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## Fair Processing Notice for Candidates

### Effective Date –29/05/2024

1. Momenta Operations Limited is the "data controller" for internal employees working in our London office. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

2. Momenta Customer Services Limited is the "data controller" for employees placed on assignment at client-site undertaking work under our client's direction alongside our client in the UK. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

3. Momenta Resourcing Pty Ltd is the "data controller" for internal employees working in our Sydney office. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

4. Momenta Associates Pty Ltd is the "data controller" for employees placed on assignment at client-site undertaking work under our client's direction alongside our client in Australia. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.



5. We are telling you this because this tells you who is responsible for deciding how we hold and use personal information about you.

### **Purpose of this document**

6. You are being sent a copy of this privacy notice because you are applying for work with us (whether as an employee, worker or contractor). It makes you aware of how and why your personal data will be used, namely for the purposes of the recruitment exercise, and how long it will usually be retained for. It provides you with certain information that must be provided under the General Data Protection Regulation ((EU) 2016/679) (GDPR).

### **Data protection principles**

7. We will comply with data protection law and principles, which means that your data will be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

### **The kind of information that we hold on you about.**

8. In connection with your application for work with us, we will collect, store, and use the following categories of personal information about you:

- The information you have provided to us in your curriculum vitae and covering letter.
- The information you have provided on our application form, including name, title, address, telephone number, personal email address, date of birth, gender, employment history, qualifications.
- Any information you provide to us during an interview.
- Any photographic image taken during the recruitment process.
- Details of your faith.



9. We may also collect, store and use the following "special categories" of more sensitive personal information: • Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions. • Information about your health, including any medical condition, health and sickness records. • Information about criminal convictions and offences.

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

10. We collect personal information about candidates from the following sources:

- You, the candidate.
- Recruitment agency, from which we collect categories of data that commonly appear on CVs.
- Disclosure and Barring Service in respect of criminal convictions.
- Your named referees.
- Data from third parties is from a publicly accessible source such as LinkedIn

### **How we will use information about you**

11. We will use the personal information we collect about you to:

- Assess your skills, qualifications, and suitability for the work or role.
- Carry out background and reference checks, where applicable.
- Communicate with you about the recruitment process.
- Keep records related to our hiring processes.
- Comply with legal or regulatory requirements.

12. It is in our legitimate interests to decide whether to appoint you to the role since it would be beneficial to our business to appoint someone to that role.

13. We also need to process your personal information to decide whether to enter into a contract of employment or similar with you.

14. Having received your CV and covering letter or your application form and the results from any test which you took, we will then process that information to decide whether you meet the basic requirements to be shortlisted for the role. If you do, we will decide whether your application is strong enough to invite you for an interview. If we decide to call you for an interview, we (Momenta



and/or our client) will use the information you provide to us at the interview to decide whether to offer you the role or work. If we (or our client) decide to offer you the role, we will then take up references and/or carry out a criminal record and/or carry out any other check, for example fraud before confirming your appointment.

15. We will also advise you on any additional vetting procedure that may be applied. In the case of employees seeking roles which involve them in being put on a placement with one of our clients, we may need to conduct additional reference or Criminal Records Bureau checks. We will seek your express permission before doing so. If you fail to provide personal information

16. If you fail to provide information when requested, which is necessary for us to consider your application (such as evidence of qualifications or work history), we will not be able to process your application successfully. For example, if we require a credit check or references for this role and you fail to provide us with relevant details, we will not be able to take your application further.

### **How we use particularly sensitive personal information**

17. We will use your particularly sensitive personal information in the following ways:

- We will use information about your disability status to consider whether we need to provide appropriate adjustments during the recruitment process, for example whether adjustments need to be made during a test or interview.
- We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

### **Information about criminal convictions**

18. We envisage that we will process information about criminal convictions.

19. We will collect information about your criminal convictions history if we would like to offer you the role (conditional on checks and any other conditions, such as references, being satisfactory). We are entitled to carry out a criminal records check in order to satisfy ourselves that there is nothing in your



criminal convictions history which makes you unsuitable for the role where, for example:

- The role is a sensitive one, such as one involving the granting of full I.T. privileges.
- The role requires a high degree of trust and integrity since it involves access to clients banking details and so we would like to ask you to seek a basic disclosure of your criminal records history.

### **Automated decision-making**

20. You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

### **Data sharing**

21. Why might you share my personal information with third parties?

22. We will only share your personal information with the following third parties for the purposes of processing your application:

- Employment agencies, for the purpose of explaining outcomes and/or progressing your application.
- Other group companies if we think that you may wish to know or progress opportunities with them. In the majority of cases your data will be stored and processed by employees working in a different group company to the one you are applying to work within.

Momenta's group of companies include:

- Momenta Acquisitions Limited
- Momenta Solutions Limited
- Momenta Resourcing Inc
- Momenta Resourcing PTY Ltd
- Momenta Associates PTY Ltd
- Momenta Customer Services Limited
- Momenta Interim Management Limited
- Momenta Operations Limited o Momenta Holdings (PPI) Limited
- Momenta Performance Academy Limited
- Momenta Group Limited o Momenta People Limited

23. All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal



information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

24. If you are applying for a role, your personal data may be shared with our client and/or vetting organisations to include CIFAS. This will be necessary in order to progress your application and enter into any contractual arrangement with you. We will however seek a separate consent from you for this purpose.

### **Data security**

25. 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. 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.

26. We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

### **How long will you retain my data for?**

27. We will retain your personal information for a period of 7 months after we have communicated to you our decision about whether to appoint you to role. We retain your personal information for that period so that we can show, in the event of a legal claim, that we have not discriminated against candidates on prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way. After this period, we will securely destroy your personal information in accordance with applicable laws and regulations.

28. If we wish to retain your personal information on file, on the basis that a further opportunity may arise in future and we may wish to consider you for that, we will write to you separately, seeking your explicit consent to retain your personal information for a fixed period on that basis.

### **Your rights in connection with personal information**



29. Under certain circumstances, by law you have the right to:

- Request access to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- Request erasure of your personal information. This enables you to ask us to delete or remove personal information 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 information where you have exercised your right to object to processing (see below).
- Object to processing of your personal information 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. You also have the right to object where we are processing your personal information for direct marketing purposes.
  - Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
  - Request the transfer of your personal information to another party.

30. If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact our Data Protection Officer in writing.

### **Right to withdraw consent**

31. When you applied for this role, you provided consent to us processing your personal information for the purposes of the recruitment exercise. You have the right to withdraw your consent for processing for that purpose at any time. To withdraw your consent, please contact our Data Protection Officer. Once we have received notification that you have withdrawn your consent, we will no longer process your application and, subject to our retention policy, we will dispose of your personal data securely.

### **Data Protection Officer**



32. We have appointed a data protection officer (DPO) to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the DPO. 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. Please contact our DPO if you have any questions or queries.

### Contact details

Name or title of DPO:	Ben Mabelson
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**Changes to policy** We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

Document Owner – Ben Mabelson  
Date of last revision – 29/05/2024

### Version History

Version	Approved By	Revision Date	Description of Change	Author
1	Mark Westbrook	26/10/2018	Document creation	Ben Mabelson
2	Mark Westbrook	25/02/2021	Updated with all global entities and offices	Cath Davis
	Mark Westbrook	22/02/2022	Review	Ben Mabelson
	Mark Westbrook	24/02/2023	Review	Ben Mabelson
	Mark Westbrook	29/05/2024	Review	Ben Mabelson