

Staff Smarter Privacy Policy

Privacy Policy

Last updated 29 September 2020

1. INTRODUCTION

This Privacy Policy details our collection, use and disclosure of Personal Data and Non-Personal Data (as such terms are defined below) that you give to Staff Smarter (referred to here as “**Staff Smarter**”) when you access or use Staff Smarter’s online and/or mobile services, applications, and websites, and software provided by Staff Smarter on or in connection with such services or websites.

Staff Smarter (<https://www.staffsmarter.co.uk>) operates a platform used by care providers to manage their own casual workers (the “**Platform**”). Staff Smarter is revolutionising casual workforce management for care providers (“**Employers**”) and for their staff members (“**Workers**”) who have registered or been registered by their employer to use the Platform. We are committed to protecting and respecting the privacy of all our users. This Privacy Policy together with our other terms and conditions sets out the basis on which any Personal Data we collect from you or on your behalf, or that you provide to us, will be processed by us. Please read the following carefully to understand what data we collect, how that data is used and the ways it can be shared by us and you.

1.1 WHO IS RESPONSIBLE FOR YOUR INFORMATION?

We are DIGITAL STAFF SOLUTIONS LTD, trading as Staff Smarter (“**Staff Smarter**”, “**we**”, “**us**”) and we act as a processor for the purposes of the EU General Data Protection Regulation (2016/679) and data protection and e-privacy laws applicable in the United Kingdom (the “**Data Protection Law**”). The employer who uses Staff Smarter to engage with the worker is the data controller.

We operate the Platform and website at <https://www.staffsmarter.co.uk/>.

We are a registered fee payer with the Information Commissioner's Office (registration number ZA224675).

Our COO, Dan Blake is responsible for overseeing questions in relation to this Privacy Policy. If you have any questions about this Privacy Policy, including any requests to exercise your legal rights, please contact us using the following details:

FAO Dan Blake, 32-38 Leman Street, London, E1 8EW

dan@florence.co.uk

Staff Smarter is only available to users in the United Kingdom. If you are outside the United Kingdom and wish to access the Platform then, please email dpo@florence.co.uk

1.2 PERSONAL AND NON-PERSONAL DATA

Personal Data refers to any information that relates to an identified or identifiable individual (“**Personal Data**”), and Non-Personal Data refers to any information that does not identify you as a specific individual (“**Non-Personal Data**”). Please note that at all times we will adhere to the applicable statutory definition in determining what is and what is not Personal Data for the purposes of this Privacy Policy. Where this Privacy Policy refers to “information” or “your information” this may include both Personal Data and Non-Personal Data.

2. INFORMATION WE COLLECT FROM YOU

2.1 INFORMATION YOU GIVE US

- By filling in forms on the Platform or by corresponding with us by phone, email or otherwise, either as a Worker or as an Employer. In respect of phone calls, we record some incoming calls for training and quality purposes and we record some calls that we make to you. You may also provide us with information when you register to use the Platform or you are registered by your employer, or report a problem with the Platform. We ask you to disclose only as much information as is necessary to provide you with our services through the Platform or to submit a question or comment in relation to the Platform.
- If you are accessing and using the Platform as a Worker. This information can include your name; email address; post code; availability dates; profile photograph; profile description; role type, contact details; location data, to show you jobs nearby, remind you of scheduled shifts, and allow you to check-in to a shift, as applicable; and any other details that you may provide by completing the sign up process.
- If you are accessing and using the Platform as an Employer. Information collected includes: your name; Employer name; Employer address; email address; job title; registered company number; VAT number and other business contact details of your staffing managers, as well as the following information relating to any Workers whom you engage: (i) rates of pay; (ii) shifts worked; (iii) skills set; (iv) Employer feedback and ratings; (v) interaction with shifts; (vi) unique identifiers.

2.2 INFORMATION WE COLLECT ABOUT YOU

- Technical information, including the Internet protocol (IP) address used to connect your device to the Internet; your login details; browser type and version; time zone setting; browser plug-in types and versions; operating system and platform (for further information please see our Cookie Policy).
- Information about your visit, including the dates and times you use the Platform (for Workers); work opportunities you view or search for; page response times; download errors; length of visits to certain pages; page interaction information (such as scrolling, clicks, and mouse-overs); methods used to browse away from the page; and any phone number used to call our customer service number (for further information please see our Cookie Policy).

