

GDPR Data Protection Policy

Company Name:	'PROMAN' is the trading name of all companies of the PROMAN group including PROMAN Supply Chain Ltd, PROMAN Managed Services Ltd and PROMAN Recruitment Ltd ('the Company'), trading as Winsearch for permanent recruitment
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Document reference:	DP3 - Data Protection Policy
Status:	LIVE
Date prepared:	October 2022 (updated April 2026)
Version:	v2

1. Introduction

All organisations that process personal data must comply with data protection legislation, principally the Data Protection Act 2018 and the UK General Data Protection Regulation, both as amended by the Data (Use and Access) Act 2025 (together, the Data Protection Laws). The Data Protection Laws give individuals (data subjects) certain rights over their personal data, and impose obligations on organisations that process it.

As a recruitment business, PROMAN collects and processes both personal data and special categories of personal data. In some cases it is required to do so to comply with other legislation, and it is required to keep this data for different periods depending on its nature.

This Policy sets out how PROMAN implements the Data Protection Laws. It should be read together with PROMAN's Data Protection Procedure (DP4), which sets out the operational steps for handling individual rights requests and personal data breaches, and with the Data Retention Policy, the GDPR Data Breach Policy, the Data Privacy Notice, and the Data Protection Impact Assessment template.

2. Definitions

- Consent means any freely given, specific, informed and unambiguous indication of the data subject's wishes, by which they, by a statement or clear affirmative action, signify agreement to the processing of personal data relating to them.
- Data controller means the person or body which, alone or jointly with others, determines the purposes and means of processing personal data.
- Data processor means a person or body which processes personal data on behalf of the controller.
- Data subject means the identified or identifiable living individual to whom personal data relates. For the purposes of this Policy, we use the term individual to mean data subject.

- Personal data means any information relating to an identified or identifiable individual, including by reference to an identifier such as a name, an identification number, location data, or an online identifier.
- Personal data breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data.
- Processing means any operation performed on personal data, whether or not by automated means, such as collection, recording, storage, use, disclosure, restriction or erasure.
- Profiling means automated processing of personal data to evaluate personal aspects of an individual, such as their performance at work, economic situation, health, preferences, reliability, behaviour or location.
- Special categories of personal data means personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and genetic data, biometric data, health data, or data concerning sex life or sexual orientation. The Data Protection Act 2018 extends similar protection to personal data about criminal convictions and offences. For the purposes of this Policy, we use the term personal data to include special categories of personal data except where we need to refer to it specifically.
- The ICO means the Information Commissioner's Office, the UK's independent supervisory authority for data protection, which is transitioning to the Information Commission under the Data (Use and Access) Act 2025.

3. Data processing under the Data Protection Laws

PROMAN processes personal data in relation to its own staff, work-seekers and individual client contacts, and is a data controller for the purposes of the Data Protection Laws. PROMAN is registered with the ICO under the following registration numbers:

- PROMAN Supply Chain Ltd: Z5419938
- PROMAN Managed Services Ltd: ZB232120
- PROMAN Recruitment Ltd: ZA221732

PROMAN may hold personal data on individuals for the following purposes:

- Staff administration.
- Advertising, marketing and public relations.
- Accounts and records.
- Administration and processing of work-seekers' personal data for the purposes of providing work-finding services, including processing using software solution providers and back office support systems.
- Administration and processing of clients' personal data for the purposes of supplying or introducing work-seekers.
- Training work-seekers in skills, knowledge, or client-specific information and policies.

This list should be confirmed and, if necessary, extended by Compliance to reflect any other purposes for which PROMAN currently processes personal data.

4. The data protection principles

The Data Protection Laws require PROMAN, whether acting as data controller or data processor, to ensure personal data is:

- Processed lawfully, fairly and in a transparent manner.
- Collected for specified, explicit and legitimate purposes, and not further processed in a manner incompatible with those purposes.
- Adequate, relevant and limited to what is necessary for the purposes for which it is processed.
- Accurate and, where necessary, kept up to date, with inaccurate data erased or rectified without delay.
- Kept for no longer than is necessary for the purposes for which it is processed.
- Processed in a manner that ensures appropriate security, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage.

