

PRIVACY NOTICE



BACKGROUND:

TalentSensus understands that your privacy is important to you and that you care about how your personal data is used. We respect and value the privacy of all our clients and will only collect and use personal data in ways that are described here, and in a way that is consistent with our obligations and your rights under the law.

1. Information About Us

TalentSensus.

Limited Company.

251 Little Falls Drive
Wilmington, Delaware 19808-1674 USA

Data Protection Officer: Stephen Rice

Email address: stephen@talentsensus.com

Telephone number: (302)-504-6506

Postal address: TalentSensus, 251 Little Falls Drive
We are regulated by Information Commissioner's Office.

2. What Does This Notice Cover?

This Privacy Information explains how we use your personal data: how it is collected, how it is held, and how it is processed. It also explains your rights under the law relating to your personal data.

3. What Is Personal Data?

Personal data is defined by the General Data Protection Regulation (EU Regulation 2016/679) (the "GDPR") and the Data Protection Act 2018 (collectively, "the Data Protection Legislation") and California Consumer Privacy Act 2020 (the "CCPA") as 'any information relating to an identifiable person who can be directly or indirectly identified by reference to an identifier'.

Personal data is, in simpler terms, any information about you that enables you to be identified. Personal data covers obvious information such as your name and contact details, but it also covers less obvious information such as identification numbers, electronic location data, and other online identifiers.

The personal data that we use is set out in Part 5, below.

4. What Are My Rights?

Under the Data Protection Legislation, you have the following rights, which we will always work to uphold

a) The right to be informed about our collection and use of your personal data. This Privacy Notice should tell you everything you need to know, but you can always contact us to find out more or to ask any questions using the details in Part 11.

b) The right to access the personal data we hold about you. Part 10 will tell you how to do this.

c) The right to have your personal data rectified if any of your personal data held by us is inaccurate or incomplete. Please contact us using the details in Part 11 to find out more. d) The right to be forgotten, i.e., the right to ask us to delete or otherwise dispose of any of your personal data that we hold. Please contact us using the details in Part 11 to find out more.

e) The right to restrict (i.e., prevent) the processing of your personal data. f) The right to object to us using your personal data for a particular purpose or purposes.

g) The right to withdraw consent. This means that, if we are relying on your consent as the legal basis for using your personal data, you are free to withdraw that consent at any time.

h) The right to data portability. This means that, if you have provided personal data to us directly, we are using it with your consent or for the performance of a contract, and that data is processed using automated means, you can ask us for a copy of that personal data to re-use with another service or business in many cases.

i) Rights relating to automated decision-making and profiling. Part 6 explains more about how we use your personal data, including automated decisionmaking and/or profiling. For more information about our use of your personal data or exercising your rights as outlined above, please contact us using the details provided in Part 11.

It is important that your personal data is kept accurate and up to date. If any of the personal data we hold about you changes, please keep us informed if we have that data.

Further information about your rights can also be obtained from the Information Commissioner's Office or your local Citizens Advice Bureau.

If you have any cause for complaint about our use of your personal data, you have the right to lodge a complaint with the Information Commissioner's Office. We would welcome the opportunity to resolve your concerns ourselves, however, so please contact us first, using the details in Part 11.

5. What Personal Data Do You Collect and How?

Depending upon your use of Our Site, we may collect and hold some or all the personal (and non-personal) data set out in the table below, using the methods also set out in the table. We do not collect any 'special category' or 'sensitive' personal data or personal data relating to children or data relating to criminal convictions and/or offences

Data Collected	How we collect the Data
Identity Information including job title, outside of work interests/skills and organization name.	Through the TalentSensus platform on purchase or enquiry to purchase a subscription.
Contact information including email address and telephone number.	Through the TalentSensus on purchase or enquiry to purchase a subscription.

