

Intelligent compliance | Unique combination of smart people and smart tech



Momenta

Associates Privacy Notice

1 Introduction

Momenta Interim Management Limited (Momenta) is the Data Controller for Associates (contractors and potential contractors) who contract through third parties in order to provide services for Momenta's clients. Momenta is part of TCC Holdings group which encompasses The Consulting Consortium (TCC), Recordsure and Momenta.

Momenta are committed to safeguarding the security, privacy and integrity of the personal information that we process concerning our Associates. This includes the disclosure of data for contract related purposes.

Momenta is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations. This Privacy Notice applies to all current associate and prospective associate personnel and sets out how we handle your personal data, and how we use the personal data in compliance with the EU General Data Protection Regulation (GDPR), and any subsequent legislation that enacts this; hereafter referred to as the data protection regulation.

We ask you to read this privacy statement very carefully as it contains important information on the way in which we will process your personal data, in particular:

- The personal information we collect about you
- Our legal basis for processing your personal data
- What we do with your personal information
- Who your personal data may be shared with
- Your rights as a data subject under the Data Protection regulations.

We reserve the right to change our privacy statement from time to time.

Data Controller:
 Momenta Interim Management Limited
 10 Lower Thames Street
 London
 EC3R 6EN
 United Kingdom
 Tel: 020 7374 6600
 Email: dpo@momentagroup.com

2 What is personal data and how is it collected?

Personal data includes any information that directly or indirectly identifies an individual.

We may collect your personal data directly or passively from you, or indirectly from other sources, when we are assessing your candidacy for relevant job opportunities, or when entering, or arranging to enter a contract via your umbrella or limited company. This will depend upon our historical interactions with you where you have previously completed assignments on behalf of Momenta, TCC or Recordsure.

Personal data we may gain directly from you may include:

- **Contact Information:** name, address, private telephone number, work telephone number, private email address, work email address, emergency contact information
- **Personal Information:** date of birth, birthplace, gender, marital status, nationality, languages spoken, photographic image, biographical information, biometric information
- **Residency Status Information:** right to work, nationality, passport, visa status

- **Employment Information:** start date and termination date (both with client firms and Momena), information relating to gaps in your employment, Terms and Conditions of your employment, including work schedules, employee identification information, job title, position/grade, department, duties, performance reviews and ratings, compensation and benefits, social security or other taxpayer identification number, summaries of expense claims, banking details, annual leave records, personal information relating to dependents/emergency contacts/beneficiaries, C.V. information, work history, interview records, references
- **Education and Training Information:** educational background and level, professional certifications and registrations, technical skills, language capabilities, training courses attended
- **Special Category Information (Sensitive Data):** health including sickness records, physical limitations and special needs, work restrictions and accommodations
- **Financial and Other Background Information:** results of credit checks, including details of any CCJs, and criminal background checks. Information relating to fraud and sanctions checks.
- **Communication Information:** voicemails, emails, correspondence and other work products and communications created, stored or transmitted by you using our computer or communications equipment.
- **Photographs, filming and any other type of image** for marketing purposes for example hard copy brochures or for the website.
- **Other:** any other relevant data that could be necessary for employment purposes

We will only process special category data (sensitive data) in line with employment legislation and other legal obligations to which we are subject, and for the purposes of managing the associate role and contract. Otherwise, we will obtain your prior informed and explicit consent to process this information.

We may also process your personal data which we obtain indirectly from other sources, such as:

- Recruitment Agencies
- Umbrella Company nominated by yourself
- Your Named Referees Past employers – for reference purposes
- Security and background screening including criminal record checks and financial probity
- Publicly accessible data such as LinkedIn and other social media
- Via feedback, referrals or recommendations from clients or employees of Momena, TCC or Recordsure, whilst you have been working as an associate.

3 How we use your data

We will only process your personal data where we have a legal basis for doing so (see section below). We will only use your personal data for the purposes described in this Privacy Notice, and in particular to assess your candidacy for and to offer you associate opportunities with Momena, TCC or Recordsure; either working directly for Momena, TCC or Recordsure or on behalf of one (or more) of our clients.

We will never share your data with any other third party, other than those stated in this policy, nor use your data for any other purpose, unless we firstly gain your explicit consent to do so.

Our Legal basis for processing your personal data

We may rely on a number of legal bases for collecting and further processing your personal data, including:

- **Contractual Necessity**

We collect personal information about you to enable us to enter and manage the associate role and contract.