2.3 INFORMATION WE RECEIVE FROM OTHER SOURCES

- If you are an Employer, we may collect further information about you from credit reporting agencies, such as your credit history, for the purposes of credit risk reduction. We may combine this data with the other information we have collected about you via the Platform.
- Staff Smarter has an optional rating system for its Employers and Workers. Employers may rate Workers based on their performance during an engagement and Workers may also rate Employers during their engagement with that Employer. Therefore, if you are a Worker, we may receive a rating for you from an Employer and if you are an Employer, we may receive a rating for you from a Worker whom you have engaged through the Platform.
- If you are an Employer, we may obtain your contact details from third party marketing companies. This information is processed in accordance with this privacy policy and applicable data protection and privacy requirements.

2.3 MINIMUM AGE OF OUR USERS

The Platform is not for use by anyone under the age of 18.

Staff Smarter adopts a range of measures to try to ensure that we do not accept individuals who do not meet the minimum age and any other applicable requirements. If you do not satisfy these requirements but wish you use the Platform, please email dpo@florence.co.uk

3. USES MADE OF THE INFORMATION

3.1 USES

We use this information in the following ways:

- to carry out our obligations arising from any contracts entered into between you and us, for example, the terms which govern how we make the Platform available to you and/or provide our services to you. This means that, where you are a Worker, we will use your information to connect you with your Employer and where you are an Employer we will use your information to connect you with your Workers;
- to facilitate Workers and Employers fulfilling their obligations to each other;
- to match your skills and desired roles to suitable engagements;
- to communicate with you as part of our relationship with you as an Employer or a Worker;
- to comply with any legal obligations to which we are subject;
- to notify you about changes to the Platform or our services;
- to administer the Platform and for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes;
- to improve the Platform and to ensure that content is presented in the most effective manner for you and for your device;
- as part of our efforts to keep the Platform safe and secure; and
- to combine information that we receive from other sources with information you give to us and information we collect about you. We will use this information and the combined information for the purposes set out above (depending on the types of information we receive).

For Employers only - to make suggestions and recommendations to you about our other applications or services that may interest you (for further information please see our Cookie Policy);

For Employers only - to market our services to you and to provide you with information about other applications or online services that we may offer which are similar to the Platform or the services we are supplying to you (or that you have enquired about) (for further information regarding our online marketing and advertising activities please see our Cookie Policy);

3.2 LEGAL GROUNDS FOR THESE USES

We collect and process your personal data on the basis of different legal grounds, depending on the nature of the Personal Data being provided and the type of processing involved. The legal grounds for the processing of your Personal Data include:

- That the processing is necessary for the performance of a contract which you have entered into with us, including the provision of a service through the Platform, or to take steps at your request prior to entering into a contract, in which case you will be informed if providing your Personal Data is required;

- That you have provided consent for the processing for one or more specified purposes, such as, for example, when you as an Employer opt to receive marketing communications from us or where you consent to providing your location when using the Platform;
- That the processing is necessary for compliance with a legal obligation to which we are subject, for example where we are required under local laws to retain certain business records;
- The processing is necessary for the purposes of the legitimate interests which we pursue and which are not overridden by your interests or fundamental rights and freedoms requiring the protection of your Personal Data. An example of our reliance on this legal ground is where the processing of your information is necessary to protect the security of the Platform or where we share your Personal Data with our third party service providers and suppliers, as outlined further below. Staff Smarter will only rely on such a ground where an assessment has been performed balancing the interests and rights involved and the necessity of the processing in order to provide our services, products and features to you.

Where it takes place, the legal basis for the processing of any information relating to your health is that it is necessary in order to comply with legal obligations in the field of employment or social security law.

4. DISCLOSURES AND TRANSFERS OF YOUR INFORMATION

4.1 TRANSFERS OF INFORMATION TO EMPLOYERS

As noted above, Staff Smarter shares Worker information with their Employers through the Platform and vice versa.

If you are a Worker using the Platform, by applying or signing up for an engagement with an Employer you agree to the disclosure of your Personal Data held in the Platform to that Employer. Please also note that Employers process Personal Data received through the Platform as data controllers, independently responsible for their own handling of your Personal Data. As such, if you are a Worker, any requests to exercise your rights in respect of Personal Data processed by an Employer should be directed to that Employer.

