

OFFTOWORK

**CLIENT PRIVACY
POLICY & DATA
SHARING AGREEMENT**



OFF TO WORK

Your Privacy is Important to Us

Off to Work is committed to protecting your privacy and legal rights when dealing with your personal information. This Privacy Policy and Data Sharing Agreement intends to provide clear and understandable details about the information we collect about you, and how we use, share and protect it. This Policy also outlines the terms in which we ask you to handle the personal data that we share with you.

If you have any queries about this Privacy Policy and Data Sharing Agreement, if you are not sure what something means, or if you wish to contact us about personal information we hold, then please email us at compliance@offtowork.co.uk.

Commencement and Duration

This agreement shall come into effect from 25th May 2018 and shall continue unless terminated early. You will be deemed to have accepted a contract on these terms either by opting in by the Accept box below, or if you continue to use Off to Work's services.

Definitions & Compliance with Data Protection Law

"Off to Work", "we", "us", "our", "the Company" refers to Off to Work, a trading name of Navolio Ltd. Registered in England and Wales. Registered number 03760009 and registered address: 4 Chiswell Street, London EC1Y 4UP. "You", "your" refers to the individual registered to work through Off to Work. Off to Work is registered with the Information Commissioners Office, registration number Z2961236.

Within the terms of this agreement, the parties acknowledge that Off to Work is "**The Data Controller**" and You are "**The Data Processor**". The Data Controller agrees to share the personal data with the Data Processor in the European Economic Area (EEA) on terms set out in this agreement. The Data Processor agrees to use the personal data within the EEA and always in accordance with the data protection legislation.

Each party must ensure compliance with the privacy and data protection legislation at all times during this agreement.

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Disclosure & Publication

The Data Processor agrees to process the personal data only within the scope of the Data Controllers instruction and strictly for no other purposes without the written authority of the Data Controller.

The Data Processor will not disclose or share the personal data processed under the agreement with any third party without the written authority of the Data Controller.

The Data Processor is prohibited from publishing, copying, transferring or duplicating any information without the written authority of the Data Controller.

Purpose

Off to Work is a staffing solutions provider, offering hospitality staffing, recruitment, consultancy and training. The Company must process your personal data, which may include individuals at your organisation, so that we can provide these tailored services. In doing so, the Company acts as a Data Processor for your own personal data and Data Controller for the personal data that we share with you. For the purposes of providing you with these services, we will share data with you and in doing so you will become The Data Processor.

As an Off to Work customer, we need to collect and use information about you, or individuals at your organisation, to fulfil our contractual obligations in delivering our services; and/or notifying you of content published by Off to Work which is likely to be relevant and useful to you.

Collection and Use of Personal Data

We comply with GDPR obligations by storing and destroying your personal data securely; by not collecting or retaining excessive amounts of data; by protecting personal data from loss, misuse, unauthorised access and disclosure; and by ensuring that appropriate technical measures are in place to protect personal data and we ask you to keep your personal data up to date.

You may give your personal details to Off to Work directly through our online registration form, by visiting our website, through the app, marketing emails, social media, postal communications, by email, telephone and/or face to face.

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Indirectly, the Company may collect information about you or your colleagues from third parties, which may include online and offline media; from delegate lists at relevant events; credit checking services; and from other limited sources and third parties such as our candidates, when they may provide us with your details to act as a referee for them. To the extent that you access our website or read or click on an email from us, we may also collect information automatically. The Company must have a legal basis for processing your personal data.

What personal data do we collect?

The data we collect about our customers is actually very limited. We generally only need to have your contact details or the details of individual contacts at your organisation (such as their names, telephone numbers and email addresses) to enable us to ensure that our relationship runs smoothly.

We also hold information relating to your online engagement on our website and other material published by Off to Work, which we use to ensure that our marketing communications to you are relevant and timely. We may also hold extra information that someone in your organisation has chosen to tell us. In certain circumstances, such as when you engage with our Finance and Debt Recovery teams, our calls with you may be recorded, depending on the applicable law and requirements. If we need any additional personal data for any reason, we will let you know.