PROMAN, as data controller, is responsible for, and must be able to demonstrate, compliance with these principles (the accountability principle).

5. Legal bases for processing

PROMAN will only process personal data where it has a lawful basis for doing so; the full list of lawful bases is set out in Annex A. Where PROMAN does not have a lawful basis, any processing will be a breach of the Data Protection Laws.

Before transferring personal data to a third party, such as a client, umbrella company, or software or back-office provider, PROMAN will establish that it has a lawful basis for doing so.

6. Privacy by design and by default

PROMAN has implemented measures intended to protect the privacy of individuals and to ensure data protection is integral to its processing activities, including data minimisation, access controls, and technical security measures. Further detail is set out in the GDPR Data Breach Policy and the Data Protection Procedure.

PROMAN will provide information about its processing to individuals in a concise, transparent, intelligible and easily accessible way, in plain language, principally through its Data Privacy Notice.

7. Rights of the individual

Individuals have the following rights in relation to their personal data: to be informed; of access (a subject access request); to rectification; to erasure; to restrict processing; to data portability; to object to processing; not to be subject to a decision based solely on automated processing which has a legal or similarly significant effect on them (subject to the safeguards set out below); and to withdraw consent at any time.

The detailed operational steps for handling each of these rights, including response timescales, are set out in the Data Protection Procedure (DP4). In summary, PROMAN must act on a request without undue delay and in any event within one month of receipt, extendable by a further two months for complex or numerous requests, provided the individual is told of the extension and the reason for it within the first month.

8. Automated decision-making

This section reflects the reform of Article 22 of the UK GDPR by the Data (Use and Access) Act 2025, in force from 5 February 2026, which changed the law from a general prohibition on solely automated decision-making to a permission subject to mandatory safeguards.

For ordinary personal data, PROMAN may make a decision based solely on automated processing, including profiling, which produces a legal or similarly significant effect on an individual, provided PROMAN puts in place the safeguards required by the Data Protection Laws. These safeguards must include: providing the individual with information about the decision; enabling the individual to make representations about the decision; enabling the individual to obtain meaningful human intervention; and enabling the individual to contest the decision.

For special category data, the previous prohibition continues to apply: PROMAN will not make a decision based solely on automated processing of special category data unless the individual has given explicit consent, or the processing is otherwise permitted by law with appropriate safeguards.

PROMAN does not currently use any tool that makes a solely automated decision with a legal or similarly significant effect on a candidate or worker. Compliance and IT should confirm this remains accurate, particularly in relation to any candidate-matching, shortlisting, or scoring functionality within PROMAN's systems, and update this section, the Data Protection Procedure, and the Data Privacy Notice if that changes.

9. Data protection impact assessments

PROMAN will carry out a data protection impact assessment before beginning any type of processing likely to result in a high risk to individuals, including large-scale processing of special category data, systematic monitoring, or the use of new technologies. PROMAN's Data Protection Impact Assessment template should be used for this purpose, and completed assessments should be logged centrally so that Compliance can demonstrate this requirement is being met in practice, not only that a template exists.

10. Personal data breaches

PROMAN will act on any personal data breach it suspects or becomes aware of, whether acting as data controller or data processor. The detailed process, including investigation, containment, and the 72-hour notification duty to the ICO where a breach is likely to result in a risk to individuals' rights and freedoms, is set out in the GDPR Data Breach Policy and the Data Protection Procedure.

11. Complaints

Where PROMAN receives a complaint from an individual about the use of their personal data, this should be brought to the immediate attention of the Data Protection Officer or the Compliance Team.

Under the Data (Use and Access) Act 2025, PROMAN must operate a clear, accessible process for individuals to raise a data protection complaint directly with PROMAN before, or instead of, complaining to the ICO. PROMAN must acknowledge a complaint within 30 days, make appropriate enquiries into it, and tell the individual the outcome. This applies to complaints about any aspect of PROMAN's processing, including subject access requests, retention, transparency, direct marketing, and the lawful basis relied upon.

