

PRIVACY POLICY

Who are we?

Winchester Search
Room 1903, 19/F.,
Emperor Group Centre,
288 Hennessy Road,
Wanchai, Hong Kong

info@winchester-search.com

Tim Smith is the person responsible for data privacy (tim.smith@winchester-search.com)

We provide permanent recruitment services to clients looking to recruit personnel for their businesses.

What does this Policy cover?

We at Winchester Search take your personal data seriously. This policy:

- sets out the types of personal data that we collect about you;
- explains how and why we collect and use your personal data;
- explains how long we keep your personal data for;
- explains when, why and with who we will share your personal data;
- sets out the legal basis we have for using your personal data;
- explains the effect of refusing to provide the personal data requested;
- explains the different rights and choices you have when it comes to your personal data; and
- explains how we may contact you and how you can contact us.

What personal data do we collect about you?

We collect the information necessary to be able to find available opportunities and further information needed to assess your eligibility through the different stages of recruitment.

This information includes CV's, identification documents, educational records, work/employment history and references.

We may also sometimes collect sensitive personal data about you. We will however only collect sensitive personal data from you, and further process this data, where you have given your explicit consent.

Where do we collect personal data about you from?

The following are the different sources we may collect personal data about you from:

- **Directly from you.** This is information you provide while searching for a new opportunity and/or during the different recruitment stages.
- **From an agent / third party acting on your behalf.** e.g. Interim Management Company.
- **Through publicly available sources.** We use the following public sources:

- LinkedIn
- Your company website
- Job Boards
- **By Reference or word of mouth.** For example, you may be recommended by a friend, a former employer, a former colleague or even a present employer.

How do we use your personal data?

We use your personal data to match your skills, experience and education with a potential employer.

We will initially collect basic information on you such as contact details, job role and experience and then pass this on to the client in search of personnel. If you are chosen by the client and go through to the next stage we will then be collecting more information from you at the interview stage and onwards in that manner.

How long do we keep your personal data for?

We only retain your information for as long as is necessary for us to use your information as described above or to comply with our legal obligations. However, please be advised that we may retain some of your information after you cease to use our services, for instance if this is necessary to meet our legal obligations, such as retaining the information for tax and accounting purposes.

When determining the relevant retention periods, we will take into account factors including:

- (a) our contractual obligations and rights in relation to the information involved;
- (b) legal obligation(s) under applicable law to retain data for a certain period of time;
- (c) our legitimate interest where we have carried out a balancing test;
- (d) statute of limitations under applicable law(s);
- (e) (potential) disputes;
- (f) if you have made a request to have your information deleted; and
- (g) guidelines issued by relevant data protection authorities.

Otherwise, we securely erase your information once this is no longer needed.

Who do we share your personal data with?

We share your personal data with the client who has a position to fill, in order to determine with the client whether you are a good fit for the available position. Our clients are law firms or organisations seeking to hire lawyers. They are based in Australia, Asia, England, and the offshore jurisdictions which are the markets we specialise in.

We may also sometimes conduct checks on you to verify the information you have provided and where we do this we share your information with the relevant professional body or regulatory authority in the countries where you are admitted to practise such as your national or state Law Society.

We also share your data with our database provider and web hosting company so that your data can be stored on our database and any email communication we have with you can be stored on our server.

What legal basis do we have for using your information?

For prospective candidates, referees and clients, our processing is necessary for our legitimate interests in that we need the information in order to be able to assess suitability for potential roles, to find potential candidates, and to contact clients and referees. We carry out a balancing test to ensure that our processing is necessary and that your fundamental rights of privacy are not outweighed by our legitimate interests, before we go ahead with such processing. We keep a record of these balancing tests. You have a right to and can find out more about the information in these balancing tests by contacting us using the details below.

If you are interviewed and submitted as a candidate, then this may involve the processing of more detailed personal data including sensitive data such as health sexual orientation that you or others provide about you. In that case, we always ask for your consent before undertaking such processing.