- **Consent**

We will always gain your freely given, specific, unambiguous explicit and informed consent for any sharing of photographs, videos, images or biographical information on marketing materials (hard copies, soft copies or on the website) or for sharing your personal data with any third-party clients for the purposes of marketing or proposals.

— Legal Obligation

We may also process your personal information to allow us, or our clients, to comply with certain legal obligations to which we are subject. For example, in compliance with FCA regulation, as well as compliance with employment, social security or social protection law. We may also rely on our legal obligation where processing is necessary for the establishment, exercise or defence of legal claims.

— Legitimate Interest

We may rely on our legitimate interest to process your personal data for the following purposes:

- To enable us to provide you with opportunities that are likely to be relevant to you
- To assess your candidacy for a relevant role and conduct background checks
- For evidential purposes to effectively manage and maintain records of our relationships/communications with you
- For evidential purposes to effectively manage and maintain records of the work you have previously conducted for Momena, TCC or Recordsure
- For business development related activity such as contacting you by telephone or email to arrange meetings with our experts in relation to work or knowledge sharing
- To enhance, modify, personalise or otherwise improve our services and communications for your benefit
- To better understand your experience, skill set and work interests in order to approach you with relevant Associate opportunities by telephone or email and to arrange meetings to discuss our working relationship in the future.
- To communicate with you in case of an emergency or a disaster recovery incident
- To communicate internal bulletins, newsletters and other communications
- To communicate important updates about the business, the business sectors we work with and any relevant regulatory updates, which we think may be of interest to you.

Please note, you have the right to object to the processing for which we rely on legitimate interest as the legal basis. You can do so by emailing dpo@momentagroup.com

4 Your rights as a data subject

As a data subject, you can exercise rights in relation to the processing of your personal data, under the data protection regulation, as detailed below:

Right to request access: you can request a copy of the personal information that we hold about you.

This privacy notice complies with your right to confirmation on whether or not we are processing your personal data and provides you with the following information:

- The purpose of processing
- The recipients or categories of recipients to whom the personal data has been or will be disclosed
- The envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period.

Right to request rectification of your personal information: you shall have the right to obtain from us without undue delay the rectification of inaccurate personal data concerning you. Taking into account the

purposes of the processing, you shall also have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

Right to request erasure (“to be forgotten”) of your personal information: in some circumstances you have the right to have your personal data erased and no longer processed where

- The personal data is no longer necessary in relation to the purposes for which it was collected or otherwise processed
- You withdraw consent on which the processing is based, and where there is no other legal ground for processing
- You object to the processing and there are no overriding legitimate grounds for the processing
- The personal data has been unlawfully processed
- The personal data has to be erased for compliance with legal obligation.

Right to restrict processing: you have the right to obtain the restriction of processing where one of the following applies:

- The accuracy of the personal data is contested, for a period enabling the verification of the accuracy of the personal data
- The processing is unlawful, and you object to the erasure of the personal data and request the restriction of use instead.
- We no longer need the personal data for the purposes of the processing, but are required by you for the establishment, exercise or defence of legal claims
- You have objected to processing pending verification of whether our legitimate grounds override yours.
- Where you have obtained restriction of processing you have the right to be informed by us before the restriction processing is lifted.

Right to object to processing: you have the right to object, on grounds relating to your particular situation, at any time, to processing of personal data concerning you which is based on our legitimate interest. In addition you can withdraw consent on which the processing is based, and where there is no other legal ground for processing.

Right to data portability: you have the right to receive the personal data concerning you, which you have provided to us and have the right to transmit this data to another controller without hindrance from us to which the personal data has been provided. Where feasibly possible, you also have the right to have the personal data transmitted directly to another controller.

Right to complain: we will be more than happy to discuss any complaint you may have about the processing of your personal data. You also have the right to lodge a complaint with the Information Commissioner’s Office (ICO). The contact details of the ICO are:

- Website: ico.org.uk
- Helpline: 03030123 1113

Right to understand the source of data gained indirectly: This Privacy Notice complies with your right to be informed of the source of any personal data that is not collected directly from you.

Should you wish to obtain a copy (free of charge) of the personal data being processed, we are required to respond to your request within one month from receipt of the request. For added security, we may ask you to provide proof of your identity before releasing any data. All requests can be sent via email dpo@momentagroup.com or to the following address:

Momenta Interim Management Limited
10 Lower Thames Street

London
EC3R 6EN
Telephone: 0203 772 7230

5 Consequences of not providing, or objecting to the processing, of your personal data

Prospective Associates

If you do not provide, or object to certain data processing activities, we may not be able to assess your candidacy or suitability for a role. This will result in you being removed from any candidate shortlist.