If you are a Employer, you agree to process the Personal Data of Workers, provided to you through the Platform, only for the purpose of (i) availing of the Platform service in accordance with the Platform Terms and Conditions which includes engaging a Worker or (ii) as otherwise required or permitted under applicable Data Protection Law. As an Employer you further agree to comply with all of your obligations under applicable Data Protection Law with respect to the collection, processing and storage of Personal Data provided to you by Staff Smarter.

4.3 INFORMATION SHARED WITH EMPLOYERS BY WORKERS

This Privacy Policy only covers the processing of Personal Data by Staff Smarter through the Platform and any other processing by Staff Smarter specifically detailed in this Privacy Policy. This Privacy Policy does not apply to, and Staff Smarter is not responsible or liable for, information exchanged directly between Workers and Employers during an engagement or otherwise shared with one another outside of the Platform.

4.4 TRANSFERS OF INFORMATION TO SERVICE PROVIDERS

In order to provide you with our services through the Platform, we may share your Personal Data with selected third parties including:

- credit reporting agencies, if you are an Employer, for the purpose of carrying out credit checks;

- our business partners, suppliers and sub-contractors in connection with our operations and for the purposes outlined above only. Examples of such suppliers include partners we use to market our products, our cloud-based communications software provider; our CRM software provider, and our cloud storage;
- analytics and search engine providers that assist us in the improvement and optimisation of the Platform;
- if we sell or buy any business or assets, in which case we will disclose your Personal Data to the prospective seller or buyer of such business or assets;
- if Staff Smarter or substantially all of its assets are acquired by a third party, in which case Personal Data held by it about the Platform's users will be one of the transferred assets;
- if we are under a duty to disclose or share your Personal Data in order to comply with any legal obligation, or in order to enforce or apply our Terms and Conditions and any other applicable agreements; or to protect our rights, property, or safety or that of our customers, or others.

5. TRANSFERS OF PERSONAL DATA OUTSIDE OF THE UK AND EEA

As explained in section 4, information shared by you with Staff Smarter will be shared with our service providers, no matter where they are located, for the purpose of providing you with the Platform and improving the Platform, and any other purposes described in this Privacy Policy. This means that your Personal Data will be transferred to other countries, both inside and outside of the UK and the EEA.

We rely on a combination of legal mechanisms to support transfers of Personal Data outside of the UK and the EEA, which may include, where appropriate, the execution of Standard Contractual Clauses to ensure that any Personal Data transferred is subject to appropriate safeguards; and other decisions from appropriate authorities that a third country provides an adequate level of protection.

6. STORAGE AND RETENTION OF YOUR PERSONAL DATA

All information you provide to us is also stored on our secure servers. Where we have given you (or where you have chosen) a password which enables you to access certain parts of the Platform, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

The time periods for which we retain your personal information depend on the type of information and the purposes for which we use it. We will not retain your Personal Data for any longer than is necessary for the purposes of performing the processing outlined in this Privacy Policy or to preserve and protect our rights to the extent permitted by law (for example, to preserve records of a dispute) or to comply with our obligations under local law (for example, we are obliged to retain certain revenue records).

For further information on the periods for which we retain your personal information, please contact us as outlined in section 9 of this Privacy Policy.

7. AUTOMATED PROCESSING

In order to optimise the performance of the Platform for our users, Staff Smarter performs automated processing of Personal Data including profiling in limited instances. If you are a Worker, this processing involves the Platform suggesting suitable engagements for you on our Platform, on the basis of your skills, experience and previous ratings.

Where it occurs, such processing is carried out where it is necessary for the performance of our agreement with our users and to allow Staff Smarter to provide its services to Workers and Employers.

To contest any decision generated by automated means or to seek further information in this respect, please contact us as outlined in section 9 of this Privacy Policy.

8. EXERCISING YOUR RIGHTS

8.1 YOUR RIGHTS

You have a number of rights in relation to how we process your Personal Data. These include:

- the right to access the Personal Data that we may hold about you;
- the right to rectify any inaccurate Personal Data that we may hold about you;
- the right to have your Personal Data that we hold about you erased;
- the right to ask us to provide your Personal Data in a portable format or, where technically feasible, to have your data ported to a new service provider if you no longer wish to use the Platform or our services;
- the right to request a restriction of the processing of your Personal Data;
- the right to object to us processing your Personal Data including any processing for the purposes of direct marketing or profiling.