Purposes of processing

To enable us to fulfil our contractual duties to you, the Company will collect and process your personal data (which may include sensitive personal data) to provide you with bespoke support services. This may include storing your details (and updating them where necessary) on our database, so that we can contact you in relation to staffing, training needs and details of your events; This may include keeping records of our conversations and meetings so that we can provide the best possible staffing solutions, and undertaking customer satisfaction surveys

The Company may also use your data to help us to establish, exercise or defend legal claims.

We may also use your information to review and analyse how to improve the services.

Off to Work would also like to use your contact information for internal marketing campaigns; company news, product updates, launches and invitations; as well as gathering feedback

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and any other relevant information by email and text message. To give consent to the use of your data for these specific purposes please tick the marketing communications opt-in box in the Contacts page of your Off to Work client account.

You have the right to withdraw consent for the use of your personal data in direct marketing. You can manage your marketing preferences by simply unticking the opt-in box in the Contacts page or by emailing marketing@ofttowork.co.uk.

Occasionally, we may wish to use photographs of you at our events for marketing purposes on our website and other mediums. If you do not consent to the use of your image please email our marketing team at marketing@ofttowork.co.uk.

The Data Processor agrees to only process personal data in accordance with the Data Controllers instructions, and only for the purposes of providing the Contract Services.

Who we share your data with

The nature of our business requires us to occasionally share your information with our team members, to ensure that they are in the right place at the right time, to in turn meet our contractual obligations.

Off to Work may share your information with service providers who help us to provide services to you, when required by law, or when it is required by a competent authority in the exercise of its duties (i.e. to investigate, prevent or act on illegal activities), or when we have your permission i.e. when requesting a reference.

Third parties are required to comply with our Privacy Notice and any other adequate technical and organisation measures. We contractually bind these service providers to the corresponding Data Processing Agreement to ensure your information is kept confidential and used only to the extent required by them to perform the services that we request, and in accordance to the applicable privacy legislation. We do not sell your data to third parties.

Legal basis for processing

Off to Work's use of your data for the purposes described above is based on the following legal bases.

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Consent

Consent is requested to use your contact details for direct marketing, which can be freely given and withdrawn at any time by updating your marketing preferences in the Contacts page of your client account.

Contractual/Legal requirement

We are entitled to use your data to fulfil contractual obligations with you, or where it is required by law and/or a contractual requirement (i.e. when our clients require your personal data). You are obliged to provide the personal data and if you do not, the consequences of failure to provide the data is the inability to be offered assignments through Off to Work.

Legitimate interest

Article 6(1)(f) of the GDPR states that we can process your data where it is “necessary for the purposes of the legitimate interests pursued by (us) or by a third party, except where such interests are overridden by the interests or fundamental rights or freedoms of (you) which require protection of personal data.”

We don't think that the following activities prejudice individuals in any way, instead we believe that they enable us to offer you a more tailored, efficient service. However, you do have the right to object to us processing your personal data on this basis.

We deem the following activities as necessary within the range of our legitimate interests:

It's reasonable for us to process your data to make sure that we send you the most appropriate teams.

For the business to operate we need to use your data for internal administrative activities, such as security clearance background checking, payroll and invoicing. We also hold your financial details, so that we can pay you for your services.

The Data Processor agrees to notify the Data Controller immediately and no later than 48 hours upon receipt by the Data Processor of a request from an individual seeking to exercise any of their rights under the privacy and data protection legislation. The Data Processor agrees to notify the Data Controller immediately (and no later than 48 hours) upon receipt of any complaint from an individual regarding the processing of personal data under the agreement. The Data Processor will provide the Data Controller with full co-operation and assistance in relation to any such complaint or request from an individual regarding the processing of personal data under this agreement.

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The Data Processor agrees to act only under the Data Controller's instructions in relation to any activities undertaken to resolve any complaints or comply with any requests from individuals.

The Data Processor is required to maintain a record of requests or complaints from data subjects seeking to exercise their rights under the privacy and data legislation. The records described here must include copies of the request for information or complaint, details of the data accessed and shared, and where relevant, notes of any meeting and measures taken by the Data Processor to resolve the complaint, correspondence or phone calls relating to the request or complaint.

Recipient/s of Data

The Company may process your personal data and or sensitive personal data with some of the following recipients: Mailchimp, Typeform, Survey Monkey, Eventbrite, Google Documents, Dropbox, Text Anywhere, Voyager Infinity, LevelUp, Flow and RSM UK.

