

## Applicant Privacy Policy

uCheck Limited (“uCheck”, also referred to as “we”, “us” or “our” throughout this privacy policy) respects your privacy and is committed to protecting your personal data. We understand that providing personal and sensitive data is an act of trust and we treat your information with respect and integrity. This privacy policy will inform you as to how we look after your personal data when you visit our websites and systems (regardless of where you visit them from) and tell you about your privacy rights and how the law protects you.

Throughout this policy we refer to “you”, the applicant, and “your” personal data and legal rights. Please see the section headed ‘Our role’ below, to understand whether you are an “A1 applicant” or an “A2 applicant” and how this policy will apply to you.

This privacy policy covers the following:

- our website [www.ucheck.co.uk](http://www.ucheck.co.uk) (“website”)
- our systems <https://www.hr-platform.co.uk/app>, <https://www.hr-platform.co.uk/direct/application-personal-info/> and <https://www.dbsassist.co.uk/ucheck/> (“systems”)

uCheck is responsible for the website and systems.

**Whenever you visit and use our website, use our systems or provide us with your personal data, this privacy policy will apply to how we process your personal data. You will be required to read and acknowledge that you have read this privacy policy before submitting an application. If you do not agree with how we process your personal data, we suggest that you stop using our website and/or systems immediately.**

This privacy policy aims to give you information on how uCheck collects and processes the personal data provided by you and/or the personal data obtained through your use of the website and/or systems.

The website and/or systems are not intended for children and we do not knowingly collect data relating to children.

It is important that you read this privacy policy together with any statement of fair processing that 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.

Please note: the website and systems 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 or processing activities. When you leave our website or systems, we encourage you to read the privacy policy of every website you visit.

### GENERAL TERMS

#### What is personal data?

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).

#### Our role

In most cases, uCheck acts as a data processor of all applicant personal data it receives and our clients (who request checks on an applicant’s behalf) are data controllers of that data. Our clients include employers, recruitment and volunteer agencies, as common examples. Applicants whose checks are requested by a client of uCheck are referred to as “**A1 applicants**” throughout this policy.

Where applicants apply for a basic individual check directly with us, uCheck is the data controller of the personal data that applicant provides to us directly. Applicants of this nature are referred to as “**A2 applicants**” throughout this policy.

**Depending upon whether you are an A1 applicant or an A2 applicant, please refer to the applicable sections of this policy for details on how we process your personal data. The sections of this policy that are not specifically addressed to either A1 or A2 applicants apply to all applicants.**

## **TYPES OF PERSONAL DATA AND HOW WE USE IT**

We will only use your personal data where we have a lawful basis for doing so, as set out in the tables below (separated for A1 and A2 applicants).

If you choose not to provide your personal data to us for the purposes outlined, we will not be able to process the checks requested by you (A2 applicants) or by our clients on your behalf (A1 applicants).

## **A1 APPLICANTS - PERSONAL DATA WE PROCESS ABOUT YOU ON BEHALF OF OUR CLIENTS**

### **Our role: a data processor**

As explained above, uCheck acts as the data processor of your personal information where you are an A1 applicant and we process your personal data to provide our clients with online vetting and screening services. This means that our client acts as the data controller of your personal data, determining the purposes for which your data is processed. In this scenario, we only process your personal data on the instructions of our controller clients.

### **Data we collect about you**

We may collect, use, store and/or transfer the following types of personal data about you where you are an A1 applicant. The following is dependant on the checks requested by our controller client:

- **Personal information:** including your title, forename, middle name(s), surname, date of birth, birth nationality, country, county and town of birth, gender and mother’s maiden name
- **Personal history:** including any change of your nationality, surname, other known names and confirmation (requiring a ‘yes’ or ‘no’ response) regarding any unspent convictions
- **Address information:** including 5-year address history
- **ID information:** comprising at least one of the following: your national insurance number, national identity card details, passport details or driving licence details. Please note that certain special category data may be processed depending on the type of ID you provide where a Right to Work check has been requested.
- **Contact data:** including email address and telephone number(s)
- **Technical data:** including internet protocol (IP) address, browser type and version, 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 our website and/or systems
- **Usage data:** including information about how you use our website and/or systems, products and services
- **Profile and transaction data (where you are paying for the check on our system):** including your payment and purchase history with us (but not your financial, such as card payment details), together with your interests, preferences, feedback and survey responses