Individuals also have the right to complain directly to the ICO, on 0303 123 1113 or at ico.org.uk, or to any other relevant supervisory authority where their data is processed outside the UK.

12. International transfers

Where PROMAN transfers personal data outside the UK, it will do so only where the destination country is recognised by the UK government as providing an adequate level of protection, or where an appropriate safeguard is in place, such as the International Data Transfer Agreement or the UK Addendum to the EU Standard Contractual Clauses. Further detail is set out in the Data Privacy Notice.

13. Data retention

PROMAN will only keep personal data for as long as necessary for the purpose for which it was collected, in line with the Data Retention Policy, which sets out specific retention periods for each category of record PROMAN holds.

14. Human Rights Act considerations

When processing personal data, PROMAN will have regard to individuals' rights under the Human Rights Act 1998, including the right to respect for private and family life, freedom of thought, belief and religion, freedom of expression, freedom of assembly and association, and protection from discrimination in the enjoyment of these rights.

15. Training

PROMAN will provide data protection training to staff whose role involves processing personal data, including on the individual rights, breach reporting, and retention requirements set out in this Policy and the Data Protection Procedure, and will refresh this training periodically and when the law changes materially, as it has done under the Data (Use and Access) Act 2025.

16. Monitoring and review

This Policy will be reviewed at least annually, and sooner following any material change in the law, ICO or Information Commission guidance, or PROMAN's processing activities. Compliance is responsible for maintaining a version history recording what changed at each review, so that a review with no substantive change is a recorded decision rather than an assumption.

Annex A: legal bases for processing

Lawful bases for processing personal data (UK GDPR, Article 6)

- Consent: the individual has given clear consent to processing for a specific purpose.
- Contract: processing is necessary for the performance of a contract with the individual, or to take steps requested by the individual before entering into a contract.
- Legal obligation: processing is necessary for compliance with a legal obligation.
- Vital interests: processing is necessary to protect someone's life.
- Public task: processing is necessary for a task in the public interest or the exercise of an official function with a clear basis in law.
- Legitimate interests: processing is necessary for the legitimate interests of PROMAN or a third party, unless outweighed by the individual's interests or fundamental rights.
- Recognised legitimate interests: processing falls within the fixed list of purposes recognised under the Data (Use and Access) Act 2025, for which no balancing test is required (subject to Compliance confirming which, if any, of PROMAN's processing qualifies once ICO guidance is available).

Additional conditions for special category data (UK GDPR, Article 9, and Schedule 1 to the Data Protection Act 2018)

- The individual has given explicit consent for one or more specified purposes.
- Processing is necessary for carrying out obligations and exercising rights under employment, social security or social protection law, or a collective agreement, with appropriate safeguards.
- Processing is necessary to protect the vital interests of the individual or another person, where they are physically or legally incapable of giving consent.
- Processing is carried out by a not-for-profit body with a political, philosophical, religious or trade union aim, in the course of its legitimate activities, relating only to members or those with regular contact with it, with appropriate safeguards.
- Processing relates to personal data manifestly made public by the individual.
- Processing is necessary for the establishment, exercise or defence of legal claims, or whenever courts are acting in their judicial capacity.
- Processing is necessary for reasons of substantial public interest, on a basis set out in UK law, with suitable and specific safeguards.
- Processing is necessary for preventative or occupational medicine, assessing working capacity, medical diagnosis, or the provision of health or social care, on the basis of UK law or a contract with a health professional, with appropriate safeguards.
- Processing is necessary for reasons of public interest in public health, on a basis set out in UK law, with appropriate safeguards including professional secrecy.
- Processing is necessary for archiving in the public interest, or for scientific, historical research or statistical purposes, with appropriate safeguards.

Related documents

- Data Protection Procedure (DP4)
- GDPR Data Breach Policy

- GDPR Data Protection Impact Assessment template
- Data Retention Policy
- Data Privacy Notice
- Payroll Supply Chain Compliance Policy