyte

ACOLYTE RESOURCE GROUP LIMITED

LEGITIMATE INTEREST ASSESSMENT

Identify a legitimate interest (Purpose test)
<p>Why do you want to process the data?</p> <p><i>We need to process the data in order to properly provide our recruitment services which is our core business</i></p>
<p>What benefit do you expect to get from the processing?</p> <p><i>We expect to be able to offer our clients a significant talent pool and help them to find the most suitable candidate for their vacancy.</i></p>
<p>Do any third parties' benefit from the processing?</p> <p><i>Yes. Acolyte, its clients and the candidates benefit from the processing. We do not sell data to any other third parties.</i></p>
<p>Are there any wider public benefits to the processing?</p> <p><i>Yes. We help to improve efficiency in the recruitment processes, boosting the sector. We help our clients to find diverse candidates, increasing employment rates for minorities.</i></p>
<p>How important are the benefits that you have identified?</p> <p><i>Finding the most suitable candidates for a position exploring both active and passive talent is the objective of our business, and we believe this is very important. It is part of our mission to advance the sector and increase the diversity of the workforce.</i></p>
<p>What would the impact be if you couldn't go ahead with the processing?</p> <p><i>We could not provide our services at all. There is no possible alternative.</i></p>
<p>Are you complying with any specific data protection rules that apply to your processing (eg profiling requirements, or e-privacy legislation)?</p> <p><i>Yes, we comply with all applicable data protection and privacy legislation in force from time to time in Europe, UK and any country where Candidates are based as relevant, including but not limited to, the GDPR, the UK GDPR, the Data Protection Act 2018, the Privacy and Electronic Communications Directive 2002/58/EC (as updated by Directive 2009/136/EC) and the Privacy and Electronic Communications Regulations 2003 (SI 2003/2426) as amended.</i></p>
<p>Are you complying with other relevant laws?</p> <p><i>There are no other relevant laws in this area with which we need to comply</i></p>
<p>Are you complying with industry guidelines or codes of practice?</p> <p><i>Yes, we comply with the code of conduct of appropriate industry bodies, such as the Recruitment & Employment Confederation (REC), and the Association of Professional Staffing Companies (APSCO).</i></p>
<p>Are there any other ethical issues with the processing?</p> <p><i>Gender, ethnicity, age, sexual orientation and disability data are processed for the purposes of finding diverse candidates for our clients, and we have a separate policy governing our processing of these special categories of data.</i></p>

Show that the processing is necessary to achieve it (Necessity test)

Will this processing actually help you achieve your purpose?

Yes, as this allows us to process the data we need and condense the relevant data points in order to build focused pools of active and passive talent for our clients.

Is the processing proportionate to that purpose?

Yes. We only process data from those candidates who meet the requirements of the job description, and we only ask for further information when they move through the process. We only gather the information that is relevant for the purposes we pursue.

Can you achieve the same purpose without the processing?

No, as we would be unable to analyse enough candidate profiles in order to find the best talent for our clients' vacancies and our services would have no value for them.

Can you achieve the same purpose by processing less data, or by processing the data in another more obvious or less intrusive way?

No. We only process the data necessary for assessing the candidate suitability for the job and to support the candidate's journey through the recruitment process.

Balance it against the individual's interests, rights and freedoms (Balancing test)

1. Nature of the personal data

Is it special category data or criminal offence data?

We only process special category of data based on consent or when it is necessary for reasons of substantial public interest, complying with the requirements set out in Schedule 1 of the DPA 2018. Please refer to our policy on Special Categories of Data.

Is it data which people are likely to consider particularly 'private'?

Yes. Candidates provide us with copies of their CV's, which they may consider private, as well as other special category data which they voluntarily provide.

Are you processing children's data?

No. We do not process children's data at any stage of the recruitment process. We do not work with candidates under the age of 18, and the public sources that we use to gather the data do not allow children to register.

Is the data about people in their personal or professional capacity?

Professional capacity normally as it is job-related data, although it could be both, e.g. when someone uses a personal email address.

2. Reasonable expectations

Do you have an existing relationship with the individual?

We have an existing relationship with those individuals that are already part of our databases. We do not necessarily have any direct relationship with those we reach for the first time other than the fact that they are suitable candidates for our clients' vacancies, and they may be part of our broader business network.

What's the nature of the relationship and how have you used data in the past?

Candidates who have positively engaged with us in relation to previous roles are part of our broader business network, and remain so.

Did you collect the data directly from the individual? What did you tell them at the time?

The data gathered in the initial research does not come from the individual directly. When we contact them for the first time we identify ourselves and we provide them with a link to our Privacy Policy in the very first communication outside social media and within the job description offer.

If you obtained the data from a third party, what did they tell the individuals about reuse by third parties for other purposes and does this cover you?

Most of the sources we use provide users with information about how their data is accessible to others in the platform, for instance (<https://www.linkedin.com/legal/privacy-policy#share>). No data is used for purposes other than recruitment. We comply with all licensing terms governing our use of social media platforms.

How long ago did you collect the data? Are there any changes in technology or context since then that would affect expectations?

We collect the data while carrying out recruitment campaigns for our clients and we keep unsuccessful candidates data for future job opportunities, subject to our Retention & Archiving Policy. We use artificial intelligence and machine learning algorithms but decisions are always subject to human participation.

Is your intended purpose and method widely understood?

Yes. We identify our purpose in our first contact with the candidate, and we provide the candidates with the link to our Privacy Policy. We also explain the recruitment process when we reach them.

Are you intending to do anything new or innovative?

Yes. We use artificial intelligence and machine learning algorithms to find the best fit candidates for our clients, making our platform unique. Accordingly, the analytics work is novel in the industry but we make sure that there is always human intervention involved in the decision-making process.

Do you have any evidence about expectations – e.g. from market research, focus groups or other forms of consultation?

No, although people who have a profile on LinkedIn or on other relevant sources used to gather data do not normally consider information about career opportunities to be intrusive.

Are there any other factors in the particular circumstances that mean they would or would not expect the processing?

No. People who appear on business-related social networks and in business-related media will have a general expectation about being contacted in relation to career opportunities.

3. Likely impact

What are the possible impacts of the processing on people?

Low impact. People are being contacted in relation to a career opportunity that they can reject or simply ignore if they are not interested.

Will individuals lose any control over the use of their personal data?

No, as they can ask us to stop the processing of their data at any time and we would no longer process their information for recruitment or any other purposes.

What is the likelihood and severity of any potential impact?

Low likelihood and low severity. Candidates can simply ignore or reject the approach, either from the very first time we reach them or at any stage in the process.

Are some people likely to object to the processing or find it intrusive?

No. Candidates can simply ignore or reject the approach, either from the very first time we reach them or at any stage in the process, and it is unlikely that they find it intrusive as the processing mostly belongs to a business-related sphere.

Would you be happy to explain the processing to individuals?

Yes, we explain the main elements of the processing in our Privacy Policy, which we provide at the moment of the very first communication outside of social media or the relevant source used and also in the job description. We would also be happy to explain it again at any stage of the process if the candidates ask for such information.

Can you adopt any safeguards to minimise the impact?

We only gather the information strictly necessary at each stage and we have an opt-out list of the persons who do not want us to reach them for any job opportunities.

Can you offer individuals an opt-out?

Yes. Candidates can exit the recruitment process at any stage and they can also opt-out of being part of Acolyte's databases.