Current Associates

You have certain obligations under your associate role to provide Momenta, TCC or Recordsure, or our client firm, with personal data. For example, if you do not provide, or object to certain data processing activities, we would not be able to perform our obligations that exist in the contract in place between us and your umbrella or limited company. For example, if you withhold your bank details, then we would not be able to pay you.

We may also not be able to comply with our legal or regulatory obligations which may make it difficult for us to continue to employ you in a particular role. For example, if you are in a position that requires certification from the FCA and you objected to us conducting screening searches using personal data that you had previously provided, we may not be able to obtain (or maintain) the certification, which means you could not legally continue in that role.

6 Who has access to your personal data?

Where necessary, your information will be shared internally with Finance, your line manager, managers in the business area in which you work and IT staff, if access to the data is necessary for performance

We use the following third-party providers who may process or have access to your personal data. This is necessary for the Associate recruitment process, to obtain references from other employers and providers, and to obtain necessary criminal records checks from the Disclosure and Barring Service:

- CRM system providers, such as MP2, Salesforce, Bullhorn and Loxo
- Vetting check providers for credit, right to work and criminal record check.
- Fraud check. Cifas will use the data to prevent fraud, other unlawful or dishonest conduct, malpractice and other seriously improper conduct. If any of these are detected, you could be refused certain services or employment. Your personal information will also be used to verify your identity. Please contact us for further details of how your information will be used by us and Cifas.
- Umbrella company(s) nominated by you in order to facilitate payment of services.
- Company clients for fulfilling the contractual requirement including billing, workflow systems, systems, access and laptop builds where required
- Third party auditors: Company accountants or auditing for ISO certificates.
- Backup systems provider
- Purchasing, invoicing, timesheets and payroll processing providers
- Accounting and banking:
- Email and file storage:
- Expenses: Hotel and travel bookings and expense management
- Lawyers: Employment legal advice

Momenta will ensure that all third-party processors with whom it shares personal data has adequate data protection measures in place that align with the data protection requirements. We do not sell your personal data or other information to any third party.

7 Retention period

Momenta will only keep your personal data for as long as necessary for the purposes for which it was collected.

Personal data will be retained for the purposes of keeping you informed of relevant job opportunities within both our company and our client firms, or where we have another legal basis for processing.

If the personal data is no longer necessary, or where we no longer have the legal basis for processing, we will delete or fully anonymise the data we hold about you in line with our Data Protection Policy. If your data has become inaccurate or out of date, we will update it accordingly.

Your data will be erased when it is no longer necessary for the purpose it was originally processed, or after six years from our last contact with you.

8 How do we protect your data?

We take the security of your data seriously. We are committed to ensuring we have appropriate technical and organisational controls in place to keep your information secure. This includes internal policies and controls in place to protect against accidental or unlawful destruction, loss, alteration, disclosure or access to your personal data.

Your personal data will only be accessed by authorised employees of Momenta, in the performance of their duties or where you have otherwise given your explicit consent. In order to prevent unauthorised access or disclosure, we have put in place suitable physical, electronic and managerial procedures to safeguard and secure the information we collect.

Momenta will not process your data outside of the EEA and all personal data is stored in servers in the EEA.

9 Help keep your personal data accurate and up to date

This privacy statement details the standards that we will apply when processing your personal information. In return, it is important that you help keep your information accurate, reliable and up to date. Any changes to your personal data, such as a new address or change of name can be updated by contacting dpo@momentagroup.com

10 Right to withdraw consent

You have the right to withdraw your consent for processing if and where your consent to processing your personal data has been sought. You can do this 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.

11 Complaints

We will be more than happy to help you should you have any complaints about the processing of your personal data. If you have any queries about this privacy notice, or should you wish to make a complaint, please contact Momenta at dpo@momentagroup.com as detailed in the section below.

You have the right to lodge a complaint with the Information Commissioner's Office (ICO), which is the national authority responsible for the protection of personal data. A complaint can be made to the ICO via its website: ico.org.uk or through its helpline: 0303 123 1113.

12 Queries and requests

If you have any queries or requests concerning this privacy statement, your personal information or how we process it, please contact Momenta at dpo@momentagroup.com.

Head Office

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