

# PRIVACY NOTICE

For Consultants

MARCH 2024



# CONTENTS

WHAT IS THE PURPOSE OF THIS DOCUMENT?	03
THE KIND OF INFORMATION WE HOLD ABOUT YOU	04
HOW IS YOUR PERSONAL INFORMATION COLLECTED?	05
HOW WE WILL USE INFORMATION ABOUT YOU?	06
DATA SECURITY	09
INFORMATION ABOUT CRIMINAL CONVICTIONS	10
DATA RETENTION	11
RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION	12
RIGHT TO WITHDRAW CONSENT	13
DATA PROTECTION OFFICER	13
CHANGES TO THIS PRIVACY NOTICE	13

# WHAT IS THE PURPOSE OF THIS DOCUMENT?

**Diamond Manufacturing Management and Consultancy Limited (DMMC) (“Company”) is committed to protecting the privacy and security of your personal information.**

This privacy notice describes how we collect and use personal information about you during and after your working relationship with us, in accordance with data protection legislation, including the Data Protection Act 2017 of Mauritius, and may be amended from time to time.

DMCC is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to consultants. This notice does not form part of any consultancy agreement or other contract to provide services.

It is important that you read this notice, together with any other privacy policies or privacy notices we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

# THE KIND OF INFORMATION WE HOLD ABOUT YOU

We will collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses
- Date of birth
- Bank account details
- Payment records
- Consultant remuneration
- Start date
- Location of workplace
- Terms and conditions of your contract
- Recruitment information (including copies of right to work documentation, references and cover letter or as part of the application process)
- Engagement records (including titles, work history)
- Photographs

# HOW IS YOUR PERSONAL INFORMATION COLLECTED?

We collect personal information about consultants through the application and recruitment process, either directly from candidates obtained from your passport or other identity documents such as your identity card; from forms completed by you at the start of or during engagement; from correspondence with you; or through interviews, meetings or other assessments.

Data is stored in a range of different places, including in your personnel file, in the company's management systems and in other IT systems.

# HOW WE WILL USE INFORMATION ABOUT YOU

The Company needs to process data to enter into a consultancy contract with you and to meet its obligations under your contract. For example, it needs to process your data to provide you with a contract, to pay you in accordance with your consultancy contract.

In some cases, the Company needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check a consultant's entitlement to work and fees, etc.

We may also use your personal information in the following situations, which are likely to be rare:

- 1 Where we need to protect your interests (or someone else's interests).
- 2 Where it is needed in the public interest or for official purposes.

# HOW WE WILL USE INFORMATION ABOUT YOU

## Situations in which we will use your personal information

We need all the categories of information listed 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 will process your personal information are listed below.

- Making a decision about your appointment;
- Determining the terms on which you provide services to us;
- Checking whether you are legally entitled to work in certain countries;
- Paying you;
- Administering the contract we have entered into with you;
- Making decisions about your contract;
- Making arrangements for the termination of our contractual relationship;
- Dealing with legal disputes involving you;
- Complying with health and safety obligations;
- To prevent fraud;
- To understand and prevent any Conflict of Interests which may arise
- To monitor your use of our information and communication systems to ensure compliance with our IT policies;
- To ensure network and information security, including preventing unauthorized access to our computer and electronic communications systems and preventing malicious software distribution.
- To maintain accurate and up-to-date contractual records and contact details;
- Ensure effective general human resource and business administration;

# HOW WE WILL USE INFORMATION ABOUT YOU

## IF YOU FAIL TO PROVIDE PERSONAL INFORMATION

You have some obligations under your contract to provide the Company with data. You may have to provide the Company with data in order to exercise your statutory rights. Failing to provide the data may mean that you are unable to exercise your statutory rights.

Certain information, such as contact details, your right to work in certain countries and payment details, have to be provided to enable the Company to enter into a contract with you. If you do not provide other information, this will hinder the Company's ability to administer the rights and obligations arising as a result of the contractual relationship efficiently.

## WHO HAS ACCESS TO DATA?

Your information will be shared internally, and with our clients if access to the data is necessary for the performance of their roles. The Company also shares your data with third parties that process data on its behalf, in connection with payment, and administration services.

The Company may transfer your data to countries outside of Mauritius or the countries where you work in including India or client location as well as countries where data is stored on servers.

## HOW SECURE IS MY INFORMATION WITH THIRD-PARTY SERVICE PROVIDERS

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.



# DATA SECURITY

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorized way, altered or disclosed. In addition, we limit access to your personal information to those 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.

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.

## CHANGE OF PURPOSE

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.

## OUR OBLIGATIONS

We will use your particularly sensitive personal information:

- To comply with laws.
- To comply with workplace and health and safety rules.
- To ensure that there is no unfair treatment.

# INFORMATION ABOUT CRIMINAL CONVICTIONS

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 our Data Protection Policy.

# DATA RETENTION

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 as per law and are for a minimum of 7 years after your relationship with us.

In some circumstances we may anonymize 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 a consultant of the company we will retain and securely destroy your personal information in accordance with our Data Protection Policy and applicable laws and regulations.

# RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

## YOUR DUTY TO INFORM US OF CHANGES

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

## 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.

## YOUR RIGHTS IN CONNECTION WITH PERSONAL INFORMATION

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

- Request access (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you.
- Request correction - This enables you to have any incomplete or inaccurate information we hold about you corrected.
- Request erasure - This enables you to ask us to delete or remove personal information where there is no good reason for us to continue 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).
- Object to processing - Where we are relying on a legitimate interest (or those of a third party) and there is something which makes you want to object to processing on this ground.
- Request the restriction of processing - This allows 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.
- Request the transfer of your personal information to another party when the information is stored and processed automatically.

*If you want to exercise any of the above rights, please contact the Data Protection Officer on << [legal@constellmauriti.us.com](mailto:legal@constellmauriti.us.com) >> in writing.*

# 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 Data Protection Officer on <<legal@constellmauritius.com>>.

# DATA PROTECTION OFFICER

We have appointed a Data Protection Officer (DPO). If you have any questions about this privacy notice or how we handle your personal information, please contact the Data Protection Officer on << legal@constellmauritius.com>>. You have the right to make a complaint at any time to the Data Protection Commission of Mauritius.

# CHANGES TO THIS PRIVACY NOTICE

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.



**DMMC**

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