Business information including job title, organisation name, role tasks, department structure, number of sick days, skills base, types of intervention used, performance reviews.	Through the TalentSensus platform during completion of the baseline assessment and skills gap analysis.
Payment information including payment details e.g., card through website, bank account number through invoicing.	Through the TalentSensus platform during completion of the subscription order/s.
Profile information including location, preferences, purchase history, role advertising preferences, likely recommendations/referrals needed.	Through the TalentSensus platform during completion of the baseline assessment and skills gap analysis.
Data from third parties including role data comparisons.	Through the TalentSensus platform during completion of the baseline assessment and skills gap analysis

6. How Do You Use My Personal Data?

Under the Data Protection Legislation, we must always have a lawful basis for using personal data. The following table describes how we may use your personal data, and our lawful bases for doing so:

What we do	What Data we use	Our lawful Basis
Administering our business.	Organization name, point of contact (name, contact details), collating results from all subscriptions to show trends in skills, talent retention and recruitment.	Consent as a legal ground for processing personal data which matches the intended use of data by TalentSensus Ltd. The GDPR defines Consent in Article 4(11) as: • ‘consent’ of the data subject means any freely given, specific, informed and unambiguous indication of the data subject’s wishes by which they, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.
Supplying our products and services to you.	Contact details, payment details, HR & recruitment information, training & development information, business strategies, third party labour market information, third party recruitment data (impact of gender, ethnicity, educational background).	
Managing payments for our products and services.	Payment card if purchased online with opt-in for autorenewal. Bank and account information plus finance team 4-member	

	contact if purchased via invoice and bank transfer.	
Personalizing and tailoring our products and services for you.	Location, recommendations suggested by your results, comparison to others with similar results by sector, size of company, and needs.	
Communicating with you.	Email address, name, telephone number all stored on HubSpot.	
Supplying you with information by email and post that you have opted-in-to (you may opt-out at any time).	Preferences, email address, postal address, name.	

With your permission and/or where permitted by law, we may also use your personal data for marketing purposes, which may include contacting you by email and/or telephone and/or post with information, news, and offers on our products and services. You will not be sent any unlawful marketing or spam. We will always work to fully protect your rights and comply with our obligations under the Data Protection Legislation and the Privacy and Electronic Communications (EC Directive) Regulations 2003, and you can always opt-out. We will always obtain your express opt-in consent before sharing your personal data with third parties for marketing purposes and anonymized data collation purposes (where results are not attributed to individuals or organizations but where the results are used to identify trends regarding skills, talent retention and recruitment by sector, by size of company or by location) and you will be able to opt-out at any time.

We use the following automated system/s for carrying out certain kinds of decisionmaking and/or profiling. If at any point you wish to query any action that we take based on this or wish to request 'human intervention' (i.e., have someone review the action themselves, rather than relying only on the automated method), the Data Protection Legislation gives you the right to do so. Please contact us to find out more using the details in Part 11.

- The following automated profiling may take place:

- o TalentSensus use algorithms. An algorithm is a sequence of instructions or set of rules designed to complete a task or solve a problem. Profiling uses algorithms to find correlations between separate datasets. These algorithms can then be used to make a wide range of decisions, for example what recommendations we can make to help make business improvements, what impact results may have on future skills needs, how perceptions of roles compare to generally accepted role descriptions. Artificial intelligence (AI) systems and machine learning create and apply algorithms.

- o We collect and analyze work-related personal data and some data on outside hobbies/interests but only considering transferable skills potential, using algorithms, AI and/or machine-learning; we identify associations to build links between different attributes and data sets.

- o This is fundamental to the operation of the TalentSensus and therefore our legal basis for doing so is Consent. By selecting to buy a subscription to the product you are consenting for this data profiling to give you the results and support you are seeking

. o A prediction of individuals' behaviour based on their assigned profiles.

• The following automated decision-making process may take place: Automated decision-making is the process of decision making by automated means without any human involvement. These decisions can be based on factual data, as well as on digitally created profiles or inferred data. For TalentSensus these decisions are based on factual data only for multiple-choice quizzes within the e-learning and the monthly human capital reports. The system is pre-programmed with the number of correct answers required to achieve pass and distinction marks. The scores are automatically attributed to the candidates based on the number of correct answers and the results are available online.

o This is fundamental to the operation of the TalentSensus and therefore our legal basis for doing so is Consent. By selecting to buy a subscription to the product you are consenting for this data profiling to give you the results and support you are seeking.

We will only use your personal data for the purpose(s) for which it was originally collected unless we reasonably believe that another purpose is compatible with that or those original purpose(s) and need to use your personal data for that purpose.