Where our processing of your Personal Data is based on your consent to that processing, you have the right to withdraw that consent at any time, but any processing that we have carried out before you withdraw your consent remains lawful. Where you are providing location information, you may turn off your location services on your device at any time.

Please note that when you use our services, either as an Employer or a Worker, the processing of your information, and/or that of your team who you nominate to liaise with us, will become a condition of the contract between us as we require certain information in order to be able to provide you with our services (e.g. contact information). In those circumstances, if you do not provide certain information when requested, we may be unable to provide the Platform or our services to you.

8.2 EXERCISING YOUR RIGHTS

You can exercise any of these rights any time by contacting us at dpo@florence.co.uk. Please note, we may attempt to verify your identity through the email address or telephone number associated with your use of the Platform prior to fulfilling any such request and reserve the right to deny a request where we are unable to satisfactorily complete this process. If you authorize someone to make a request on your behalf, we may also deny your request if we are unable to verify with you that the individual making the request is authorized to act on your behalf.

9. CONTACTING US & COMPLAINTS

9.1 CONTACTING US

Should you have any concerns about how we handle your Personal Data, we encourage you to please contact us in the first instance and we will do our best to resolve your concern.

If you have any questions about this Privacy Notice, including any requests to exercise your legal rights, please contact us using the following details:

FAO Dan Blake

32-38 Leman Street, London, E1 8EW

dan@florence.co.uk

9.2 COMPLAINTS

If you believe your data protection rights have been infringed by Staff Smarter, you have the right to complain to the appropriate data protection supervisory authority.

The supervisory authority in the UK is the Information Commissioner's Office (ICO). For further details on how to complain to the ICO, please follow the links below: <https://ico.org.uk/concerns/> or <https://ico.org.uk/global/contact-us/>.

10. CHANGES TO OUR PRIVACY POLICY

Any changes we make to this Privacy Policy in the future will be posted on this page and, where appropriate, notified to you by email. Please check back here frequently to view any updates or changes to this Privacy Policy.

Cookie Policy

We use cookies to enhance your experience when you visit the Platform, either as a user of the Platform or other visitor. A cookie is a text file that websites send to a user's computer or other internet-connected device to uniquely identify the device and browser or to store information or settings in a browser. Cookies help distinguish you from other users of the Platform and help personalise your experience.

Most web browsers automatically accept cookies, but browser settings can be changed to prevent these cookies from collecting information. You can block cookies by activating the setting on your browser that allows you to refuse the setting of all or some cookies. However, if you set your browser to block all cookies (including essential cookies) you may not be able to access all or parts of our website and some of the services you request through the Platform may not work correctly.

Two kinds of cookies are used on the Platform – session cookies and persistent cookies.

1. Session cookies are used to remember selections made when you use the Platform. Session cookies are deleted automatically when you leave the Platform or close your browser.

2. Persistent cookies are used to identify you when you return to the Platform and/or to remember specific information about your preferences. These cookies also help us understand browsing behaviour within the Platform, which can help us develop the Platform in a way we believe will be most relevant to your interests. Persistent cookies are stored on your device and are not deleted when the browser is closed, they remain in the cookie file of your browser for much longer (how long will depend on the lifetime of the specific cookie) – these cookies must be 'manually' deleted if you want to remove them.

First and third party cookies

We set cookies (first party cookies) on our web pages, however, where we require additional information or services, we also allow other companies to host cookies on our web pages (third-party cookies). These partner companies have been carefully selected by us.

What do we use cookies for?

The cookies we use are categorised into five groups:

1. *Strictly Necessary cookies*

– these cookies are used for technical reasons and are necessary to enable the Platform to operate efficiently so that you can navigate the Platform with ease and use specific features. These include, for example, cookies that enable you to log into secure areas of the Platform and cookies that help us to debug any errors. The type of Personal Data which may be collected through these cookies

includes IP address; location data and the fact that you are logged on to the Platform. These cookies are deleted when you leave the Platform or close your browser and do not store your preferences or information beyond your current visit. If these cookies are blocked or disabled, some of the Platform' functions will not be available to you and you may not be able to use our service.

