



## COGNITA SCHOOLS LIMITED PRIVACY NOTICE FOR EMPLOYEES, CONTRACTORS, CANDIDATES AND INTERNS

### 1 INTRODUCTION

- 1.1 Cognita Schools Limited, acting as data controller, (together “we”, “us”, “our” or “Cognita”) are committed to protecting the privacy and security of your personal information.
- 1.2 For the purposes of the General Data Protection Regulation 2016/679 (“**GDPR**”) and the Ley Orgánica 3/2018, de Protección de Datos Personales y Garantía de los Derechos Digitales, we are the data controller and our address is 3rd Floor, 41-42 Eastcastle Street, W1W 8DY, UK. As data controller we are responsible for deciding how we hold and use personal information about you.
- 1.3 We also have a Data Protection Policy and Data Retention Policy which we ask you to read carefully to understand our views and practices regarding the processing of personal data. The difference between those policies and this notice is that the policies set out your responsibilities within Cognita to follow good data protection standards and behaviour whereas this privacy notice informs you about how we collect and use personal information about you during and after your contractual relationship with us, in accordance with the applicable data protection laws.
- 1.4 This notice applies to current and former employees, interns, contractors and candidates of Cognita. This notice does not form part of any contract of employment or other contract to provide services. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it.

### 2 THE KIND OF INFORMATION WE HOLD ABOUT YOU

#### Personal data

- 2.1 We will collect, store, and use the following categories of personal information about you, which may vary depending on the contractual relationship we hold with you:
  - 2.1.1 personal contact details such as name, title, addresses, telephone numbers, and email addresses;
  - 2.1.2 date of birth;
  - 2.1.3 gender;
  - 2.1.4 marital status and dependants;
  - 2.1.5 next of kin and emergency contact information;
  - 2.1.6 National Insurance number;
  - 2.1.7 bank account details, payroll records and tax status information;
  - 2.1.8 salary, annual and special leaves, pension and benefits information;

- 2.1.9 contractual relationship start date;
- 2.1.10 location of employment or site for the provision of services and performance of the relevant contractual relationship we hold with you;
- 2.1.11 copy of driving licence and/or passport/ID card;
- 2.1.12 recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process);
- 2.1.13 employment and/or professional records (including job titles, qualifications, work history, working hours, training records and professional memberships);
- 2.1.14 compensation history;
- 2.1.15 performance information;
- 2.1.16 disciplinary and grievance information;
- 2.1.17 CCTV footage and other information obtained through electronic means such as swipecard records;
- 2.1.18 information about your use of our information and communications systems; and photographs (for which, where appropriate, we will obtain your specific consent).

#### **Sensitive personal data**

- 2.2 We may also collect, store, and use, the following sensitive (or special categories of) personal information:
  - 2.2.1 information about your health, in particular, about your disability status;
  - 2.2.2 information about criminal convictions as set out in paragraphs 4.8 to 4.10; and
- 2.3 We will need to hold sensitive personal data about you (a) for carrying out our obligations in the field of employment and social security and social protection law, and/or (b) to protect your vital interests. These shall include its relevance (i) to ensure health and safety in the workplace or site for the provision of services and performance of the relevant contractual relationship, and/or (ii) for dietary requirements. To achieve this, we may also use software applications and other technology.

### **3 HOW IS YOUR PERSONAL INFORMATION COLLECTED?**

- 3.1 We collect personal information about employees, interns and candidates through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. We collect personal information about contractors through the third-party contracting process. We may sometimes collect additional information from third parties including former employers, credit reference agencies or other background check agencies.
- 3.2 We will collect additional personal information in the course of job or services performance-related activities throughout the period of you working for us or collaborating with us.

- 3.3 We may also use CCTV footage to ensure your workplace or site for the provision of services and performance of the relevant contractual relationship is safe.

## **4 HOW WE WILL USE INFORMATION ABOUT YOU?**

### **Lawful bases of processing**

- 4.1 We will only use your personal information when the law allows us to. Most commonly, we will use your personal information where:
- 4.1.1 we need to perform the contract we have entered with you;
  - 4.1.2 we need to comply with a legal obligation;
  - 4.1.3 it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests; and
- 4.2 We may also use your personal information in the following situations, which are likely to be rare:
- 4.2.1 where we need to protect your interests (or someone else's interests) (for example, we may need to use your details without telling you to deal with an emergency); or
  - 4.2.2 where it is needed in the public interest or for official purposes.

