

## THOMAS PRIVACY NOTICE

### [LAST UPDATED 22/03/2023]

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Thomas International Limited and its affiliates (collectively referred to as “Thomas”, “we”, “our”, “us”), takes our data protection and privacy responsibilities seriously. This privacy notice explains how we collect, use and share personal information in the course of our business activities, including:

1. [Important information and who we are](#)
2. [What personal information we collect and when and why we use it](#)
3. [How we protect and store personal information](#)
4. [Transferring personal information globally](#)
5. [How we share personal information within the Thomas group and with our International Network, service providers, regulators and other third parties](#)
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At Thomas we are committed to respecting your privacy and treat our customers’ data like our own to ensure its safety and security.

We also make sure we act in accordance with Data Protection legislation, including but not limited to the General Data Protection Regulation (Regulation (EU) 2016/679) (the “GDPR”) and the Data Protection Act 2018 (the “Data Protection Laws”).

We may make changes to this privacy notice from time to time to ensure it remains up to date with legal requirements and the way we operate our business. Please regularly check these pages for the latest version of this notice. If we make significant changes to this privacy notice, we will seek to inform you via our website or email.

You might find external links to third party websites on our website. This privacy notice does not apply to your use of a third-party site.

## 1. IMPORTANT INFORMATION AND WHO WE ARE

### 1.1 Is Thomas registered with the Information Commissioner’s Office (ICO)?

Yes, Thomas International Limited is registered with the ICO and our registration number is ZA532485. Our entry on the ICO’s Register can be located [here](#).

### 1.2 Do we have an Information Officer?

Yes, we take data protection very seriously and have a Data Protection Officer who monitors our data protection compliance in accordance with Data Protection Laws. Please see section 8 for details on how to get in touch.

### 1.3 Are we always acting as a data controller?

Whilst Thomas is often acting as a data controller, for some of our activities we may also act as a data processor or sub-processor.

A simple way to understand the difference is as follows:

- A data controller decides what personal data is collected, the means of the collection and its purpose.
- A data processor acts only on explicit instructions from the relevant data controller to process personal data on its behalf.
- A data sub-processor is engaged by a processor and will have access to or will process personal data for a specific purpose.

Where Thomas acts as a data processor or sub-processor, we have agreements and policies in place to ensure data is dealt with securely, and that we act in accordance with our customers’ wishes and of course the relevant data protection legislation.

There can be more than one entity acting as data controller in relation to particular personal data.

Please be aware that if you have been asked to complete a Thomas assessment by a company or organisation that isn’t Thomas (normally your employer, potential employer or educational establishment), it is likely that such company or organisation will also be acting as a data controller.

Examples of when Thomas are acting as a data controller would include, but are not limited to:

Processing of customer and prospective customer (prospect) personal data.

- Processing of personal data of employees and ex-employees.
- Processing of personal data in the course of recruiting new Thomas employees.
- Processing of candidate personal data for research purposes.
- Processing of candidate personal data to create an anonymised form of the personal data.
- Processing the personal data of users of the website in the context of that use.
- Providing the “Your Personal Profile” assessment service.

## **2. WHAT PERSONAL INFORMATION WE COLLECT AND WHEN AND WHY WE USE IT**

### **2.1 When do we collect information?**

We collect information about you if you:

- register with or use our website or online services;
- purchase one of our services;
- work with us as a business partner; or
- engage in sales activities with potential customers.

### **2.2 What personal data do we collect directly from you when you visit our website?**

When requesting information about our services you may use a contact form where you are asked to enter your name, email address, postcode, phone number or other details to help your customer experience or to provide you with documentation such as whitepapers.

### **2.3 What personal data do we indirectly collect from you when you visit our website?**

We may:

- collect information about how you use our website to keep improving the way it works;
- collect statistics on how many people are visiting our website, where they come from, when they visit, how long they stay and what pages they look at. This will include information about the

originating IP addresses (which may infer your geographic location, but not your identity), internet service providers, the files viewed on our site and timestamps;

- look at the browser, operating systems and devices you use to make sure you get a good online experience regardless of how you access our website;
- use cookies on our website (full details can be found on our [cookies page](#)).

