

Privacy Policy

NINEFIVE RECRUITMENT's services, including (without limitation) our website and other interactive properties through which the services are delivered (collectively, the "Service") are owned, operated and distributed by NINEFIVE RECRUITMENT of EVOLUTRIX GROUP (Pty) Ltd (referred to in this Privacy Notice as "NINEFIVE RECRUITMENT" or "we" and through similar words such as "us," "our," etc.). This Privacy Notice outlines the personal information that NINEFIVE RECRUITMENT may collect, how NINEFIVE RECRUITMENT uses and safeguards that information, and with whom we may share it.

NINEFIVE RECRUITMENT encourages our customers, visitors, business associates, and other interested parties to read this Privacy Notice, which applies to all users, including juristic persons. By using our Service or submitting personal information to NINEFIVE RECRUITMENT by any other means, you acknowledge that you understand and agree to be bound by this Privacy Notice, and agree that NINEFIVE RECRUITMENT may collect, process, transfer, use, and disclose your personal information as described in this Notice. Further, by accessing any part of the Service, you are agreeing to THE TERMS AND CONDITIONS OF OUR TERMS OF SERVICE (the "Terms of Service"). IF YOU DO NOT AGREE WITH ANY PART OF THIS PRIVACY NOTICE OR OUR TERMS OF SERVICE, PLEASE DO NOT USE ANY OF THE SERVICES.

What personal information do we collect?

Personal information (also commonly known as personally identifiable information (PII) or personal data) is information that can be used to identify you, or any other individual to whom the information may relate.

The personal information that we collect directly from those registering for the service, include the following categories:

- Name and contact information (address, phone number, email)
- Special personal information (race, gender, disability, criminal records, credit check)
- Sensitive personal information (ID number, passport number, banking details)
- Professional / employment-related information
- Educational Information
- Geographic or location information
- Network and device information
- Company related details for job orders.
- Information users share (motivational letters, testimonials)
- Order Information (jobs loaded and applied for)
- Other information that may be exchanged in the course of engaging with the Service. You will be aware of any subsequently collected information because it will come directly from you.

Collection of User Generated Content

We may invite you to post content on the Service, including your comments and any other information that you would like to be available on the Service, which may become public ("User Generated Content"). If you post User Generated Content, all of the information that you post will be available to authorised personnel of NINEFIVE RECRUITMENT. You expressly acknowledge and agree that we may access in real-time, record and store archives of any User Generated Content on our servers to make use of them in connection with the Service. If you submit a review, recommendation, endorsement, or other User Generated Content through the Service, or through other websites including Facebook, Instagram, Google, LinkedIn, Twitter, YouTube and other similar channels, we may share that review, recommendation, endorsement or content publicly on the Service.

What are the sources of personal information collected by NINEFIVE RECRUITMENT?

When providing personal information to NINEFIVE RECRUITMENT as described in this Notice, that personal information is collected directly from you, and you will know the precise personal information being collected by us. The only other source of information is from references added on a CV. NINEFIVE RECRUITMENT does not collect personal information from any other sources, except where it may automatically be collected as described in the section titled "Cookies, Device Data, and How it is Used, if the information in that section is considered personal information.

Why does NINEFIVE RECRUITMENT collect your personal information?

Subject to the terms of this Privacy Notice, NINEFIVE RECRUITMENT uses the above described categories of personal information in several ways. Unless otherwise stated specifically, the above information may be used for any of the following purposes:

- to administer the Service to you;
- to respond to your requests;
- to distribute communications relevant to your use of the Service, such as system updates or information about your use of the Service;
- as may be necessary to support the operation of the Service, such as for billing, account maintenance, and record-keeping purposes;
- to send to you NINEFIVE RECRUITMENT solicitations, product announcements, and the like that we feel may be of interest to you. Please note that you may "opt out" of receiving these marketing materials
- in other manners after subsequent notice is provided to you and/or your consent is obtained, if necessary;
- NINEFIVE RECRUITMENT does not sell, re-sell, or distribute for resale your personal information.

