

Diligenta Corporate Privacy Notice

VERSION 1.4 Diligenta

This notice can be accessed via the Diligenta website

Version Control

Name of Owner	Title
Alexandra Tucker	Data Protection Officer <current>
Anthony Devere-Summers	Data Protection Officer <previous>
Paul Venters	Company Secretary & Head of Commercial

Document Approval

Name & Title	Approved
Alex Tucker Data Protection Officer	December 2023

Version Control

Version No. (last 5 only)	Reviewed by	Reason - Summary of revisions/changes	Date published
1.0	Sajdah Saddique	Website Privacy Notice published	August 2021
1.1	Joanne Carroll	Annual Review, Minor Updates	March 2022
1.3	Andrew Jones	Annual Review	July 2023
1.4	Rahat Preece	Annual Review	December 2023

Introduction

Diligenta Limited (“**Diligenta**” and “**we**”, “**our**” or “**us**”) and our parent company namely Tata Consultancy Services Limited (“**TCS**”) issues this Privacy Notice in order to inform you about our practices regarding the collection, use and processing (together “**Processing**”) of personal information about you (“**Your Personal Data**”), that you provide to us on our website.

We are a UK based subsidiary of TCS, specialising in the provision of business process services for the Life and Pensions Industry. Diligenta and TCS are independent and separate Controllers of Your Personal Data, which means that we are individually responsible for the purpose, means and manner in which Your Personal Data is processed.

What does this Privacy Notice cover?

(Please note: We issue a different privacy notice, which applies where there is an employment relationship between Diligenta and its employees. If you are a member of Diligenta staff, this Privacy Notice should be read in conjunction with the Diligenta Employee Privacy Policy on the Diligenta Intranet.)

We are committed to protecting the privacy and security of Your Personal Data and have developed this Privacy Notice to inform you of the data we collect, what we do with your information, what we do to keep it secure, as well as your rights. This privacy notice will let you know the following:

- Our Contact Details
- Why we have your Personal Data
- Our legal basis for processing & purpose of processing
- Access to and disclosure of Your Personal Data
- Transfers and processing of Your Personal Data to third parties and/or third countries
- Technical and organisational measures (security) to protect Your Personal Data
- Retention of Your Personal Data
- The Rights you have in relation to Your Personal Data

Contact Details

Diligenta is the controller of Personal Data, unless otherwise stated, because it collects personal data on its own behalf, such as prospective employee data, third parties and general enquiries. Diligenta also performs a role as a processor of customer data for its clients groups as an outsourced service provider

Our Data Protection Officer is Alexandra Tucker.

If you have questions about this notice or want to report a concern relating to Your Personal Data, please contact:

Alexandra Tucker
Diligenta Ltd
Lynch Wood
Peterborough
PE2 6FY

Email: data.protection@diligenta.co.uk

We are regulated by the Information Commissioners Office (ICO). Should you not receive a satisfactory response from us, you have the right to refer your complaint to the Information Commissioner's Office.

For contact details please visit: www.ico.gov.uk or:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Why we have your Personal Data

The principles of data protection apply to any information relating to an identified or identifiable natural living person.

On this website and through other corporate activities, we do not collect any data unless strictly necessary: The circumstances in which we may collect your personal data are:

- You are a prospective employee and you are applying for a job via diligentacareers.co.uk or diligentacareers.co.uk/view-jobs.asp; and/or
- You are a supplier or other third party; we may conduct an audit and take name and contact details of your organization's main point of contact and staff members who may be interviewed, or received as evidence as part of the audit process. This is because we are assessing the organization's compliance with legal or regulatory obligations or compliance with our contractual terms.
- You contact us with a general enquiry.

Where personal data is collected, it is because you made an enquiry and therefore only limited personal information is used, such as name, address and contact details, in order to address your enquiry.

