

ORGANISATION DEVELOPMENT & RESEARCH LIMITED

PRIVACY POLICY & CONFIDENTIALTY POLICY

FOR CLIENTS AND CANDIDATES

PART A - PRIVACY POLICY

Introduction

Welcome to the Organisation Development & Research privacy policy.

Organisation Development & Research Limited (**ODRL**) respects your privacy and is committed to protecting your personal data. This privacy policy will inform you as to how we look after your personal data and any personal data whether you are a client of ODRL or a prospective employment candidate of a client of ODRL when we collect personal data from you during the course of providing our services to you.

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1. Important information and who we are

Purpose of this privacy policy

This privacy policy aims to give you information on how ODRL collects and processes your personal data through:

- when you become a client of ODRL and use our services;
- when you take part in any of our assessment services as a candidate.

It is important that you read this privacy policy together with any other privacy policy or fair processing policy we may provide on specific occasions when we are collecting or processing personal data about you



so that you are fully aware of how and why we are using your data. This privacy policy supplements other notices and privacy policies and is not intended to override them.

Controller

ODRL is the controller and responsible for your personal data (collectively referred to as ODRL, "we", "us" or "our" in this privacy policy).

We have appointed a data privacy manager 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 data privacy manager using the details set out below.

Contact details

If you have any questions about this privacy policy or our privacy practices, please contact our data privacy manager in the following ways:

Full name of legal entity: Organisation Development & Research Limited

Data Privacy Manager: Kay Sahdev

Email address: ks@odrl.org

Postal address: Level 1, Devonshire House, One Mayfair Place, London W1J 8AJ, UK

Telephone number: 0207 268 4975

Aston Abbots Office: 3 Haybarn Business Park, Cublington Road, Aston Abbots, Bucks,
HP22 4ND

Telephone number: 01296 682790

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.

Changes to the privacy policy and your duty to inform us of changes

We keep our privacy policy under regular review.

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.

Third-party links

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control



these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit.

2. The data we collect about you

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).

We may collect, use, store and transfer different kinds of personal data about our clients or employment candidates which we have grouped together as follows:

- **Identity Data** includes first name, last name, job title, and gender.
- **Contact Data** includes address, email address and telephone numbers.
- **Transaction Data** includes details about payments to and from clients and other details of services you have purchased from us.
- **Employment Data** in relation to employment candidates which we may process during the course of delivering our services: job descriptions, competencies and CVs.
- **Technical Data** when a candidate uses an online assessment tool: which may include internet protocol (IP) address, your login data, 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 the online tool.
- **Performance Data** when you complete any assessment tests, attend assessment and/or development centres, coaching programmes or take part in any of our business psychology programmes and services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and your communication preferences.

We also collect, use and share **Aggregated Data** such as statistical or demographic data for the purpose of providing our services. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will **not** directly or indirectly reveal your identity. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

Special Category Personal Data

Special Category personal data about you may include details about race or ethnicity or nationality.

We collect and process special category personal data about employment candidates in limited circumstances and with their explicit consent or where it is needed in the public interest, such as for equal opportunities monitoring in and accordance with the services ODRL are providing to its client.



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 our client, 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 our client (for example, to provide our client with services). In this case, we may have to cancel a service, but we will notify you if this is the case at the time.

3. How is your personal data collected?

We use different methods to collect data from and about you and employment candidates including through:

- **Direct interactions.** You may give us your Identity, Contact and Employment Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
 - apply for our services or when we tender to supply services to our client;
 - complete our enquiry or other forms on our website;
 - request marketing to be sent to you;
 - enter a survey;
 - give us feedback or contact us;
 - by providing your CV to us.
- **Automated technologies or interactions.** As you interact with our online assessment tools, we may automatically collect Technical Data about your equipment.

4. How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with our client.
- Where it is necessary for our legitimate interests and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal obligation.

See the Glossary below to find out more about the types of lawful basis that we will rely on to process your personal data.



Generally, we only rely on consent in limited circumstances. If we are processing your personal data only with your consent, you can withdraw your consent at any time.

Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To take part in a tender or quote to provide our services to our potential client	(a) Identity (b) Contact	(a) Necessary for our legitimate interests (b) Performance of a contract with our client
To deliver our services to you including: (a) arranging the delivery of our services including running assessments of employment candidates and the production of a report to our client (b) Manage payments, fees and charges (c) Collect and recover money owed to us	(a) Identity (b) Contact (c) Transaction (d) Employment Data (e) Marketing and Communications	(a) Performance of a contract with our client (b) Necessary for our legitimate interests (to recover debts due to us)
To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy policy (b) Asking you to provide feedback to us on our services	(a) Identity (b) Contact (c) Marketing and Communications	(a) Performance of a contract with our client (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how clients use our services)
To administer and protect our business (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or



data)		group restructuring exercise) (b) Necessary to comply with a legal obligation
To make suggestions and recommendations to you about services that may be of interest to you	(a) Identity (b) Contact (c) Marketing and Communications	Necessary for our legitimate interests (to develop our products/services and grow our business)

Marketing

We strive to provide our clients with choices regarding certain personal data uses, particularly around marketing and advertising.

Promotional offers from us

You will receive marketing communications from us if you have requested information from us or are a client of ours who has purchased our services and you have not opted out of receiving that marketing.

Third-party marketing

We do not share your personal data with any third party for marketing purposes.