## How we collect your data

We use different methods to collect personal data from and about you, including through:

- **Direct interactions:** you may be asked to provide certain identity and contact data by filling in the forms on our website and/or systems, or by corresponding with us by post, telephone or email. The following activities will require the provision of certain personal data:
  - completing information required to submit a check using our website/systems
- **Automated technologies or interactions:** as you interact with our website and/or systems, we will automatically collect technical data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. Please see our cookies policy (available on our website) for further details
- **Contact data:** provided to us by your employer or prospective employer

## Purposes for which we will use your data

Please see the table below for a description of the purposes for which we process your data as a data processor and our lawful grounds for doing so.

Note that we may process your data on the basis of more than one lawful ground, depending upon our purpose for using your data.

Please do not hesitate to contact us at: [governance@ucheck.co.uk](mailto:governance@ucheck.co.uk), or using the additional details set out in this policy, should you have any questions in this regard.

Purpose/activity	Type of data	Lawful basis for processing
Providing an online vetting and screening service on behalf of our clients (including troubleshooting, data analysis, support, system improvements, reporting and hosting of data)	Personal information Personal history Address information ID information Technical data Usage data	As a data processor performing a service on behalf of our client (the data controller), uCheck relies upon our client's lawful basis in order to process your personal data on our client's behalf (in accordance with our client's instructions). Please refer to the privacy notice(s) of your employer/prospective employer, recruitment or other agency, as applicable, to understand their lawful basis for sharing your personal data with us for the purpose of conducting your vetting and screening check(s). As an A1 applicant, your relationship and any contract will be with our client, not uCheck.

Whenever we refer to relying on our legitimate interests please note that we will always carry out a "balancing" test to make sure that we consider and safeguard your rights.

## Automated decision-making in connection with A1 applicants

The application process for 'DBS Enhanced' checks will enable you to opt-in to use of our automated decision-making tool. If you decide to opt-in and if the application meets the defined requirements, the application will be automatically countersigned by uCheck; meaning uCheck will affix an electronic signature to the application that confirms it is eligible for the DBS check requested based on the information provided. We consider this to be

automated decision-making. If an application does not meet the relevant requirements for automated countersignature or if you decide not to opt-in, the application will be diverted to us and will be reviewed by our client support team for countersigning or query.

We will not use personal data for the purposes of automated decision-making without your explicit consent. By declining to opt in to use of the tool, you will be requesting human intervention and your application will be reviewed by our client support team for countersigning or query.

Please see the section headed 'Your legal rights' below, for your rights in the event that you opt-in to this automated decision-making process.

### **International Transfers in connection with A1 applicants**

The personal data that we collect from A1 applicants may be transferred to and stored at a destination outside the UK and the European Economic Area ("EEA"). Whilst the controller client may access the services (including any applicant data) from outside the UK and the EEA or the country where the controller client and the authorised users are located, any international transfers of data occurring as a result of this access by the controller client from overseas will be the responsibility of the controller client and they have agreed to ensure that adequate safeguards are in place.

In the event that the controller client instructs us to conduct an external identity validation check in connection with a DBS or Right to Work check, we will appoint Experian or Jumio (depending upon the nature of the additional verification required) as our third-party sub-processor of your data. Whenever we transfer your personal data out of the UK and the EEA, we will ensure a similar degree of protection is afforded to it by implementing appropriate safeguards.

## **A2 APPLICANTS – PERSONAL DATA WE PROCESS ABOUT YOU AT YOUR REQUEST**

### **Our role: data controller**

As explained above, uCheck acts as the data controller of your personal information where you are an A2 applicant. This means that we control your personal data and determine the purposes for which your data is processed.