We will only see personal information of selected candidates, which will include personal data and financial data (salary), in order to make assessments about their suitability for a role and interview. There will be circumstances where we will collect greater levels of personal data, such as references, background checks etc., for example if your application is successful and further details

of these are located in the employee privacy notice which we provide to you if we are in the position to make an offer of employment. We have noted below, the purpose and lawful basis of processing this information.

Where personal data is collected following an application, either as a candidate or prospective employee, it is collected by third parties who operate under a processor agreement with us

Where personal data is collected from an organization/third party supplier we are conducting an Audit on, we will only collect this if necessary as part of the audit; the lawful basis we rely on is regulatory or legal obligation.

Personal Data

We will ensure that Your Personal Data is:

- accurate and kept up to date;
- collected and processed fairly, what is strictly necessary and for lawful purposes only;
- protected against any unauthorised or illegal access by internal or external parties;
- stored for a specified amount of time.

Depending on the success of your application, these may also include the following categories of personal data:

Please note that any lists of examples in this Privacy Notice are not exhaustive.

- **Personal information:**
Such as any previously used name; address (including email); residence and contact information; personal phone numbers; date of birth; right to work verification; visa information; marital status; dependents; gender; images including CCTV; and other data collection permitted or required by local law.
- **Company-related information:**
Such as employment background and details; job title; role; function and grade; employer; work location/s; hire and termination dates; employee number; previous supervisor or manager.
- **Compensation information:**
Such as salary; statutory or contractual benefits; and other compensation.
- **Payroll information:**
Such as tax information; court orders; holiday; time off and absence information; National Insurance Number, other national identification numbers; and bank account details.
- **Background information:**
County Court Judgments (CCJs); bankruptcy; educational, training and qualification background; referencing; and other background information commonly used for security screenings, where applicable.

- **Disclosure & Barring Service:**

Such as the existence of a criminal record, e.g. through the Disclosure & Barring Service (DBS) (formerly Criminal Record Bureau (CRB)), but not the criminal record itself.

Special Categories of Personal Data

We may also process the following special categories (“Sensitive Personal Data”) of Your Personal Data:

- Information about ethnic origin; trade-union membership; and the processing of certain data concerning health (e.g. medical data relating to background information, occupational health, and disability to make adjustments to accommodate you in the workplace).

Processing of Special Categories of Personal Data will only take place if it is strictly needed for business requirements, or if it is required in order to comply with applicable law, such as to accommodate a disability.

Legal Basis for Processing

We will only process Your Personal Data to the extent:

- Processing is necessary for the performance of a contract (e.g. performance of your employment contract or other contractual work agreement with us, including steps prior to entering into such a contract); or
- Processing is necessary for compliance with a legal or statutory obligation; or
- Processing is necessary for the purposes of the legitimate interests pursued by us or by the third party or parties to whom Your Personal Data is disclosed, except where such interests are overridden by your interests of protecting your fundamental rights and freedoms.

In very limited circumstances, we may also ask for your consent to process Your Personal Data.

Access to and disclosure of Your Personal Data

We may use processors who are third parties who provide elements of services for us. Where we use third parties, we have contracts in place with them as our data processors. This means that they cannot do anything with your personal information unless we have instructed them to do it. They will not share your personal information with any organisation apart from us or strictly, with our consent if we are satisfied there are adequate safeguards in place to protect your information. They will hold it securely and retain it for the period we instruct.

We will not share your information with any third parties for the purposes of direct marketing.

We seek to:

- exercise appropriate due diligence in the disclosure of Your Personal Data to such third parties;
- require, via contract or otherwise, that such third parties implement and maintain adequate technical and organisational security measures to safeguard Your Personal Data;

- ensure that Your Personal Data is only processed as instructed by us or required by law.

We may also process, disclose, and transfer Your Personal Data to government departments law enforcement agencies and regulators (such as the Information Commissioner's Office (ICO)), social organisations (e.g., a social benefits agency), statutory bodies (e.g. the Financial Conduct Authority (FCA)), courts and other tribunals where legally required to do so.