Opting out

You can ask us to stop sending you marketing messages at any time by contacting us at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of purchasing services from us.

Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

5. Disclosures of your personal data

We may share your personal data with the parties set out below for the purposes set out in the table above.

- External Third Parties as set out in the Glossary.
- Specific third parties such as our client who has engaged us to provide services and our web based online assessment tool providers.
- Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

6. International transfers

Some of our clients and subcontractors are based outside the EEA so their processing of your personal data will involve a transfer of data outside the EEA

Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe. For



further details, see European Commission: Model contracts for the transfer of personal data to third countries.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

7. Data security

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.

8. Data retention

How long will you use my personal data for?

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

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, regulatory, tax, accounting or other requirements.

Details of retention periods for different aspects of your personal data are available from our privacy manager.

9. Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data.

- *Request access to your personal data.*
- *Request correction of your personal data.*
- *Request erasure of your personal data.*
- *Object to processing of your personal data.*
- *Request restriction of processing your personal data.*
- *Request transfer of your personal data.*
- *Right to withdraw consent.*



If you wish to exercise any of the rights set out above, please contact us.

No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

What we may need from you

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.

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

10. Glossary

LAWFUL BASIS

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Comply with a legal obligation means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.

THIRD PARTIES

External Third Parties

- Service providers acting as processors based the UK who provide IT and system administration services.



- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based in the UK who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances.
- Our subcontractors who help us deliver our services, who are based within the EEA and outside of the EEA.

YOUR LEGAL RIGHTS

You have the right to:

Request access to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- If you want us to establish the data's accuracy.
- Where our use of the data is unlawful but you do not want us to erase it.
- Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.



- You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.



[PART B – CONFIDENTIALITY POLICY]

Introduction

During the course of providing its services to the client, members of staff of the client, the client itself or candidates ODRL is assessing, may disclose information to ODRL which is sensitive business information (rather than personal data) of a confidential nature regarding ODRL's client or confidential information regarding candidates (which may also constitute personal data). ODRL and its subcontractors shall adhere to the following policy regarding the use and disclosure of this information:

1. Definitions

1.1. **Confidential information** means all confidential information (however recorded or preserved) disclosed by ODRL's client or its Representatives (as defined below) or employment candidates to ODRL and ODRL's Representatives in connection with ODRL providing services to the client, including but not limited to:

- 1.1.1. any information that would be regarded as confidential by a reasonable business person relating to:
- 1.1.2. the business, affairs, customers, clients, suppliers, or plans, intentions, or market opportunities of the client (or of any member of the group of companies to which the client belongs);
- 1.1.3. the operations, processes, product information, know-how, designs, trade secrets or software of the client (or of any member of the group of companies to which the disclosing party belongs); and
- 1.1.4. any information disclosed to ODRL and its Representatives concerning a candidate

1.2. **Representatives** means, in relation to a party, its employees, officers, representatives, subcontractors and advisers.

1.3. The provisions of this policy shall not apply to any Confidential Information that:

- 1.3.1. is or becomes generally available to the public (other than as a result of its disclosure by the ODRL or its Representatives in breach of this policy);
- 1.3.2. was available to ODRL or its Representatives on a non-confidential basis before disclosure by the client;
- 1.3.3. was, is or becomes available to ODRL or its Representatives on a non-confidential basis from a person who, to the ODRL or its knowledge, is not bound by a confidentiality agreement with the client or otherwise prohibited from disclosing the information to the ODRL or its Representatives; or
- 1.3.4. ODRL and the client agree in writing is not confidential or may be disclosed; or
- 1.3.5. is developed by or for ODRL independently of the information disclosed by the client.

1.4. ODRL shall not use such Confidential Information:



- 1.4.1. except for performing its services to the client (the **Permitted Purpose**); or
 - 1.4.2. disclose such Confidential Information in whole or in part to any third party or to other members of staff or candidates of the client, except as expressly permitted by this policy.
- 1.5. ODRL may disclose Confidential Information to those of its Representatives who need to know such Confidential Information for the Permitted Purpose, provided that:
- 1.5.1. it informs such Representatives of the confidential nature of the Confidential Information before disclosure; and
 - 1.5.2. it procures that its Representatives shall, in relation to any Confidential Information disclosed to them, comply with the obligations set out in this policy.
- 1.6. ODRL and its Representatives may disclose Confidential Information to the extent such Confidential Information is required to be disclosed by law, by any governmental or other regulatory authority or by a court or other authority of competent jurisdiction provided that, to the extent it is legally permitted to do so, it gives the client as much notice of such disclosure as possible.
- 1.7. On completion of the project or when it has completed providing its services, ODRL shall:
- 1.7.1. destroy or return to the other party all documents and materials (and any copies) containing, reflecting, incorporating or based on the other party's Confidential Information;
 - 1.7.2. erase all the other party's Confidential Information from computer and communications systems and devices used by it, including such systems and data storage services provided by third parties (to the extent technically and legally practicable); and
- 1.8. Certify in writing to the other party that it has complied with the requirements of this paragraph, provided that ODRL may retain documents and materials containing, reflecting, incorporating or based on the client's Confidential Information to the extent required by law or any applicable governmental or regulatory authority. The provisions of this clause shall continue to apply to any such documents and materials retained by a recipient party, following completion of the services provided by ODRL or termination of the contract with the client.]

1st May 2019