### **Purposes of processing of personal information**

- 4.3 We need all the categories of information in the list above (see paragraph 2) 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 purposes of processing of your personal information are listed below.
- 4.3.1 Conducting the recruitment/appointment process and making a decision about your recruitment or appointment and your fitness to the proposed position, under the basis of the correct performance of the (potential) contractual relationship we may hold with you;
  - 4.3.2 determining the performance requirements for your work/provision of services and manage the term of the contractual relationship we hold with you, under the basis of the correct performance of such contractual relationship;
  - 4.3.3 conducting checks to ensure that you are qualified and legally entitled for the relevant advertised role and/or any other checks or measures that we are required to undertake from time to time as a result of any child protection legislation in force, as necessary for compliance with legal obligations applicable to us;
  - 4.3.4 performing management, administrative, planning, accounting, auditing, remuneration, insurance, social security, and tax activities. These shall include: conducting performance/salary reviews; keeping accounts and/or paying salaries, allowances or premiums; providing your with relevant benefits; and/or liaising with your pension provider, as applicable, under the basis of the correct performance of the contractual relationship we hold with you and as necessary for compliance with legal obligations applicable to us;

- 4.3.5 education, training and development requirements, under the basis of the contractual relationship we hold with you;
- 4.3.6 gathering evidence for possible grievance or disciplinary hearings and dealing with legal disputes involving you, or other employees, contractors and candidates, including accidents at work or during the performance of the services, as necessary for compliance with legal obligations applicable to us and for the performance of a task carried out in the public interest;
- 4.3.7 complying with health and safety obligations and managing leaves of absence, as necessary for compliance with legal obligations applicable to us;
- 4.3.8 subject to our legitimate interest in preventing fraud and protecting Cognita from fraudulent actions, and for that purpose;
- 4.3.9 to monitor your use of our information and communication systems to ensure compliance with our IT and acceptable use policies, subject to our legitimate interests in safeguarding the integrity of our communication and IT systems, and in overseeing compliance with contractual and/or statutory obligations;
- 4.3.10 to send out surveys to you by email as part of our Voice of the Employee campaign which is our employee survey tool, subject to our legitimate interests in promoting the objects and interests of Cognita, gaining key insights into Cognita's performance and assessing the level of satisfaction of the workforce and collaborators.
- 4.3.11 subject to our legitimate interests in ensuring network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution, and for these purposes, as well as to comply with legal obligations applicable to us regarding security measures and quality standards.

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

#### **How we use particularly sensitive personal information**

- 4.4 We may process special categories of personal information (i.e. the sensitive personal data identified in paragraph 2.2) where it is necessary for the purposes of carrying out our obligations and exercising specific rights in the field of employment and social security and social protection law.
- 4.5 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 vital interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information manifestly public.
- 4.6 We will use your particularly sensitive personal information, in the following ways:
  - 4.6.1 about your disability status, to ensure your health and safety in the workplace or site for the provision of services and performance of the relevant contractual relationship and to assess your fitness to work, to provide appropriate adjustments to the workplace or site

for the provision of services and performance of the relevant contractual relationship and to administer benefits;

#### **Do we need your consent?**

- 4.7 We will seek your permission if we wish to post any photographs of you on any of our marketing materials (including our prospectus or website). Where you have given permission, you may withdraw this permission at any time.

#### **Information about criminal convictions**

- 4.8 We may only use information relating to criminal convictions only 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 our Data Protection Policy and Data Retention Policy. Article 57 of the Ley Orgánica 8/2021, de 4 de junio, de protección integral a la infancia y la adolescencia frente a la violencia requires that anyone in regular contact with children and young people must be in possession of certification where it is stated that they have not been convicted of any sexual offences. Given that the vast majority of our employees will be working with children at some point (the frequency in which you will be working with children depends on your role at Cognita), it is important that we are more vigorous in carrying out our criminal checks than organisations in other sectors. We will keep a record that this check has been made and generally only keep a record of absence of sexual offences. Our primary focus is on the welfare of our pupils.
- 4.9 Less commonly, we may use the information above where it is necessary in relation to legal claims only where such processing is authorised by the applicable law and it is necessary to protect your interests (or someone else's interests).
- 4.10 We will collect information about completing criminal records checks on you, as authorised by the law, as part of the recruitment process, we may be notified of such information directly by you while you work or provide services for us or when you tell us a part of the recruitment process. We will use information confirming that you do not have criminal offences as part of our safer recruitment programme and as part of our deciding whether you are suitable for the role.
- 4.11 We are allowed to use your personal information in this way to carry out our legal obligations in connection with employment and social protection law.
- 4.12 For further information about the kind of information about criminal records we keep, please see our Data Retention Policy.

### **5 CHANGE OF PURPOSE**

- 5.1 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 which allows us to do so.
- 5.2 Please note that we may process your personal information without your consent, in compliance with the above rules, where this is required or permitted by law.

## **6 IF YOU FAIL TO PROVIDE PERSONAL INFORMATION**

- 6.1 If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workforce and external collaborators).

## **7 DATA SHARING**

### **Why might you share my personal information with third parties?**

- 7.1 We will share your personal information with third parties where required by law, where it is necessary to administer the contractual relationship with you or where we have another legitimate interest in doing so.