Overseas Transfers

For the purposes of this clause, internal transfers of personal data shall mean any sharing of personal data by the Data Processor with a third party.

The Data Processor shall not disclose or transfer personal data to a third party without the prior written authorisation of the Data Controller.

Furthermore, we want to make sure that personal data is stored and transferred in a way that is secure. Therefore, the Data Processor shall not disclose or transfer personal data to a third party located outside of the European Economic Area or EEA (The Member States of the European Union, together with Norway, Iceland and Liechtenstein).

Data Retention

The Company will retain your personal data only for as long as is necessary. Different laws require us to keep different data for different periods of time.

The Data Processor shall not retain or process personal data for longer than is necessary to carry out the agreed purposes or for any longer period set out by the Data Controller. For the avoidance of doubt, the Data Controller reserves the right to determine the periods for which the Data Processor may retain personal data.

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The Data Processor shall ensure that the personal data processed under this agreement are returned to the data controller or destroyed in accordance with the Data Controllers instructions. The Data Controller reserves the right to issue instructions to the Data processor at any time.

Your Rights

You have the following data protection rights, however please note, that the rights are not absolute. The only absolute right you have is to request that we do not use your personal information for direct marketing.

Please do contact us if you are unsure about your rights as detailed below. We will always endeavour to help explain how your rights apply to the personal information we process, for our specified lawful reasons.

- **The right to be informed** about the personal data the Company processes on you. We are obliged to provide this in a clear and concise manner;
- **The right to access** to the personal data the Company processes on you. This is known as a Subject Access Request or 'SAR'. You also have the right to request a copy of your personal data that we process.

We will need to identify you using reasonable means before we will start the process of collating your personal information. Once we have identified you, we will reply to any requests for your personal information (SARs) within 30 days, unless we deem the request to be complex, or repetitive, where we will notify you that we may take up to an additional two months to provide your personal information.

We will not charge you to request information from us. However, we will charge a reasonable fee (considering the administrative costs of providing the information) if the request for information is repetitive. If we've provided information to you and you wish to request it again, we ask that you contact us beforehand to discuss what our reasonable fee is.

The right to rectification of your personal data. However, we can only consider requests to correct factual information;

The right to erasure of your personal data in certain circumstances. If you have subscribed to any of our marketing correspondence, you have the right to request erasure from our email list. We will only use your personal information to send you marketing material if you have given us your explicit permission.

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- **The right to restrict processing** of your personal data. This means that we will stop actively processing it, and it will just be stored. Stopping processing will mean that we will not add any additional information to your existing information.
- **The right to data portability** in certain circumstances.
- **The right to object** if processing of your personal data is based on legitimate interests, or if processing is being used for direct marketing;
- **To not be subjected to automated decision making and profiling.**
- **The right to withdraw consent** at any time.

To make things easier for you to exercise the above-mentioned rights, simply send a request to our Compliance team at compliance@offtowork.co.uk. Where you have consented to the Company processing your personal data and sensitive personal data, you have the right to withdraw that consent at any time by again emailing compliance@offtowork.co.uk or by post to Off to Work, 4 Chiswell Street, London EC1Y 4UP.

Changes to the Privacy Notice

We reserve the right to amend this Privacy Notice from time to time. Amended policies will be published through your Off to Work account, where you may be required to accept the Privacy Notice upon logging in. If you do not agree to the new Privacy Notice, you may terminate your account at any time by emailing compliance@offtowork.co.uk.

Complaints or Queries

If you wish to complain about this Privacy Policy or any of the procedures set out within it, please contact our Data Protection Officer, Guy Dorey guy.dorey@offtowork.co.uk or by post to Off to Work, 4 Chiswell Street, London EC1Y 4UP.

You also have the right to raise concerns with the Information Commissioner's Office on 0303 123 1113 or at <https://ico.org.uk/concerns/>, or any other relevant supervisory authority should your personal data be processed outside of the UK or if you believe that your data protection rights have not been adhered to.

'We did get some awesome feedback with regards to the staff in both platinum restaurants, thank you for this! All the managers were very positive when giving feedback and the team leaders we had were great. Our managers were extremely impressed with how they went above and beyond.'