For clients, we may also rely on our processing being necessary to perform a contract for you, for example in contacting you.

What happens if you do not provide us with the information we request or ask that we stop processing your information?

If you do not provide the personal data necessary, or withdraw your consent for the processing of your personal data, we may not be able to match you with available job opportunities.

Do we make automated decisions concerning you?

No, we do not carry out automated profiling.

Do we use Cookies to collect personal data on you?

To provide better service to you on our websites, we use cookies to collect your personal data when you browse. See our cookie policy [here](#) for more details.

Do we transfer your data outside the EEA?

To better match your employee profile with current opportunities we may transfer your personal data to clients and partners in countries outside the EEA. These countries privacy laws may be different from those in your home country. Where we transfer data to a country which has not been deemed to provide adequate data protection standards we always have security measures and approved model clauses in place to protect your personal data.

At present we transfer data to the following countries outside the EEA:

Australia
Bermuda
British Virgin Islands
Cayman Islands
Guernsey
Jersey
Hong Kong

Japan
New Zealand
People's Republic of China
Singapore

Where we transfer personal data outside the EEA, information on the adequacy standards of the countries where personal data will be transferred to, the safeguards implemented for the transfer, and the means by which a data subject can obtain a copy of the safeguards in place for such transfers, can be obtained by contacting us at info@winchester-search.com

What rights do you have in relation to the data we hold on you?

By law, you have a number of rights when it comes to your personal data. Further information and advice about your rights can be obtained from the data protection regulator in your country.

Rights	What does this mean?
1. The right to be informed	You have the right to be provided with clear, transparent and easily understandable information about how we use your information and your rights. This is why we're providing you with the information in this Policy.
2. The right of access	You have the right to obtain access to your information (if we're processing it), and certain other information (similar to that provided in this Privacy Policy). This is so you're aware and can check that we're using your information in accordance with data protection law.
3. The right to rectification	You are entitled to have your information corrected if it's inaccurate or incomplete.
4. The right to erasure	This is also known as 'the right to be forgotten' and, in simple terms, enables you to request the deletion or removal of your information where there's no compelling reason for us to keep using it. This is not a general right to erasure; there are exceptions.
5. The right to restrict processing	You have rights to 'block' or suppress further use of your information. When processing is restricted, we can still store your information, but may not use it further. We keep lists of people who have asked for further use of their information to be 'blocked' to make sure the restriction is respected in future.
6. The right to data portability	You have rights to obtain and reuse your personal data for your own purposes across different services. For example, if you decide to switch to a new provider, this enables you to move, copy or transfer your information easily between our IT systems and theirs safely and securely, without affecting its usability.
7. The right to object to processing	You have the right to object to certain types of processing, including processing for direct marketing

	(i.e. if you no longer want to be contacted with potential opportunities).
8. The right to lodge a complaint	You have the right to lodge a complaint about the way we handle or process your personal data with your national data protection regulator.
9. The right to withdraw consent	If you have given your consent to anything we do with your personal data, you have the right to withdraw your consent at any time (although if you do so, it does not mean that anything we have done with your personal data with your consent up to that point is unlawful). This includes your right to withdraw consent to us using your personal data for marketing purposes.

We usually act on requests and provide information free of charge, but may charge a reasonable fee to cover our administrative costs of providing the information for:

- baseless or excessive/repeated requests, or
- further copies of the same information.

Alternatively, we may be entitled to refuse to act on the request.

Please consider your request responsibly before submitting it. We'll respond as soon as we can. Generally, this will be within one month from when we receive your request but, if the request is going to take longer to deal with, we'll come back to you and let you know.

How will we contact you?

We may contact you by phone or email.

If you prefer a particular contact means over another please just let us know.

How can you contact us?

If you are unhappy with how we've handled your information, or have further questions on the processing of your personal data, contact us here:

Winchester Search
Room 1903, 19/F.,
Emperor Group Centre,
288 Hennessy Road,
Wanchai, Hong Kong

info@winchester-search.com