

Data Protection: Notice of Fair Processing & Privacy Policy

1. INTRODUCTION

- 1.1 This policy applies to all applicants for any employment or engagement with Crescendo Biologics Limited (the "Company"), whether you are applying to become an: employee (and whether full time, part time, permanent, fixed term or temporary); a worker; a self-employed consultant; an independent contractor; or a freelancer, but only where the Company will process in any manner any personal data concerning you. References below in this notice/policy to the term "employment" should also be read as references to the "engagement" with regard to all consultants, contractors and freelancers.
- 1.2 The Company is committed to protecting the privacy and security of your personal information and to complying with the data protection legislation in England. The Company is a "data controller". This means that the Company is responsible for deciding how it collects, processes, uses, saves, stores and deletes personal information about you.
- 1.3 This notice and policy describes how we collect and use personal information about you and your potential employment with the Company during the applications process, in accordance with the laws regarding the processing of personal data in force in England. The Company is required under data protection legislation to notify you of the information contained in this privacy notice. It is important that you read this notice, so that you are aware of how and why we are using such information. In the event that you are offered and commence employment with the Company, this policy will be replaced by a notice applying to employees, workers, consultants, contractors and freelancers employed or engaged by the Company.

2. DATA PROTECTION PRINCIPLES

We will comply with data protection law. This says that the personal information we hold about you must be:

- (a) used lawfully, fairly and in a transparent way;
- (b) collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
- (c) relevant to the purposes we have told you about and limited only to those purposes;
- (d) accurate and kept up to date;
- (e) kept only as long as necessary for the purposes we have told you about; and
- (f) kept securely.

3. THE KIND OF INFORMATION WE HOLD ABOUT YOU

- 3.1 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).

- 3.2 There are "special categories" of more sensitive personal data which require a higher level of protection.
- 3.3 We may collect, store, and use the following categories of personal information about you as part of the applications process:
- (a) personal contact details such as name, title, addresses, telephone numbers, date of birth, your gender and personal email addresses that you provide to the Company;
 - (b) marital status and details of dependants;
 - (c) National Insurance number;
 - (d) bank account details, P45 from your last employer and tax status information;
 - (e) details of the proposed terms and conditions of employment of the role for which you are applying, including the rate of basic salary, fees, bonuses, commission, holiday entitlement, sick pay entitlement, sickness reporting obligations, employee benefits, notice period, place of work, obligations to relocate and travel on business, hours of work, opt-out of the 48 hour working week and any terms relating to confidentiality, ownership and assignment of intellectual property rights, and post-termination restrictive covenants;
 - (f) the potential start date of the employment;
 - (g) details providing your right to work in the United Kingdom, which may include a copy of your passport or driving licence and any visas or other permissions to work issued to you;
 - (h) curriculum vitae, information included in any cover letter/email or follow up correspondence/emails etc or as part of the application process, academic qualifications, employment history, memberships of professional bodies, recruitment information, references received, and copies documents showing your right to work in the UK; and
 - (i) any notes or other records of meetings and interviews with you and the selection process.
- 3.4 We may also collect, store and use the following "special categories" of more sensitive personal information:
- (a) information about your race or ethnicity, religious beliefs, sexual orientation and political opinions;
 - (b) trade union membership;
 - (c) information about your health, including any medical condition, health, sickness and absence records, self-certification forms, doctor's certificates, health assessments, medical reports, medical records, information about accidents or injuries at work; and
 - (d) information about criminal convictions and offences.

4. HOW IS YOUR PERSONAL INFORMATION COLLECTED?

We collect personal information about applicants through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers, credit reference agencies or other background check agencies.

5. HOW WE WILL USE INFORMATION ABOUT YOU

5.1 We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- (a) where we need to perform any contract that we choose to enter into with you;
- (b) where we need to comply with a legal obligation;
- (c) where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests;
- (d) we may also use your personal information in the following situations, which are likely to be rare:
 - A. where we need to protect your interests (or someone else's interests); or
 - B. where it is needed in the public interest or for official purposes.

6. SITUATIONS IN WHICH WE WILL USE YOUR PERSONAL INFORMATION

6.1 We may need all the categories of information in the list above (see paragraph 3 above) primarily to allow us to perform our contract with you and to enable us to comply with legal obligations. In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. The situations in which we may process your personal information are listed below:

- (a) making a decision about your recruitment or appointment;
- (b) determining the terms on which any offer of employment is or could be made to you;
- (c) ascertaining your fitness to undertake the duties associated with the role for which you have applied, complying with health and safety obligations and any duty or potential duty to make reasonable adjustments;
- (d) checking you are legally entitled to work in the United Kingdom;
- (e) business management and planning;
- (f) dealing with any legal disputes involving you, or other employees, workers and contractors;
- (g) seeking legal advice concerning any statutory, common law or contractual employment obligations;

- (h) disclosures to regulatory and law enforcement bodies and agencies;
- (i) equal opportunities monitoring; and
- (j) to protect our confidential information.

6.2 Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

7. **IF YOU FAIL TO PROVIDE PERSONAL INFORMATION**

If you fail to provide certain information when requested, we may not be able to consider further your application for employment, perform any contract we may have entered into with you or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers and ensuring you have the right to work in the United Kingdom).