If we do use your personal data in this way and you wish us to explain how the new purpose is compatible with the original, please contact us using the details in Part 11. If we need to use your personal data for a purpose that is unrelated to, or incompatible with, the purpose(s) for which it was originally collected, we will inform you and explain the legal basis which allows us to do so.

In some circumstances, where permitted or required by law, we may process your personal data without your knowledge or consent. This will only be done within the bounds of the Data Protection Legislation and your legal rights.

7. How Long Will You Keep My Personal Data?

We will not keep your personal data for any longer than is necessary considering the reason(s) for which it was first collected. Your personal data will therefore be kept for the following periods (or, where there is no fixed period, the following factors will be used to determine how long it is kept):

Type of data	How long we keep it
Identity Information including job title, outside of work interests/skills and organization name.	Length of the subscription (annual purchase or rolling month contract)
Contact information including email address and telephone number.	Length of the subscription (annual purchase or rolling month contract)
Business information including job title, organisation name, role tasks, department structure, number of sick days, skills base, types of intervention used, performance reviews.	Length of the subscription (annual purchase or rolling month contract). Anonymized data from these results that does not show identifiable information about individuals or organizations, once collated, may be used for up to 5 years
Payment information including payment details e.g., card through website, bank account number through invoicing.	Length of the subscription (annual purchase or rolling month contract). Anonymized data from these results that does not show identifiable information about individuals or organizations, once collated, may be used for up to 5 years

Payment information including payment details e.g., card through website, bank account number through invoicing.	Length of the subscription (annual purchase or rolling month contract)
Profile information including location, preferences, purchase history, role advertising preferences, likely recommendations/referrals needed.	Length of the subscription (annual purchase or rolling month contract). Anonymized data from these results that does not show identifiable information about individuals or organizations, once collated, may be used for up to 5 years

8. How and Where Do You Store or Transfer My Personal Data?

We will only store or transfer your personal data within the European Economic Area (the “EEA”) which consists of all EU member states, plus Norway, Iceland, and Liechtenstein if an EEA client or a US client. This means that your personal data will be fully protected under the Data Protection Legislation, GDPR, and/or to equivalent standards by law. Please request a copy of our Data Processing Agreements – Non-EEA for more information on US compliance by emailing us using the details in part 11.

We share your data within the group of companies of which we are a part. Where this involves the transfer of personal data outside the EEA, our group ensures that personal data is protected by requiring all companies within the group to follow the same rules with respect to personal data usage. These are known as “binding corporate rules”. More information on binding corporate rules is available from the [European Commission](#).

We may share your data with external third parties, as detailed below in Part 9, that are based outside of the EEA. The following safeguards are applied to such transfers:

- Encryption
- Data security checks to match GDPR requirements
- Agreements to ensure compliance with the standards set out in this privacy

Where we transfer your data to a third party based in the US, the data may be protected if they are part of the EU-US Privacy Shield. This requires that third party to provide data protection to standards similar levels of data protection to those in Europe. More information is available from the [European Commission](#).

Please contact us using the details below in Part 11 for further information about the data protection mechanisms used by us when transferring your personal data to a third country.

The security of your personal data is essential to us, and to protect your data, we take a number of important measures, including the following:

- Limiting access to your personal data to those employees, agents, contractors, and other third parties with a legitimate need to know and ensuring that they are subject to duties of confidentiality.
- Procedures for dealing with data breaches (the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, your personal data) including notifying you and/or the Information Commissioner’s Office where we are legally required to do so.

- Our servers are based in the USA via GoDaddy. Our main Customer Relations Management (CRM) system is based in the EEA via HubSpot.
- Use McAfee products to avoid embedding of malicious code, services attacks and other cyberattacks.
- We work hard to make sure we detect unusual or suspicious activity and include the process for responding to breaches as part of our staff induction and training processes. This includes responding within 72h, informing the ICO, informing those impacted by any breaches and to review the process that allowed a breach to stop repetition of the problem.

9. Do You Share My Personal Data?

We will not share any of your personal data with any third parties for any purposes, subject to the following exceptions. If we sell, transfer, or merge parts of our business or assets, your personal data may be transferred to a third party. Any new owner of our business may continue to use your personal data in the same way(s) that we have used it, as specified in this Privacy Policy.