Permitted Purposes	Personal Information Categories	Legal Basis
<p>To enable you to create an account as an employer or as a job seeker.</p> <p>To enable you to input information on our platform and subsequently access and manage it effectively.</p> <p>To facilitate effective communication and attend to any questions or requests you might have,</p> <p>To effectively oversee and manage our contractual relationship with you.</p> <p>To offer you personalised services.</p>	<p>Name and contact information.</p> <p>Identification information.</p> <p>Information about race, gender and disability.</p> <p>Financial and business information.</p> <p>Professional and employment-related particulars.</p> <p>Educational Information.</p> <p>Geographic or location information.</p> <p>Authentication credentials.</p>	<p>Essential for fulfilling the contractual obligations between us.</p>
<p>To analyse and enhance both our services and communications with you for continuous improvement.</p> <p>For the management, upkeep, improvement and security of our platform.</p>	<p>Information on usage data.</p> <p>Name and contact information.</p>	<p>Our legitimate interests in improving our platform by gaining a better understanding of your needs and requirements.</p>
<p>To offer you the opportunity to subscribe to services provided by our partners. This includes promoting various offerings, such as CV review services, to you.</p>	<p>Name and contact information.</p> <p>Professional and employment-related particulars (e.g. CV, location, etc.).</p>	<p>Your consent to receive these communications.</p>
<p>To send you job alerts tailored to your preferences as a job seeker and informing you about positions that may be of interest to you.</p>	<p>Name and contact information.</p> <p>Professional and employment-related particulars.</p> <p>Educational Information.</p> <p>Location information.</p>	<p>Our legitimate interest in providing you with the job alerts you requested by voluntarily providing your information on our website.</p>

To send you our newsletters and marketing communications and keep you informed about our services and offers.	Name and contact information. Location information.	Your consent* to receive these communications, unless you are an existing customer who has been informed about direct marketing and given the opportunity to opt-out, in which case we rely on our legitimate interest to promote our services.
To conduct an analysis of our platform and website usage, enhance their visibility through social networks and utilise advertising cookies.	Electronic identification data, such as usernames, email and IP address information. Usage data - data concerning user patterns and behaviour while interacting with our platform.	For additional information regarding our use of cookies, please consult our Cookie Policy.
To facilitate your job application process as a job seeker, allowing you to apply for job positions with ease.	Name and contact information. Professional and employment-related particulars (e.g. CV and cover letter).	Our legitimate interest in managing candidates' job applications.
To adhere to our legal declarations and obligations to public authorities (including tax and labour laws).	Name and contact information. Identification information. Financial and business information. Details related to financial transactions, business activities and other relevant financial information. Authentication credentials.	Adherence to our legal obligations.

For the purposes of initiating, pursuing and safeguarding legal claims.	Name and contact information. Identification information. Financial and business information. Details related to financial transactions, business activities and other relevant financial information. Authentication credentials.	Our legitimate interests in safeguarding our legal rights and defending ourselves in the event of a claim.
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If we have collected and processed your personal information with your consent, you have the right to withdraw that consent at any time. However, it's essential to note that the withdrawal of consent will not impact the legality of any previous processing carried out before your withdrawal, nor will it affect any processing based on other legitimate grounds for data processing.

How do we share your Personal Information with third parties?

We may provide any of the described categories of personal information to NINEFIVE RECRUITMENT employees, consultants, affiliates or other businesses or persons for the purpose of processing such information on our behalf in order to provide the Service to you. In such circumstances, we require that these parties agree to protect the confidentiality of such information consistent with the terms of this Privacy Notice.

We will not share your personal information with other, third-party companies for their commercial or marketing use without your consent or except as part of a specific program or feature which you will specifically be able to opt-out of.

In addition, we may release personal information: (i) to the extent we have a good-faith belief that such action is necessary to comply with any applicable law; (ii) to enforce any provision of the Terms of Service , protect ourselves against any liability, defend ourselves against any claims, protect the rights, property and personal safety of any user, or protect the public welfare; (iii) when disclosure is required to maintain the security and integrity of the Service, or to protect any user's security or the security of other persons, consistent with applicable laws (iv) to respond to a court order, subpoena, search warrant, or other legal process, to the extent permitted and as restricted by law; or (v) in the event that we go through a business transition, such as a merger, divestiture, acquisition, liquidation or sale of all or a portion of our assets.

Direct Marketing Communications

We may communicate with you using email, WhatsApp, SMS, and other channels (sometimes through automated means) as part of our effort to market our products or services, administer or improve our products or services, to send you job alerts, or for other reasons stated in this Privacy Notice. You have an opportunity to withdraw consent to receive such direct marketing communications, as permitted by law.

If you no longer wish to receive correspondence, emails, or other communications from us, you may opt-out by submitting a request through the Contact Us form on our website, or by using the UNSUBSCRIBE link in any email communication you may have received. Further, you may express your communication preferences by:

- Noting your preferences at the time you register your account with the Site;
- Logging into your account settings and updating your preferences;
- Contacting us using the Contact Us form on our website.

Please note that you may continue to receive non-marketing communications as may be required to maintain your relationship with NINEFIVE RECRUITMENT.