8. **CHANGE OF PURPOSE**

8.1 We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis that allows us to do so.

8.2 Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

9. **HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION**

9.1 "Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

- (a) in limited circumstances, with your explicit written consent;
- (b) where we need to carry out our legal obligations or exercise rights in relation to your application for employment with us;
- (c) where it is needed in the public interest, such as for equal opportunities monitoring. If we undertake such monitoring and it involved personal data, we will ensure that we have put in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data; and
- (d) less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

10. **OUR OBLIGATIONS AS A POTENTIAL EMPLOYER**

10.1 We will use your particularly sensitive personal information in the following ways:

- (a) we will use information about your physical or mental health, or disability status, to assess issues relating to health and safety in the workplace, to assess your fitness to work and to assess and provide appropriate reasonable adjustments;
- (b) we will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting, but such information will often be anonymized such that the processing will not involve your personal data; and
- (c) we will use trade union membership information to assess and comply with employment law obligations.

11. **DO WE NEED YOUR CONSENT?**

- 11.1 We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

12. **INFORMATION ABOUT CRIMINAL CONVICTIONS**

- 12.1 We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with an appropriate policy.
- 12.2 Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.
- 12.3 We may also process such information about potential employees in the course of legitimate business activities with the appropriate safeguards.
- 12.4 We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. Where appropriate, we will collect information about criminal convictions as part of the recruitment process.

13. **AUTOMATED DECISION-MAKING**

We do not intend to use any automated decision-making in the recruitment process, which occurs when an electronic system uses personal information to make a decision without human intervention.

14. **DATA SHARING**

- 14.1 We may have to share your data with third parties, including third-party service providers, recruitment agents and other entities in the same group of companies as the Company.
- 14.2 We require third parties to respect the security of your data and to treat it in accordance with the law.

14.3 We may transfer your personal information outside the EU.

14.4 If we do, you can expect a similar degree of protection in respect of your personal information.

15. **WHY MIGHT YOU SHARE MY PERSONAL INFORMATION WITH THIRD PARTIES?**

We will share your personal information with third parties where required by law, where it is necessary to administer your application for employment or where we have another legitimate interest in doing so.

16. **WHICH THIRD-PARTY SERVICE PROVIDERS PROCESS MY PERSONAL INFORMATION?**

"Third parties" includes third-party service providers (including contractors and designated agents) and other entities within our group. The following activities are carried out by third-party service providers: recruitment agency services, background checks, and payroll services.

17. **HOW SECURE IS MY INFORMATION WITH THIRD-PARTY SERVICE PROVIDERS AND OTHER ENTITIES IN OUR GROUP?**

All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

18. **WHEN MIGHT YOU SHARE MY PERSONAL INFORMATION WITH OTHER ENTITIES IN THE GROUP?**

We will share your personal information with other entities in our group as part of our regular reporting activities on recruitment activities.

19. **WHAT ABOUT OTHER THIRD PARTIES?**

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business or the Company or the group. We may also need to share your personal information with a regulator, the Police, Her Majesty's Revenue and Customs, or to otherwise comply with the law.

20. **TRANSFERRING INFORMATION OUTSIDE THE EU**

20.1 We may transfer some of the personal information we collect about you to the USA in order to perform our contract with you and further our business efforts. There is not an adequacy decision by the European Commission in respect of the USA. This means that the USA is not deemed to provide an adequate level of protection for your personal information.

20.2 However, to ensure that your personal information does receive an adequate level of protection we will put in place a contract between the Company and the third party to whom we intend to send any of your personal data (which may be a group company of the Company) based on the standard clauses for the transfer of personal data to processors outside the European Economic Area (as approved by the European Commission). The terms of this contract will oblige the third party to comply with measures to ensure that your personal information is treated by those third parties in a

way that is consistent with and which respects the EU and UK laws on data protection. If you require further information about these protective measures, you can request it from our Chief Financial Officer.

21. **DATA SECURITY**

21.1 We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality. Details of these measures may be obtained from the Chief Financial Officer.

21.2 We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

21.3 Third parties will only have our permission to process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

22. **DATA RETENTION - HOW LONG WILL YOU USE MY INFORMATION FOR?**

22.1 We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

22.2 In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer an employee, worker or contractor of the company we will retain and securely destroy your personal information in accordance with any applicable laws.

23. **RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION**

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

24. **YOUR RIGHTS IN CONNECTION WITH PERSONAL INFORMATION**

24.1 Under certain circumstances, by law you have the right to:

- (a) Request access to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it;
- (b) Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected;
- (c) Request erasure of your personal information. This enables you to ask us to delete or remove personal information 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 information where you have exercised your right to object to processing (see below);

- (d) Object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes;
- (e) Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it; or
- (f) Request the transfer of your personal information to another party.

24.2 If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the Chief Financial Officer in writing.

24.3 No fee usually required. You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

24.4 What we may need from you. We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

24.5 Right to withdraw consent. In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the Company's Chief Financial Officer. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

25. **DATA PROTECTION OFFICER**

We have appointed the Chief Financial Officer to act as the Company' Data Protection Officer (DPO) to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the DPO. 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, but we would ask you to first explain any concerns or grievances that you may have to the DPO so that we may try to resolve the issue internally.

26. **CHANGES TO THIS PRIVACY NOTICE**

26.1 We reserve the right to update this privacy notice at any time. We may also notify you in other ways from time to time about the processing of your personal information.