Transfers and Processing of Your Personal Data to Third Parties and/or Country

Our parent company, Tata Consultancy Services Limited (TCS), is based in India, as are some of its subsidiary companies and service providers, and some of those are outside the UK and EEA.

Because of this, Your Personal Data may be processed in, or transferred to, countries outside the UK and EEA. We will ensure that we put in place appropriate safeguards when we allow Your Personal Data to be processed outside the UK and EEA.

A Data Transfer Agreement exists between Diligenta and TCS, agreeing to transfer Personal Data for the provision of the services, and to comply with EU and UK Privacy Law in respect of the processing of Your Personal Data in connection with the processing referred to in this Privacy Notice.

Countries outside the UK and EEA provide a different level of data protection from the UK, so we have legal contractual agreements to ensure that appropriate technical and organisational safeguards are in place; ensuring Your Personal Data is given the same level of protection as if we were processing it here in the UK.

We, and TCS, will remain responsible for responding to direct Data Subject Requests, as required by EU and UK Privacy Law. We will co-operate with TCS, as necessary, to respond to such requests.

We will never sell or lend Your Personal Data to other third parties.

Technical and Organisational Measures (security of your data)

We take the security of Your Personal Data seriously. We have internal policies and controls in place to ensure that Your Personal Data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties.

We have implemented and maintain adequate technical and organisational measures to safeguard Your Personal Data. We are ISO27001 certified.

Retention of Your Personal Data

If your application is unsuccessful, we will hold Your Personal Data for one year after the end of the relevant recruitment process. At the end of that period, Your Personal Data will be deleted or destroyed.

Should you like more information on our recruitment partner Sanderson Managed Services Limited, including their retention periods and their privacy policy which sets out how they handle your data, please contact them at dataprivacy@sandersonplc.com.

Rights to Your Personal Data

Under Data Protection legislation, and where appropriate, you have the following rights to the information we hold about you:

Right to be Informed

- This is our obligation to you to provide transparency in how we use Your Personal Data. This Privacy Notice is intended to fulfil this right.

Right of Access

- You have the right to a copy of Your Personal Data and supplementary information.

Right to Rectification

- You can ask us to correct or amend Your Personal Data if it is inaccurate or incomplete.

Right to Erasure

- Also known as ‘the right to be forgotten’, you can request the deletion or removal of Your Personal Data where there is no legitimate reason for continued processing.

Right to Restrict Processing

- You can ask us to limit processing Your Personal Data, meaning we can store it but process it no further.

Right to Object to Processing

- Where this is done, you can object to the processing of Your Personal Data for direct marketing, profiling (processing evaluating certain things about you),

Right to Data Portability

- Where you have provided us with Your Personal Data in an electronic form, you can obtain and reuse this for your own purposes.

Rights to Challenge Automated Decision Making & Profiling

- Currently we do not utilise automated decision making in respect of prospective candidates or employees. However, when a decision is based upon automated processing, you have the right not to be subject to such a decision, and may challenge this or seek an explanation.

Right to withdraw consent

- In the very limited circumstances, where you may have provided your consent to the collection, processing and transfer of Your Personal Data for a specific purpose, you may have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact our Data Protection Officer (see contacts below) or HR Direct. Once we have received notification that you have withdrawn your consent, we will no longer process Your Personal Data for the purpose or purposes you originally agreed to, unless we have another legal basis for doing so.

Should you wish to exercise any of these rights, please contact data.protection@diligenta.co.uk or for employees hrdirect@diligenta.co.uk.

Some of these rights may be restricted in certain circumstances. If such restrictions apply, we will inform you.

If you believe that we have not complied with your data protection rights, you can complain to the Information Commissioner.

Changes to this Privacy Notice

We keep this Privacy Notice under review. This Privacy Notice was last updated December 2023.