### **Which third-party service providers process my personal information?**

- 7.2 “Third parties” includes third-party service providers (including software providers) and other entities within our group. The following activities are carried out by third-party service providers: pension administration, benefits provision and administration and IT services. In particular, we use Cornerstone OnDemand Limited to provide the “Cornerstone” HR solution, NetSuite to process invoices and Forsta to provide our Voice of the Employee survey platform. We also use Microsoft to archive emails and Microsoft SharePoint for document management.

### **How secure is my information with third-party service providers and other entities in our group?**

- 7.3 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, unless it is required by law. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

### **When might you share my personal information with other entities in the group?**

- 7.4 We will share your personal information with other entities in the Cognita group of companies (as defined in article 42 of the Spanish Code of Commerce) as part of our regular reporting activities on company performance, in the context of a business reorganisation or group restructuring exercise, for system maintenance support and hosting of data.

### **What about other third parties?**

- 7.5 We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. We may also need to share your personal information with a regulator or to otherwise comply with the law.

### **Transferring information outside the EEA**

- 7.6 The information that we process about you may be transferred to, and stored at, a destination outside the European Economic Area (“EEA”). We try to limit this where possible but it may be necessary where, for example, one of our suppliers has a data centre outside of the EEA. We will take all steps reasonably and legally necessary to ensure that your data is treated securely, in accordance with this privacy notice and in compliance with data protection laws; and that the

appropriate legal safeguards are in place prior to the transfer, for example ensuring that any contracts between us and the recipient of the information have EU-approved standard data protection clauses or the country we are transferring the data to is deemed by the EU Commission as a country with adequate protection. For further information on the transfers of data to third-countries carried out by us, please contact our Data Protection Officer or Data Protection Co-ordinator (see paragraph 11).

## **8 DATA SECURITY**

- 8.1 We have put in place measures to protect the security of your information. Details of these measures are available upon request. Please also refer to our IT policies.
- 8.2 Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.
- 8.3 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.
- 8.4 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.

## **9 DATA RETENTION**

### **How long will you use my information for?**

- 9.1 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. Details of retention periods for different aspects of your personal information are available in our Data Retention Policy. 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.
- 9.2 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, intern or contractor of the company we will retain or securely destroy your personal information in accordance with our Data Retention Policy.

## **10 RIGHTS AND DUTIES ON DATA PROTECTION MATTERS**

### **Your duty to inform us of changes**

- 10.1 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 contractual relationship with us.

### **Your rights in connection with personal information**

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

- 10.2.1 **Request access** to your personal information (commonly known as a “subject access request” or “SAR”). This enables you to receive a copy of the personal information we hold about you and to check that is correct, and that we are lawfully processing it.
- 10.2.2 **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.
- 10.2.3 **Request erasure** of your personal information. You have the right to request that we delete your personal data where: (a) the personal data are no longer necessary in relation to the purposes for which they were collected or processed; (b) you withdraw your consent to processing for which we previously obtained your consent; (c) you object to the processing and, as a result, we agree to cease that processing (please see paragraph 10.2.4 for more details); (d) the personal data has been unlawfully processed; and (e) we are required to erase the personal data in order to comply with the law.
- 10.2.4 **Object to processing** of your personal information where we are relying on a legitimate interest (or that 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. If you do not want us to process your personal data for direct marketing and particularly you do not want to receive commercial communications through electronic means, please send us an email to the following e-mail address: DPO@cognita.com and we will ensure that you will not receive any direct marketing communications.
- 10.2.5 **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.
- 10.2.6 **Request the transfer** of your personal information. In certain circumstances, you have the right to receive personal data from us in a structured, commonly used and machine-readable format and the right to transmit it to a third party organisation.
- 10.2.7 **Request access to the safeguards** implemented when transferring data outside the EEA.
- 10.2.8 **Right to complain to the AEPD.** Whilst we would always prefer it if you approached us first about any complaints or queries you may have, you always have the right to lodge a complaint with the AEPD.
- 10.3 If you want to access, review, verify, correct or request erasure of your personal information; object to or restrict the processing of your personal data; or request that we transfer a copy of your personal information to another party, please contact the Data Protection Officer in writing (see paragraph 11).

#### **What we may need from you**

- 10.4 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.

#### **Right to withdraw consent**



- 10.5 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. 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.

## **11 DATA PROTECTION OFFICER**

- 11.1 We have appointed a 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 at Jayne Pinchbeck, Group Legal Director, [DPO@Cognita.com](mailto:DPO@Cognita.com). You have the right to make a complaint at any time to the Agencia Espanola Proteccion de Datos (AEPD), the Spanish supervisory authority for data protection issues.

## **12 CHANGES TO THIS PRIVACY NOTICE**

- 12.1 We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

**Dated: October 2024**