Thomas also uses a number of services provided by HubSpot (<https://www.hubspot.com/>) which make use of cookies for the provision of their services. Whilst these cookies are typically used to manage performance of the HubSpot services Thomas uses and doesn't include any personal information, it is possible that visits to our website, where we have your contact details, in the HubSpot CRM can be associated to you and therefore linked within our CRM record against your contact record. Details of the cookies used by HubSpot and how they are used can be found on our cookies page.

As prospective customers and existing customers can be based anywhere in the world, we may send enquiries to a member of our International Network based in the user's own country or area.

### **2.4 Recording and monitoring of communications**

We may monitor, record, store and use any telephone, email or other communications with you in order to check any instructions given to us, for training purposes, for crime prevention and to improve the quality of our customer services.

### **2.5 If I take a Thomas assessment how is my personal data collected and used?**

The company that has requested you take an online assessment is the initial data controller and Thomas will be acting as a second data controller once you are invited to take an assessment on our systems. Should you have any concerns about the data you are being asked to provide or the process, you should contact the initial data controller in the first instance.

We also offer an assessment service directly to candidates which is called “Your Personal Profile”, and which can be taken directly and paid for online. The process is slightly different as there is no third party involved. A “Your Personal Profile” report will be provided directly to the applicant after paying for and completing an assessment. In this case we are the data controller.

## 2.6 Do we use personal data in our research?

We are committed to continually improving our assessments. To do so, we ask candidates to provide us with additional information such as age range, educational attainment, ethnicity and similar matters. Provision of this information is voluntary and not required to complete an assessment.

When we process any of this personal data for research we do so as a data controller.

Any personal information provided to us for research will be used for research purposes only and will not be disclosed to any third party. Both during and after your personal information is assessed by our psychologists, we will store it securely and in the strictest confidence. Should we share our results with third parties, only anonymised and aggregated results from which no individual can be identified will be shared.

## 2.7 In the event we are a data controller: What lawful basis do we have for using your personal data?

We will only collect, use and share your personal information where we are satisfied that we have an appropriate legal basis to do this. Based on the variety of services we provide, we may rely on one of the following legal bases when processing your data;

- you have provided your consent to us using your personal information.
- our use of your personal information is in our legitimate interest as a commercial organisation – in these cases we will look after your information at all times in a way that is proportionate and respects your privacy rights. You will also have a right to object to processing as explained in section 7;
- our use of your personal information is necessary to perform a contract or take steps to enter into a contract with you; and/or
- our use of your personal data is necessary to comply with a relevant legal or regulatory obligation.

## 3. HOW WE PROTECT AND STORE PERSONAL INFORMATION

### 3.1 How we ensure the security of our systems and protect your data:

We have implemented and maintain appropriate technical and organisational measures, policies and procedures designed to reduce the risk of accidental destruction or loss, or the unauthorised disclosure or

access to such information appropriate to the nature of the information concerned.

Measures we take include:

- housing all servers used for assessments in highly secure environments;
- managing our IT environment to retain control of the systems that underpin the assessments we provide and the data they hold;
- regularly testing the security of our networks and having external experts to help us with this;
- restricting access to personal data only to people who have a legitimate reason for accessing it; and
- having in place access control systems in all our UK offices and ensuring all staff members and service providers of Thomas receive regular training on data protection and IT security.

As the security of information depends in part on the security of the computer you use to communicate with us and the security you use to protect user IDs and passwords, we ask that you please take appropriate measures to protect this information.

### 3.2 What organisational measures do we take to protect data?

In addition to the technical measures taken, Thomas ensures that organisational measures are taken equally as seriously to ensure data is suitably protected.