We may collect, use, store and/or transfer the following types of personal data about you where you are an A2 applicant:

- **Personal information:** including your title, forename, middle name(s), surname, date of birth, birth nationality, country, county and town of birth and gender
- **Personal history:** including any change of your nationality, surname and other known names
- **Address information:** including 5-year address history
- **ID information:** comprising one of the following: your passport or driving licence details
- **Contact data:** including email address, delivery address and telephone number(s)
- **Technical data:** including internet protocol (IP) address, your log-in data for our systems, browser type and version, 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 our website and/or systems
- **Usage data:** including information about how you use our website and/or systems, products and services
- **Profile and transaction data:** including your payment and purchase history with us (but not your financial, such as card payment details), together with your interests, preferences, feedback and survey responses

## How we collect your data

We use different methods to collect personal data from and about you, including through:

- **Direct interactions:** you may be asked to provide certain identity and contact data by filling in the forms on our website and/or systems, or by corresponding with us by post, telephone or email. The following activities will require the provision of certain personal data:
  - completing information required to submit a check using our website/systems
  - providing us with feedback or contacting us
- **Automated technologies or interactions:** as you interact with our website and/or systems, we will automatically collect technical data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. Please see our cookies policy (available on our website) for further details.

## Purposes for which we will use your 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. Please note, we will always be a data controller when processing your personal data for the purposes set out below.

Purpose/activity	Type of data	Lawful basis for processing
Providing an online vetting and screening service for you (including troubleshooting, data analysis, support, system improvements, reporting and hosting of data)	Personal information Personal history Address information ID information Technical data Usage data	Necessary for the performance of a contract with you (i.e. the contract we enter into with you when you request a check)  Your clear consent will be obtained for the purpose of processing your application.
Responding to you when you contact us to make an enquiry about the services that we provide	Personal information Contact data	Necessary for our legitimate interests (to promptly respond to your query to determine if our service can help you)
Managing our relationship with you, by asking you to leave a review or take a survey at the end of a call or live chat	Personal information	Necessary for our legitimate interests (to understand how satisfied you are with your experience and to help improve our services).

## GENERALS

### HOW WE DISCLOSE YOUR PERSONAL DATA

We may need to share the personal data of any applicant with other parties for the reasons set out below.

#### External third parties

- Service providers acting as processors or our sub-processors based in the United Kingdom who provide IT and system administration services

- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based in the United Kingdom who provide consultancy, banking, legal, insurance and accounting services
- Third party card payment providers who process your card details for the payment of your check and who act as data controllers in their own right:  
*Stripe, Inc <https://stripe.com/gb/privacy>*
- 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
- Service providers acting as processors that conduct external identity verification and authentication solutions for A1 applicants in connection with a DBS or Right to Work check
- 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 (where acting as sub-processors) 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.

#### **CHANGE OF PURPOSE**

We will only use your personal data for the purposes for which we say we collect it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If at any time you wish to obtain an explanation as to how any processing for a new purpose is compatible with our original purpose, please contact us at: [governance@ucheck.co.uk](mailto:governance@ucheck.co.uk) or using the additional details set out in this policy.

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.

#### **MARKETING**

We do not, at this time, use your personal data for marketing purposes. We will not use your personal data for marketing purposes unless we have a valid lawful basis to do so.

#### **THIRD-PARTY MARKETING**

We will obtain your prior, express opt-in consent before we share your personal data with any third party for marketing purposes.

#### **COOKIES**

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of the website and/or systems may become inaccessible or not function properly. For more information about the cookies we use, please see our cookies policy, available on our website.

## DATA SECURITY AND DATA RETENTION

### Data security

Data security is of great importance to us, and to protect your personal data we have put in place suitable physical, electronic and managerial procedures to safeguard and secure data collected through our website and/or systems.

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 do so. 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.

We use AES 256-bit encryption for all personal data to ensure that it remains safe and secure. We also run redundant mirrored database servers to ensure complete data protection for us and all of our customers. We conduct periodic backups every day.

Notwithstanding the security measures that we take, it is important to remember that the transmission of data via the internet may not be completely secure and that you are advised to take suitable precautions when transmitting data to us via the internet.

We adopt appropriate data collection, storage and processing practices and security measures to protect against unauthorised access, alteration and disclosure or destruction of your personal information, transaction information and data stored on our website. We secure all our pages via a strong SSL. Personal data is encrypted at rest.

All information that we hold about you is stored on our secure servers or on secure servers operated by a third-party within the UK.

