

Privacy Policy

1. INTRODUCTION

At FLEC, we are committed to protecting your privacy. This Privacy Statement sets out information about how we store, use and transfer personal data obtained by us when you use our web application (the 'Web App') and our mobile application called 'FLEC' (each an 'App') or otherwise in connection with our business. It applies to all individuals we deal with, including our website visitors, workers who use our App, client contact, suppliers, enquirers and anyone else we encounter in our business.

It is important that you read and understand this Privacy Statement, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal data, so that you are fully aware of how and why we are using your data. If you have any questions you may contact us using the contact details set out below.

If we do issue any other privacy notices to you, then this Privacy Statement is to be read alongside the other notices and does not override them.

2. SUMMARY

Full details are set out in the relevant sections of this Statement below, but in summary:

- we are a data controller in relation to much of the personal data that we hold. That means we determine how we will use and look after it;
- if you are a worker who uses the App to submit applications to recruiters or in connection with your work for employers, then those recruiters and employers will receive copies of some of your personal data (like background information and applications). They are also data controllers in their own right in relation to that personal data and their privacy policies or notices will apply.
- we offer a platform to recruiters and employers for flexible workforce management. When we host personal data in our platform on behalf of those organisations, we do so as their appointed data processor. That means that they are data controller and responsible for determining how we handle that data;
- we normally receive your personal data from you, but sometimes it might be from a third party with whom you and we are both connected (e.g. from a recruiter or employer);
- we use your personal data to deliver our services, conduct our business, keep appropriate records and meet our legal obligations;
- we only provide your personal data to third parties for our business purposes or as permitted by law. We don't share your data with third party advertisers;
- we store personal data for specified retention periods;
- you have legal rights in relation to your personal data which you can exercise on request;
- our website use cookies; and
- you can contact us to enquire about any of the contents of this Statement.

3. OUR COMMITMENT TO PRIVACY

We fully respect your right to privacy, and will only collect personal data from you and use it in accordance with this Statement. Any personal data will be treated in accordance with all applicable UK data privacy laws in force from time to time.

4. OUR ROLE AS DATA CONTROLLER AND DATA PROCESSOR

The App is operated by Flexible Lifestyle Employment Company Limited, a company incorporated and registered in England & Wales with company registration number 10823546 with its registered office at Oakwood House, Blackwood Business Park, Ash Road South, Wrexham Industrial Estate, Wrexham LL13 9UG ("FLEC", "we", "us" or "our"). You can contact us by using any of the contact information provided at the end of this Privacy Statement.

FLEC may act as data controller or data processor in relation to your personal data. This Privacy Statement is primarily concerned with providing you with information about our use and handling of your personal data when we act as a data controller. To clarify:

- a data controller determines the purposes for which personal data is to be collected and used, and the means of handling of that personal data. When we hold your data for our own purposes, we act as a data

controller. In particular, when we collect data from workers via the App, building their profile and applications, and send that data on to recruiters or employers, we are acting as a data controller;

- a data processor handles personal data on the instructions of and for the purposes of a data controller. When we store data in our platform on behalf of recruiters or employers, we are acting for their purposes as a data processor (even if we sent them that data in the first place – for instance, by sending an application).

Importantly, the recruiters and employers who receive your data are data controllers in their own right. For information on how they will use and handle your data, you will need to review their own privacy notices or policies.

We have appointed a data protection officer (DPO) who is responsible for overseeing questions in relation to this Privacy Statement as well as for our general compliance with applicable law. If you have any questions about this Privacy Statement, including any requests to exercise your legal rights, please contact the DPO using the details set out below.

Email:

Postal address:

The Data Protection Officer

Flexible Lifestyle Employment Company Ltd.

Oakwood House,

Blackwood Business Park

Ash Road South

Wrexham Industrial Estate

Wrexham LL13 9UG

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 (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

5. PERSONAL DATA WE MAY COLLECT

In this Section we have set out the kinds of personal data that we may collect, use, store and transfer. We have grouped that data together into different categories based on its subject matter, and based on the kinds of individuals to whom they relate.