At Thomas we:

- ensure all employees are aware of data protection matters, updated on emerging security risks (e.g. spear phishing, malware) and undertake data protection training which is reviewed annually;
- carry out pre-employment checks on all employees;
- have a Data Protection Officer who is our champion for data protection and can be contacted directly with any queries our clients or candidates may have about their data and how we protect it;
- have access control systems in place at all offices to ensure only authorised individuals can access our premises;
- ensure that access to our systems are designed, controlled and monitored to restrict access by users to the data, ensuring further protection of the data we hold; and
- have appropriate policies and procedures in place to support our technical measures.

### 3.3 How and where your data is stored

Thomas ensures the security of customers', clients' and their candidates' data at all times and this forms a part of everything we do.

Our main servers, that provide our assessments, are housed in the highest rated datacentres which tightly control access to the physical environment and provide exceptional system availability.

We ensure that all personal data that people provide as part of the assessment process is given the protection it deserves and either stays in the EEA, is protected by the laws of a non-EEA country with equivalent data protection laws, or that we have appropriate contractual safeguards in place.

### 3.4 How long we keep personal data

Thomas will only keep personal data as long as is reasonably necessary for the purposes for which it was collected, as explained in this notice. When deciding how long we keep personal data we take into account any minimum retention requirements set out in law however, unless otherwise required by law or regulation, this will typically be twelve (12) months following the end of the relevant service. These retention periods will predominantly relate to our activities as a data controller rather than our activities as a processor or sub-processor.

If you have been asked to take a Thomas assessment, your employer, or potential employer, is acting as the initial data controller. In this case the initial data controller will decide how long personal data should be retained and are able to manage the retention and deletion process within our systems accordingly.

For our clients using the Thomas Bureau service (where we provide a managed service for sending out assessment links), our client remains the initial data controller and therefore we will delete data upon the explicit instructions of our client. However, within our retention policy and agreements with our clients it has been agreed that we may delete any remaining personal data relating to assessments 12 months following the end of the service (for both Thomas Platform and Thomas Bureau clients).

If you are taking an assessment directly with Thomas, via our "Your Personal Profile" assessment service, we will be acting as the initial data controller.

When acting as a data controller and in specific circumstances, we may store your personal information for longer periods of time than as set out in this privacy notice. This is so we have an accurate record of your dealing with us in the event of any complaints or

challenges, or if we reasonably believe there is a prospect of litigation relating to your personal information or dealings with us.

## 4. TRANSFERRING PERSONAL INFORMATION GLOBALLY

Thomas operates on a global basis. Accordingly, in certain circumstances, Thomas may process, transfer and/or store personal data outside of the EEA that are subject to different standards of data protection. An example of such processing would be the use of systems such as Salesforce, which Thomas uses (as a data controller) to manage our customer interactions, customer orders and holds details of potential and current customers and leads.

Thomas will take appropriate steps to ensure that transfers of personal information are in accordance with applicable law and carefully managed to protect your privacy rights and interests and transfers are limited to countries which are recognised as providing an adequate level of legal protection, or where we can be satisfied that alternative arrangements are in place to protect your privacy rights. In this respect:

- where necessary we will ensure transfers within Thomas will be covered by an agreement entered into by members of Thomas which contractually obliges each member to ensure that personal information receives an adequate and consistent level of protection wherever it is transferred within Thomas;
- where we transfer your personal information outside Thomas or to third parties who help provide our products and services, we obtain contractual commitments from them to protect your personal information; and/or
- where we receive requests for information from law enforcement or regulators, we carefully validate these requests before any personal information is disclosed.

You have a right to [contact us](#) for more information about the safeguards we have put in place (including a copy of relevant contractual commitments) to ensure the adequate protection of your personal information when this is transferred as mentioned above.