In some limited circumstances, we may be legally required to share certain personal data, which might include yours, if we are involved in legal proceedings or complying with legal obligations, a court order, or the instructions of a government authority.

We may share the results of your assessments only without your personal identifiable data with other companies in our group for collation of data to inform policy, trends analysis, and labor market intelligence gathering by our subsidiaries and/or our holding company and its subsidiaries.

We may sometimes contract with the following third parties to supply products and/or services.

Recipient	Activity Carried Out	Sector	Location
Wix	To build the content of our website. They can access the data on how you use the website and your IP address.	IT	Headquarters: Israel https://www.wix.com/about/privacy
GoDaddy	Website hosting	IT	Data Center: Phoenix, Arizona https://uk.godaddy.com/Agreements/Privacy.aspx
Microsoft 365	To build and manage projects, contracts, and complete work during business using software including Word, PowerPoint, Outlook, Contacts,	IT	Data Center: Washington State https://privacy.microsoft.com/en-gb/privacystatement

	<p>Calendar, SharePoint. They store our files on their servers so can access notes, presentations, meeting minutes, contracts.</p> <p>However, files are private for the exclusive use of the account owner, TalentSensus.</p>		
HubSpot	<p>As a central relationship management system to store contact details, leads, notes on areas of interest, send group emails, keep copies of sent emails and responses in conversational threads. They can see the individual's work contact details however records are private for the exclusive use of the account owner, TalentSensus.</p>	IT & Marketing	<p>Data Center: The Netherlands https://legal.hubspot.com/privacy-policy</p>
FreeAgent	<p>As an accounting system to track invoices and bills, with records of contacts, billing details and completed payments. They can see the individual's invoicing details and amounts spent and received. Accounts are private for the exclusive use of the</p>	Accountancy	<p>Headquarters: UK https://www.freeagent.com/website/privacy/</p>

	account owner, TalentSensus		
Crisp	Consumer Support	IT	Frankfurt, Germany https://crisp.chat/en/privacy/

If any of your personal data is shared with a third party, as described above, we will take steps to ensure that your personal data is handled safely, securely, and in accordance with your rights, our obligations, and the third party's obligations under the law, as described above in Part 8. If any personal data is transferred outside of the EEA, we will take suitable steps to ensure that your personal data is treated just as safely and securely as it would be within the UK and under the Data Protection Legislation, as explained above in Part 8.

If we sell, transfer, or merge parts of our business or assets, your personal data may be transferred to a third party. Any new owner of our business may continue to use your personal data in the same way(s) that we have used it, as specified in this Privacy Policy.

In some limited circumstances, we may be legally required to share certain personal data, which might include yours, if we are involved in legal proceedings or complying with legal obligations, a court order, or the instructions of a government authority.

10. How Can I Access My Personal Data?

If you want to know what personal data we have about you, you can ask us for details of that personal data and for a copy of it (where any such personal data is held). This is known as a "subject access request".

All subject access requests should be made in writing and sent to the email or postal addresses shown in Part 11. To make this as easy as possible for you, a Subject Access Request Form is available for you to use. You do not have to use this form, but it is the easiest way to tell us everything we need to know to respond to your request as quickly as possible.

There is not normally any charge for a subject access request. If your request is 'manifestly unfounded or excessive' (for example, if you make repetitive requests) a fee may be charged to cover our administrative costs in responding.

We will respond to your subject access request within 20 working days and, in any case, not more than one month of receiving it. Normally, we aim to provide a complete response, including a copy of your personal data within that time. In some cases, however, particularly if your request is more complex, more time may be required up to a maximum of three months from the date we receive your request. You will be kept fully informed of our progress.

11. How Do I Contact You? To contact us about anything to do with your personal data and data protection, including to make a subject access request, please use the following details (for the attention of Anne Lopez):

Email address: stephen@talentsensus.com

Telephone number: (302)-504-6506

Postal Address: 251 Little Falls Drive

Wilmington, Delaware 19808-1674 USA

12. Changes to this Privacy Notice

We may change this Privacy Notice from time to time. This may be necessary, for example, if the law changes, or if we change our business in a way that affects personal data protection. Any changes will be made available on both our company website <https://talentsensus.com> This Privacy Notice was last updated on 03.08.22