Data relating to almost everyone we deal with: e.g. website and App users, enquirers, suppliers

We may process data about your use of our website and App (usage data), which we obtain through our analytics tracking systems. The usage data may include your IP address, geographical location, browser type and version, operating system, referral source, length of visit, page views and website navigation paths, as well as information about the timing, frequency and pattern of your service use.

We may process information contained in or relating to any enquiry or communication that you send to us or that we send to you (correspondence data). This could for example include customer support queries from our users (whether workers, recruiters or employers), enquiries from journalists or any other correspondence. The correspondence data may include the communication content and metadata associated with the communication, as well as any contact details you may provide to us such as your name, email address, phone number, job title, address or social media username.

Data relating to App users

We may process the account data (account data) you provide to us in setting up or using an account via the App. The account data may include your name, email address, phone number, postal address, username and password. If you use a third-party application like Facebook to log into your account then we may receive and process account data from the relevant third party. Account data may also include records relating to your individual account (for instance, a record that a worker has been engaged by a particular recruiter or employer, or details of a worker's recent or upcoming assignments).

Data relating to Workers (and their referees)

In addition to your account data, if you are a worker we may process data which you input via the App in order to complete your profile or provide relevant background information (all of which we will call profile data). This might include:

- your name, email address, phone number(s) and postal address;
- your profile picture and "about me" information;
- your data and place of birth and nationality;
- your national insurance number;
- right to work and ID check data and documents (such as copies of your passport or other ID and proof of address), and other check data (such as your mother's maiden name); and
- employment and educational history and references; and
- information regarding your driving qualifications; and
- information regarding preferred shifts and working hours.

We may also process information which you include in any application completed via the App or which you provide in connection with any application process (application data) which we forward to the recruiter or employer. The application data may include information relating to your health history or disability.

If you are a referee and provide a reference to a worker who uses our App, we may process personal data relating to you (referee data). This may include the reference, and your contact details (name, role, address, email address and telephone number).

Importantly, when we receive and transfer profile, application and referee data we do so as a data controller. However, after that data is received by the recruiter or employer, they are data controller in relation to their own copies of that data. We may act as their data processor in relation to those copies (and in relation to any other worker-related personal data which the recruiter or employer may collect and store on our platform, such as interview recordings and interview notes and other HR information).

The App may record location data, such as the time, date and GPS location (together location data). The GPS location of the device on which the App is installed is also periodically logged throughout the duration of the assignment. You can turn off this functionality at any time by turning off the location services settings for the App on your device(s). Please note that turning off the location services on your device may delay the verification of your assignments and/or timesheet(s).

Data relating to suppliers and other commercial partners

If we have some other commercial relationship with you or with your employer (for example, a supply, purchase, sponsorship or referral relationship) then we may handle your contact details (name, job title, email address, postal address, telephone number), any related communications, and any related documents (such as contracts or proposals). We call all of this partner data, and we process it for the purposes of administering our commercial relationship.

6. HOW YOUR PERSONAL DATA IS COLLECTED

Personal data that you provide by filling in forms on our App

This includes information provided at the time of registering to use our App, creating a user account, using our services, activating your GPS location, checking into assignments, activating push notifications or receiving updates. We may also ask you for information when you report a problem with our App. All of this comprises correspondence data, account data, profile data, application data referee data and location data.

Personal data collected from your Mobile Device

We may collect usage data and location data directly from your device.

Personal data that we obtain from you

We may obtain correspondence data and partner data directly from you in the course of correspondence.

Personal data we obtain from others

Your personal data may be provided to us by someone other than you. We might be introduced to you in correspondence by a mutual contact, or we might receive personal data through your social media account if you use it to log in, or we might receive personal data through other users of our App (for instance, if a recruiter sends us feedback in relation to a worker or vice versa). Normally this data will be correspondence data or partner data.