### Retention

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.

Applications which are started within our systems but not completed are automatically deleted from our systems after 3 months from the date of creation.

Details of retention periods for different aspects of your personal data are available in our retention policy, which you can request from us by contacting us at: [governance@ucheck.co.uk](mailto:governance@ucheck.co.uk), or using the additional details set out in this policy.

## YOUR LEGAL RIGHTS

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

You have the right to:

**Request access** to your personal data (i.e. ask us for copies of your personal information). This is commonly known as a "data subject access request". This right always applies. There are some exceptions, which means you may not always receive all the information we process. You can read more about the right on the ICO's website, here: <https://ico.org.uk/your-data-matters/your-right-of-access/>

Please note, in relation to this right:

- **Access management:** Where uCheck acts as data processor (please see the section headed 'Our role' above), we are required to assist the data controller in responding to access requests relating to your (the data subject's) rights. To this end, data subject access requests received from A1 applicants will be sent to the controller (uCheck's client) and we will assist them in their response. Data subject access requests received from A2 applicants will be managed by uCheck as data controller.
- **Fee:** You will not usually have to pay a fee to access your personal data (or to exercise any of your other rights as set out here). However, we may charge a reasonable fee if your access request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.
- **What we will 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 as set out here). 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.
- **Response time:** 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.

**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. This right always applies. You can read more about this right on the ICO's website, here:

<https://ico.org.uk/your-data-matters/your-right-to-get-your-data-corrected/>

Please note, in connection with this right: once you submit an application using our system, we are no longer able to correct any information you have included on that application without withdrawing the application itself.

Accordingly, correcting information already submitted via our system would require submitting a new application, attracting a new application fee. At the point you submit an application, the only personal data uCheck then holds about you is contained in a record of the application you have submitted. Please contact us at:

[governance@ucheck.co.uk](mailto:governance@ucheck.co.uk) or using the additional details set out in this policy, should you have any queries in this regard.

**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. You can read more about the right on the ICO's website, here: <https://ico.org.uk/your-data-matters/your-right-to-get-your-data-deleted/>

**Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third-party) in order to process it and you feel our processing impacts on your fundamental rights and freedoms. You would also have the right to object if uCheck were to process your personal data for direct marketing purposes, however since we do not do this, this right will not apply. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms. You can read more about this right on the ICO's website, here: <https://ico.org.uk/your-data-matters/the-right-to-object-to-the-use-of-your-data/>

**Request restriction of processing** of your personal data. This enables you to ask us to suspend or restrict the processing of your personal data in certain circumstances. You can read more about this right on the ICO's website, here: <https://ico.org.uk/your-data-matters/your-right-to-limit-how-organisations-use-your-data/>

**Data portability.** This right only applies to information that you have given us. You have the right to ask that we transfer the information you gave us from one organisation to another or give it to you. The right only applies if we are processing information based on consent, under or in talks about entering into a contract and the processing is automated. You can read more about this right on the ICO's website, here: <https://ico.org.uk/your-data-matters/your-right-to-data-portability/>

**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.

**Automated decision-making.** In the event that we use your personal data for the purposes of automated decision-making and our automated decisions have a legal (or similarly significant) effect on you, you have the right to challenge those decisions and to request human intervention, express your own point of view and obtain an explanation of the decision from us.

If you wish to exercise any of the rights set out above, please contact us at: [governance@ucheck.co.uk](mailto:governance@ucheck.co.uk), or using the additional details set out in this policy.

#### **CHANGES TO THIS PRIVACY POLICY**

We will review this privacy policy regularly and update it if necessary. Any updates to this privacy policy will be posted on our website and systems.

#### **CONTACT**

Should you have any questions about this privacy policy or our privacy practices, please contact us using the following details:

Name of Data Protection Officer:	Amy Squires
Email address:	<a href="mailto:governance@ucheck.co.uk">governance@ucheck.co.uk</a>
Registered Office:	First Floor, Chiltern House, Sigford Road, Marsh Barton, Exeter EX2 8NL
Telephone number:	0843 178 0818

#### **COMPLAINTS**

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](http://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.

**Approved by:** *George Griffiths*

**Date:** 22/04/2020

**Managing Director**