In addition to the communication described here, you may receive third-party marketing communications from providers we have engaged to market or promote our products and services. These third-party providers may be using communications lists they have acquired on their own, and you may have opted-in to those lists through other channels. If you no longer wish to receive emails, SMSs, or other communications from such third parties, you may need to contact that third party directly.

Retention of Data

NINEFIVE RECRUITMENT will retain your personal information only for as long as is necessary for the purposes set out in this Notice. We will retain and use personal information to the extent necessary to comply with our legal obligations (for example, if we are required to retain your data to comply with applicable laws), resolve disputes and enforce our legal agreements and policies.

NINEFIVE RECRUITMENT will also retain usage data for internal analysis purposes. Usage data is generally retained for a shorter period of time, except when this data is used to strengthen the security or to improve the functionality of our Sites and/or Portals, or we are legally obligated to retain this data for longer periods.

Cookies, Device Data, and How it is Used

NINEFIVE RECRUITMENT uses cookies to enhance your experience with our Service. When you visit the Website for the first time, your content will be asked. Read the Cookie Policy [here](#).

International Data Transfer

If you are located outside South Africa, in particular if you are located in Switzerland, the United Kingdom, or the European Economic Area (“EEA”), please note that our servers are located in South Africa and the United Kingdom. Any information that you provide to us may be transferred to and processed in South Africa, the United Kingdom or other countries around the world where we do business. Although this may include recipients of information located in countries where there may be a lower level of legal protection for your personal information than in your country, we will protect your information in accordance with requirements applicable to the law in your particular jurisdiction and take steps to only share with third parties that offer similar protection. By using our Service, you unambiguously consent to your information being collected, processed, used, and transferred as disclosed herein.

We may use third party service providers to help us deliver certain services, and it may result in the processing of personal information in data centres and locations outside of South Africa. For example, these service providers may provide us with essential information technology or tools we use to run our business. We may permit these service providers to process our business information and/or your personal information. We do not permit these service providers to process any personal information outside of a contract, and these service providers may collect personal information on our behalf. Our third-party service providers are required to comply fully with this Privacy Notice.

European Union Data Privacy Rights

If you are located in the EEA, the General Data Protection Regulation (“GDPR”) grants you certain rights under the law. In particular, the right to access, correct, and delete the personal information we hold about you. NINEFIVE RECRUITMENT will retain your personal information for the length of time you engage with our services, as described in the retention section of this notice, until you request the deletion of such personal information.

In certain circumstances, you have the following data protection rights:

- The right to access, update, or delete the personal information we have on you.
- The right of rectification. You have the right to have your personal information corrected if it is inaccurate or incomplete.
- The right to object Subject to certain legal conditions, you have the right to object to our processing of your personal information.
- The right of restriction. Subject to certain legal conditions, you have the right to request that we restrict the processing of your personal information.
- You have the right to opt out of marketing communications we send you at any time. You can exercise this right by clicking on the “unsubscribe” or “opt-out” link in the marketing emails we send you.
- The right to data portability. You have the right to be provided with a copy of the personal information we have on you in a structured, machine-readable and commonly used format.

- The right to withdraw consent. You also have the right to withdraw your consent at any time when we rely on your consent to process your personal information.
- We reserve the right to charge you a reasonable administrative fee for any manifestly unfounded or excessive requests concerning your access to your data, and for any additional copies of the personal data, you request from us. We will consider any requests or complaints that we receive and provide you with a response in a timely manner.

In order to make a request regarding your personal information, please fill out the Contact Us form on our website.

If you have a comment, question, or complaint about how we are handling your personal information, we hope that you contact us using our Contact Us form in order to allow us to resolve the matter. We may request that you prove your identity by appropriate means in order for us to comply with our security obligations and to prevent unauthorised disclosure of data. In addition, if you are located in the EEA, you may submit a complaint regarding the processing of your personal information to the EU data protection authorities (each a “DPA”). The following link may assist you in finding the appropriate DPA: https://ec.europa.eu/justice/data-protection/bodies/authorities/index_en.htm.

Legal Basis for Processing under GDPR

If you are located in the EEA, our legal basis for collecting and using the personal information described in this Notice depends on the personal information we collect and the specific context in which we collect it.

We may process personal information because:

- We need to perform a contract with you;
- You have given us consent to do so;
- The processing is in our legitimate interest to offer the Service, when that legitimate interest is not overridden by your rights;
- To comply with the law.

Where personal information is processed based on consent, EU residents have the right to withdraw such consent at any time. To do so, please contact us as described in this Notice. If there is a different legal basis that would permit us to continue processing your personal information after withdrawing consent, we will notify you of that legal basis at the time of your request.