7. HOW WE USE YOUR PERSONAL DATA

We have set out below, in table format, a description of all the ways we may use your personal data. We're also required by law to identify the legal basis on which we handle personal data. These legal bases are set out in Article 6 of the General Data Protection Regulation (GDPR). When we process personal data on the basis of our legitimate interests then we also need to identify those legitimate interests and have done so below.

Note that we may process your personal data on more than one legal basis depending on the specific purpose for which we are using your data. You can contact us for further information.

Type of Data

Purpose/Activity

Legal Basis for Processing

Usage Data

Analyzing the use of, and improving, our website, App and services, security monitoring and fraud detection and to ensure our website is presented in the most effective manner.

Our legitimate interests (Art 6.1(f) GDPR), namely delivering and improving our App and services, informing marketing strategy, and ensuring security.

Correspondence Data

To communicate with you. If you have indicated your interest in our services then we may also process correspondence data to provide you with occasional news about our services and marketing communications (although you will be free to unsubscribe at any time).

Our legitimate interests, namely properly administering our business and communications, developing our relationships with interested parties and addressing user concerns and queries.

Where correspondence data relates to marketing, our legitimate interests in developing our business.

Where correspondence relates to registered users of our App, or to any contract or potential contract with you, then our legal basis may be for the performance of a contract with you, or to take steps at your request prior to entering into a contract with you (Art 6.1 (b) GDPR).

Account Data, Profile Data

Operating our App, providing our services, ensuring the security of our App and services, verifying logins, and communicating with you.

Facilitating engagements between workers and recruiters/employers.

Sending workers messages, notifications and updates relating to any job or to our App or services.

Performance of a contract with you (i.e. delivering our services through the App account).

Our legitimate interests, namely properly administering our business, services and communications.

Application Data

Operating our App, providing our services, facilitating engagements between workers and recruiters/employers.

Performance of a contract with you.

Our legitimate interests, namely properly delivering and administering our services.

Special category data contained in profile or application data

Providing our services, facilitating transfer from workers to recruiters and employers

Your consent (Art. 6.1 (a) GDPR, Art. 9.2(a) GDPR)

Location data

Monitoring the location of the device on which the App is installed, for logistics tracking purposes and to verify assignments and timesheets. Issuing location alerts to the recruiter / employer.

Our legitimate interests, namely properly delivering and administering our services.

Partner data

Administering our commercial relationship with those with whom we do business.

Performance of a contract with you.

Our legitimate interests, namely properly administering our business and communications, and developing commercial relationships.

Any personal data

For the purposes of legal compliance (e.g. maintaining tax records)

Compliance with our legal obligations (Art 6.1(c) GDPR)

Any personal data

For the purposes of bringing and defending legal claims

Our legitimate interests, namely being able to conduct and defend legal claims to preserve our rights and those of others.

Any personal data

Record-keeping and hosting, back-up and restoration of our systems,

Our legitimate interests, namely ensuring the resilience of our IT systems and the integrity and recoverability of our data.

8. HOW OTHER CONTROLLERS USE YOUR PERSONAL DATA

FLEC and our App provides an intermediary service by connecting you with our recruiter and employer clients. In particular:

- we may disclose profile, application and referee data to recruiters and employers when you choose to make an application for any job via the App;
- if you have a job with a particular recruiter or employer, then you may use the App to report information to facilitate more efficient processing of your assignments, timesheets and pay claims (this might include, for example, location data); and
- in order to provide our services available via the App, we may pass certain information to these employer clients on your behalf so they can fulfil your temporary assignments, which may generally include details of your name, photograph, check-in time and location.

The recruiters and employers to whom we disclose your personal data are data controllers in their own right and are using your personal data for their own business purposes. We do not have any control over them. In each case, their use of your personal data will be governed by their own privacy statements (or equivalent notice). We recommend that you ensure that you have read and understood any information provided by them in relation to their use of your personal data.