## 5. HOW WE MAY SHARE PERSONAL INFORMATION WITHIN THE THOMAS GROUP AND WITH OUR INTERNATIONAL NETWORK, SERVICE PROVIDERS, REGULATORS AND OTHER THIRD PARTIES

## 5.1 Do we engage with any operators or sub-operators?

We may need to share your information within the Thomas group where such disclosure is necessary to provide you with our services or to manage our business. As at the date of this notice, Thomas International Ltd has the following permitted (sub) operator(s) within the Thomas group of companies who work to provide our assessments and services:

- Thomas International UK Ltd (Company registration number 02518079)

We also work with third-parties who help manage our business and deliver additional solutions used by some of our customers. These third parties have agreed to confidentiality restrictions and use any personal information we share with them or which they collect on our behalf solely for the purpose of providing the contracted services to us. As at the date of this notice, we use the following third-party processor(s):

- Cloud Service Provider - MS Azure (<https://azure.microsoft.com/en-gb/>)

We will ensure that the above list is regularly updated to reflect the (sub) processors used by Thomas to provide our assessments and services to our customers.

Thomas always ensures that any further processing is only undertaken when required and, in such instances, only undertaken by suitable companies and measures are in place to protect personal data being processed.

Thomas ensures sufficient checks are made to ensure the security of processing and this is governed by a suitable contract.

## 5.2 Do we share your information with anyone else?

We may also share your information in the manner and for the purposes described below:

- With our regulators, to comply with all applicable laws, regulations and rules, and requests of law enforcement, regulatory and other governmental agencies.
- We may share in aggregate, statistical form, non- personal information regarding the visitors to our website, traffic patterns, website usage, and the results of our research and development

activities with our International Network, clients, affiliates or advertisers.

- If, in the future, we sell or transfer some or all of our business or assets to a third party, we may disclose information to a potential or actual third-party purchaser of our business or assets.

## 6. EXPLAINING MORE ABOUT DIRECT MARKETING, PROFILING, AND AUTOMATED DECISION MAKING

### 6.1 Are the assessments provided by us considered “Automated Individual Decision Making, including Profiling” as defined in the GDPR?

No, none of the assessments Thomas provide should ever be used in isolation in the recruitment or personnel development process. Thomas assessments are provided to its customers as part of their wider decision-making process alongside all of the other information that the customer has collected.

### 6.2 Will we directly market to you?

We may use personal information to let you know about our products and services that we believe will be of interest to you. We may contact you by email, post, or telephone or through other communication channels that we think you may find helpful. In all cases, we will respect your preferences for how you would like us to manage marketing activity with you.

To protect privacy rights and to ensure you have control over how we manage marketing with you:

- we will take steps to limit direct marketing to a reasonable and proportionate level and only send you communications which we believe may be of interest or relevance to you;
- you can ask us to stop direct marketing at any time - you can ask us to stop sending email marketing, by following the ‘unsubscribe’ link you will find on all the email marketing messages we send you. Alternatively, you can contact us at [gdpr@thomas.co.uk](mailto:gdpr@thomas.co.uk). Please specify whether you would like us to stop all forms of marketing or just a particular type (e.g. email); and
- you can change the way your browser manages cookies, which may be used to deliver online advertising, by following the settings on your browser.

We recommend you routinely review the privacy notices and preference settings that are available to you on any social media platforms as well as your



preferences within your Thomas account.

## **7. LEGAL RIGHTS AVAILABLE TO HELP MANAGE YOUR PRIVACY**

### **7.1 Your legal rights**

Subject to certain exemptions, and in some cases dependent upon the processing activity we are undertaking, you have certain rights in relation to your personal information.