South African Privacy Rights

If you are a South African resident, South Africa law may provide you with certain rights with regard to your personal information under the Protection of Personal Information Act (“POPIA”) and Promotion of Access to Information Act (“PAIA”) as well the Consumer Protection Act. Throughout this Privacy Notice you will find information required by POPIA regarding the categories of personal information collected from you; the purposes for which we use personal

information, and the categories of third parties your data may be shared with. This information is current as of the date of the Notice and is applicable in the 12 months preceding the effective date of the Notice.

As a South African resident, the POPIA and PAIA provide you the ability to make inquiries regarding your personal information. Specifically, the degree to which the information is not already provided in this Privacy Notice, you have the right to request disclosure or action your personal information, including:

- If your personal information is collected by us.
- The specific pieces of personal information collected about you.
- The ability to correct or delete certain personal information collected about you.
- The ability to delete all the personal information collected about you, subject to certain exceptions.
- To opt-in or opt-out of direct marketing to you.
- To object to processing of your personal information, or
- Appeal any rejection of access to your personal information.

You may submit a request regarding your rights under POPIA or PAIA by submitting a request through our Contact Us form or by emailing us here.

If we receive a POPIA request from you, we will first make a determination regarding the applicability of the law, and we will then take steps to verify your identity prior to responding. The steps to verify your identity may vary based on our relationship with you, but, at a minimum, it will take the form of confirming and matching the information submitted in the request with information already held by NINEFIVE RECRUITMENT and/or contacting you through previously used channels to confirm that you submitted the request (i.e. confirming identity through contact information that we have on file, and/or the contact information submitted to make the request).

NINEFIVE RECRUITMENT does not knowingly collect or process the special personal information such as your religious or philosophical beliefs, trade union memberships, political persuasion, health or sex life or biometric information.

If you have a comment, question, or complaint about how we are processing your personal information, we hope that you contact us using our Contact us form in order to allow us to resolve the matter. In addition, if you are located in the Republic of South Africa, you may submit a complaint regarding the processing of your personal information to the Information Regulator at the following link: <https://www.justice.gov.za/inforeg/contact.html>.

Third Party Advertisers

We may allow other companies, called third-party ad servers or ad networks, to serve advertisements within the Service. These third-party ad servers or ad networks use technology to send, directly to your device, the advertisements and links that appear on the Service. They automatically receive your device ID and IP address when this happens. They may also use other technologies (such as cookies, JavaScript, or Web Beacons) to measure the effectiveness

of their advertisements and to personalise the advertising content you see. You should consult the respective privacy policies of these third-party ad servers or ad networks for more information on their practices and for instructions on how to opt-out of certain practices. This Privacy Notice does not apply to them, and we cannot control their activities.

Information Storage and Security

We employ industry-standard and/or generally accepted security measures designed to secure the integrity and confidentiality of all information submitted through the Service. However, the security of information transmitted through the internet or via a mobile device can never be guaranteed. We are not responsible for any interception or interruption of any communications through the internet or for changes to or losses of data. Users of the Service are responsible for maintaining the security of any password, user ID or other form of authentication involved in obtaining access to password protected or secure areas of the Service. In order to protect you and your information, we may suspend your use of any of the Service, without notice, pending an investigation, if any breach of security is suspected.

External Links

The Service may contain links to other websites maintained by third parties. Please be aware that we exercise no control over linked sites and NINEFIVE RECRUITMENT is not responsible for the privacy practices or the content of such sites. Each linked site maintains its own independent privacy and data collection policies and procedures, and you are encouraged to view the privacy policies of these other sites before providing any personal information.

You hereby acknowledge and agree that NINEFIVE RECRUITMENT is not responsible for the privacy practices, data collection policies and procedures, or the content of such third-party sites, and you hereby release NINEFIVE RECRUITMENT from any and all claims arising out of or related to the privacy practices, data collection policies and procedures, and/or the content of such third-party sites.

Children's Privacy

The Service is not intended for children under the age of 18, and NINEFIVE RECRUITMENT does not knowingly collect the personal information of children under the age of 18.

Changes to this Privacy Notice

NINEFIVE RECRUITMENT reserves the right to modify this Privacy Notice from time to time in order that it accurately reflects the regulatory environment and our data collection principles. When material changes are made to this Privacy Notice, NINEFIVE RECRUITMENT will post the revised Notice on our website. This Privacy Notice was last modified as of 25 July 2023.

Contact Information

If you have any questions or comments about this Privacy Notice or the Service provided by NINEFIVE RECRUITMENT, contact us [here](#).