

# Acre Resources LTD (The Company): Right to Erasure Form

## The right to erasure under the EU GDPR

The EU General Data Protection Regulation (GDPR) is the most significant piece of European privacy legislation in recent history, replacing that of the 1995 EU Data Protection Directive (European Directive 95/46/EC). It aims to support the rights individuals have on data about themselves which is collected and stored. It also aims to detect, identify and mitigate against data breaches or leaks for all companies in the EU, as well as enforcing reporting on these issues. This aims to create one uniform policy across the EU regardless of whether the UK is part of the European Union. Any business that deals with EU nationals and business alongside their data must comply with the legislation.

**Acre Resources LTD (The Company)** aims to comply with the applicable GDPR regulations as a data processor and controller. Working alongside its employees, clients, candidates and suppliers it will comply when the GDPR legislation takes effect on 25th May 2018.

**Acre Resources LTD (The Company)** uses Third Party suppliers and software to process, control and manage data. These systems have been audited in line with GDPR commitments and outlined below. In the context of this statement, data subject refers to the person or entity submitting data and can include employees, candidates, clients and other individuals or organisations that **Acre Resources LTD (The Company)** work with.

### The Business

**Acre Resources LTD (The Company)** are predominantly a professional services company who specialise in recruitment in their main sectors. **Acre Resources LTD (The Company)** provides a variety of services including recruitment, psychometric assessments, business intelligence and more. For a full range and up to date list of our services please visit our website.

**Acre Resources LTD (The Company)** advertise opportunities and placements publicly and people submit their information freely. Data collection and processing is necessary for the performance of a contract with the data subject or to take steps to enter into a contract. The Contract a data subject enters will entail **Acre Resources LTD (The Company)** Terms and Conditions which is made available to them in both the signed contract, on the website and by request. The Company also have a disclaimer on all job advertisements that data submitted can be used for both current and future opportunities. By submitting data, the data subject agrees that this data can be processed and stored. We would obtain consent to process and store personal data including but not limited to; name, email and mobile number. This data is necessary to ensure the data subject is suitable for engagement including but not limited to, placements **Acre Resources LTD (The Company)** advertise, business opportunities with **Acre Resources LTD (The Company)** and other reasons for communication. **Acre Resources LTD (The Company)** reserve the right to contact data subjects who have submitted this data both upon submission and in the future to ensure data is accurate.

## **The Right to Erasure**

GDPR introduces the right to erasure which is alternatively known as the right to be forgotten, under Article 17. This gives individuals the right to request that their personal data be erased, where, there is no compelling reason for its continued processing. The Right to Erasure requires a complete removal of a personal data, therefore archiving personal data will not meet the erasure requirements under the GDPR.

### **When does the Right to Erasure apply?**

The Right to Erasure does not provide an absolute 'right to be forgotten'. Data subjects have a right to be forgotten and prevent further data processing in specific circumstances:

- The personal data is no longer necessary in relation to the purpose for which it was originally collected or processed;
- When the data subject withdraws consent;
- When the data subject's personal data was unlawfully processed;
- The personal data needs to be erased to comply with legal obligations;
- The data subject objects to their data being processed and there is no overriding legitimate interest to continue processing the data.

### **When does the Right to Erasure not apply?**

There are circumstances where data subjects no longer have the 'right to be forgotten'. Data subjects can have data processed on them in the following circumstances:

- to exercise the right of freedom of expression and information;
- to comply with a legal obligation for the performance of a public interest task or exercise of official authority;
- for public health purposes in the public interest;
- archiving purposes in the public interest, scientific research historical research or statistical purposes; or
- the exercise or defence of legal claims.

### **Where does Acre Resources LTD (The Company) stand on data erasure upon request?**

**Acre Resources LTD (The Company)** will comply with all requests for data requests when it is a feasible request, however some circumstances may prevent Acre Resources LTD (The Company) from fully complying or not deleting all data.

This is split in between two types of data subjects:

- **Employees**
- **Candidates and Clients**

#### **Employees**

Where Employees are concerned their personal data is stored on an online HR system and on company hard drives. This data is necessary to comply with legal obligations relating to company finances and employment. This data would be kept for a maximum of 7 years to comply with legal obligations. When an Employee has left the business, their online account is thereby terminated with immediate effect after their last working day. This data is hard-deleted and cannot be retrieved. Data is also stored on the company hard drives and this would be hard erased after 7 years.

## Candidates and Clients

Where candidates and clients are concerned their personal data is stored on an online database (ATS) and on company hard drives. The data is necessary to comply with legal obligations relating to company finances and employment. This data would be kept for a maximum of 7 years to comply with legal obligations. For example, the Conduct of Employment Agencies and Employment Businesses Regulations (2003) stipulates the retention of work-seeker records for at least a year after their creation and at least one year from the date The Company last provided their service. **Acre Resources LTD (The Company)** provides a variety of services including recruitment, psychometric assessments, business intelligence and more. For a full range and up to date list of our services please visit our website.

### What if Acre Resources LTD (The Company) doesn't have my data?

**Acre Resources LTD (The Company)** has a policy to hard delete personal data after 7 years. Data retention is to fulfil legal and financial obligations. There will be extraneous circumstances where data can be deleted beforehand which includes:

- If we have not done business with you for over 7 years (client)
- If we have not contacted you in over 3 years (candidate)
- If you were employed with the business over 7 years ago
- If we do not need your data/ no longer needs to be processed
- If data did not have explicit consent (prior to the legislation)

### Data Deletion

**Acre Resources LTD (The Company)** aims to keep data on file for a period of 7 years unless otherwise stipulated. Data would be hard erased after this time unless the subject of the data requests otherwise or has been engaged with during this time and data on them is necessary for archiving purposes in the public interest. Consent would be obtained from data subjects in order to keep information on them. Subjects of data have the right to be forgotten and erased from records upon request, provided, it no longer needs to be processed for business or financial reasons. Subjects must make their request by phone, email or letter stipulating what data they would like erased and this will be processed within 48 hours. We would send confirmation of this either by email or letter.