You have the right to contact the data controller using the details set out in section 8 below (whether this is Thomas or another company):

- To request access to the personal data held about you, without charge (certain exceptions apply).
- To request correction of your personal data if it is incorrect or out of date. If the data held about you is out of date, incomplete or incorrect you can inform the data controller, and your data will be updated.
- To request to withdraw consent for processing your data if that processing relies on consent.
- To request that your data is deleted. If you feel the data controller should no longer be using your data, you can request that the data controller erases the data that it holds. Upon receiving a request for erasure, the data controller will confirm whether it has been deleted or the reason why it cannot be deleted.
- To object to processing of your data. You may request that the data controller stops processing information about you. Upon receiving your request, the data controller will contact you and let you know if it is able to comply, or if there are legitimate grounds to continue processing your data. Even after you exercise your right to object, the data controller may continue to hold your data to comply with your other rights or bring or defend legal claims.
- To request that your data is transferred to another responsible party if the data is processed by automated means (i.e. excluding paper files).
- The right to request restriction of processing of your personal data. This enables you to ask the data controller to suspend the processing of your personal data: (a) if you want the data controller to establish the data's accuracy; (b) if the data controller's use of the data is unlawful

but you do not want them to erase it; (c) where you need the data controller to hold the data even if they no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to the data controller's use of your data but they need to verify whether they have overriding legitimate grounds to use it.

We may ask you for additional information to confirm your identity and for security purposes, before disclosing the personal information requested to you. We reserve the right to charge a fee where permitted by law, for instance if your request is manifestly unfounded or excessive.

You can exercise your rights by contacting us and, subject to legal and other permissible considerations, we will make every reasonable effort to honour your request as soon as possible or inform you if we require further information in order to fulfil your request.

We may not always be able to fully address your request, for example if it would impact the duty of confidentiality we owe to others, or if we are legally entitled to deal with the request in a different way.

### **7.2 Disclosure of your personal data**

Under certain circumstances, Thomas may be required to disclose your personal data if required to do so by law, or in response to valid requests by law enforcement or other government agencies.

Thomas may disclose your personal data in the good faith belief that such action is necessary to:

- Comply with a legal obligation.
- Protect and defend the rights or property of Thomas.
- Prevent or investigate possible wrongdoing in connection with services we provide.
- Protect the personal safety of users of our services or the public.
- Protect against legal liability.

We will only ever fulfil requests for personal data in circumstances where we are permitted to so in accordance with applicable law and regulation.

## 8. CONTACT US

### 8.1 Reporting a data breach if we are data controller

Should you believe that there has been a loss of personal data that we use or manage, or an unlawful use or disclosure of this data, please contact our Data Protection Officer at [gdpr@thomas.co.uk](mailto:gdpr@thomas.co.uk) or call them on 01628 470980.

To exercise any of your rights where Thomas is acting as data controller please contact us at [sar@thomas.co.uk](mailto:sar@thomas.co.uk) or alternatively you can write to us at:

Data Protection Officer  
Thomas International  
1<sup>st</sup> Floor  
18 Oxford Road  
Marlow  
SL7 2NL

### 8.2 Reporting a data breach if we are a data processor or sub-processor

Even if we are not the data controller for your personal data, you can get in touch with our Data Protection Officer at [gdpr@thomas.co.uk](mailto:gdpr@thomas.co.uk) or call them on 01628 470980.

However, because in this case we are not ultimately responsible for helping you exercise your rights, we will recommend that you contact the relevant data controller directly (typically your employer, potential employer or educational establishment). We can also help put you in touch with them if necessary or pass on details of your query, complaint or request.

### 8.3 Resolving privacy issues

At Thomas we will try our best to resolve any data privacy issue you may have, so please remember you can always contact our Data Protection Officer at [gdpr@thomas.co.uk](mailto:gdpr@thomas.co.uk)

However, you have the right to refer any data privacy issue or concern to the ICO at any time. You can find full details of how to contact the ICO at <https://ico.org.uk/>

### 8.4 European Union Representative

For the purposes of Article 27 of the GDPR, we have appointed Team Services (Benelux) B.V. Europalaan 25, 5232BC 's-Hertogenbosch, the Netherlands as our representative in the European Union. Our representative can be contacted at [gdpr@thomas.co](mailto:gdpr@thomas.co)