While ultimately the uses of your personal data by recruiters or employers will be determined by them, we would normally expect the following:

- They will use your profile and application data to: correspond with you; contact you regarding further opportunities or send you alerts in relation to your role; send you timesheets or logs; contact your next of kin in the event of an emergency; carry out checks to ensure that you have the right to work in the UK and otherwise conduct background checks in line the requirements for the particular job; verify your identity (through photo checks).
- They may use your reference data to carry out background security checks, and validate your employment history and any breaks in employment, and assess your suitability for assignments.
- They may collect or create additional personal data using our App which we will host as their data processor. For example, they may store additional data from the recruitment process (such as interview audio or video recordings, or interview notes) or other HR-related data in the App.

9. DISCLOSURES OF YOUR INFORMATION

To recruiters and employers

As mentioned above (see Section 8), we may disclose personal data to recruiters and employers in providing our services, and they will be data controllers in their own right.

To our service providers

We may disclose personal data to our service providers or subcontractors in connection with the uses we've described above. For example, we may disclose:

- any personal data in our possession to suppliers which host the servers on which our data is stored (such as Microsoft and Amazon Web Services), or to freelance staff whose duties involve handling the relevant personal data;
- correspondence data to providers of email or email marketing services;
- payments data to our payment processing service providers;
- usage data to providers of analytics services; and
- partner data and other relevant personal data to third parties for the purposes of fraud protection, credit risk reduction and debt recovery.

We do not allow our data processors to use your personal data for their own purposes. We only permit them to use your personal data for specified purposes, in accordance with our instructions and applicable law.

Other disclosures

In the event that we buy any business or assets we may disclose your data to the prospective seller or buyer of such business or assets. If FLEC or substantially all of its assets are acquired by a third party, personal data held by us about our App users will be amongst the transferred assets.

Also, we may consider it necessary to disclose your personal data without consulting you, when we believe that it is appropriate in order to comply with our legal obligations and/or a court order, to cooperate with any law enforcement agencies, to enforce this Privacy Statement, the End User License Agreement or other legal rights, to protect the security of the App, to prevent fraud, or otherwise to protect our legitimate business interests and/or the legitimate interests of others.

Other than this, any information which you provide us through this App is not made available to any third parties unless you give your prior consent, and is used by us only in line with the purposes set out in this Privacy Statement.

10. INTERNATIONAL TRANSFERS

Some of the third parties to whom we may transfer your personal data, discussed below, may be located outside the EEA or may transfer your personal data to their own service providers located outside the EEA. We will ensure that transfers by us or by our appointed data processors will only be made lawfully (e.g. to countries in respect of which the European Commission has made an "adequacy decision", or with appropriate safeguards such as the use of standard clauses approved by the European Commission or the use of the EU-US Privacy Shield). You may contact us if you would like further information about these safeguards.

11. DATA SECURITY

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

We have put in place procedures to deal with any suspected personal data breach. Where we are data controller, we will notify you or any applicable regulator of a breach where we are legally required to do so. Where we are data processor, we will notify our client (recruiter or employer) who may then contact you regarding any data breach in their capacity as the data controller.

12. DATA RETENTION

We retain the personal data you give us for no longer than is necessary for the purposes for which that data was obtained.

In particular, The information you provide us on registration will be kept for as long as you are a registered user of our service, unless you amend or delete the information. If you cancel your registration we retain your data for a maximum period of three (3) weeks from the date of cancellation.

13. YOUR LEGAL RIGHTS

You have the right to:

Request access to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal data. This enables you to ask us to delete or remove personal data 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 data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to processing of your personal data where we are relying on a legitimate business 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 as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

14. CHANGES TO THE PRIVACY STATEMENT

We update our Privacy Statement periodically, as our data collection practices and applicable UK laws change. Any new Privacy Statement will be published and available on the App. You should check occasionally to ensure that you are happy with any changes to this Statement, although we may notify you of significant changes using the contact details you have given us.