2. *Performance cookies*

– these cookies are used to obtain statistics about the number of users of the Platform and how such users interact with the Platform. These cookies collect information that is aggregated and therefore cannot be used to identify an individual's identity. This data is used to analyse things like how frequently people visit the Platform, how it is found and which pages are most frequently viewed. Such information allows us to continuously improve the Platform to provide users with a better online experience (such as enabling users to find what they are looking for more easily). These cookies remain on your device for varying periods with some deleted when you close your browser and others remaining on your device until deleted.

3. *Functionality cookies*

– these cookies are used to improve the functionality of the Platform and make it easier to use. They help us to identify you as a repeat user of the Platform and help us remember your preferences (such as choice of language, country setting or mobile device preferences, for example), which saves you time by making the user experience easier. In order to provide these features these cookies do collect your personal information. Usually functionality cookies expire after a maximum of 2 years but they can be deleted from your browser history at any time up to the point of their expiry.

4. *Analytical*

– these cookies gather information about your habits when using the Platform (including the pages you have visited). We may combine such information with other Personal Data that we have collected about you (for example your user profile) to enhance the Platform and make them more tailored to you. These cookies may be placed on the Platform by carefully selected third parties such as Google Analytics, on our behalf (with our permission) in order to help us collect statistical data about users of the Platform and conduct market research. These cookies remain on your device for varying periods with some deleted when you close your browser and others remaining on your device until deleted.

To opt out of being tracked by Google Analytics across all websites please visit: <https://tools.google.com/dlpage/gaoptout>

5. *Advertising/Targeted Cookies*

– these cookies are used to deliver advertisements relevant to you, based upon your interests. They are also used to limit the number of times you see an advertisement as well as help measure the effectiveness of an advertising campaign. These cookies record your visit to the Platform, the pages you have visited and the services/features you have selected. We will use this information to make the Platform and the advertising displayed more relevant to your interests. These cookies are also used to link to social media networks and other third parties which may also use this information about your visit to target advertising to you.

We use cookies and other storage technologies and services from third-party partners such as Google, Facebook and Snapchat for measurement services, better targeting of ads and for marketing purposes. These cookies and other storage technologies and services allows us to display Staff Smarter promotional material to you on other websites you visit across the Internet.

What third party cookies do we use?

We have set out below the third parties who set cookies on our website and a brief description of how they will use the information obtained through these cookies:

Third-party name	Description
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DoubleClick DoubleClick forms part of Google's Ad Network. These cookies are set to allow Google/DoubleClick to track user activity in order to gather audience information and to allow remarketing to users.

Google Google cookies are used to track user activity for the use of Google Analytics, marketing and advertising by Google.

Hubspot Our marketing CRM provider Hubspot sets cookies to track user behaviour in order to inform our marketing processes.

Bing/Microsoft Used by Microsoft Advertising services to help count valid clicks.

Please see below for a list of the third party cookies used on the Platform and further information on how they can be disabled. Although we may update this list periodically, please be advised that the names of cookies, pixels and other technologies are subject to change.

Third party cookies on Staff Smarter:

Functionality (1)

Host	Provider Name	Expiration	Purpose	Opt-out
.hs-analytics.net	HubSpot	__cfduid 1 year	The __cfduid cookie is used to identify individual Employers behind a shared IP address and links apply security settings on a per-Employer basis.	See below

Targeting (27)

Host	Provider	Name	Expiration	Purpose	Opt-out
.linkedin.com	LinkedIn	Lidc	1 day	This domain is owned by link LinkedIn. It typically acts as a third party host where website owners have placed one of its content	
		Bcookie	3 months		
		__utma	3 months		
		__utmv	1 month		

sharing buttons on their pages, although its content and services can be embedded in other ways.

.doubleclick.net	DoubleClick IDE Id	Persistent 3 months	This domain is owned by link Doubleclick (Google). Google uses this information to inform, optimise and serve ads to you based on your past visits to our Website.
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.m.youtube.com	YouTube LOGIN_INFO	Persistent	YouTube collects user data link through videos embedded in the Platform, which is aggregated with profile data from other Google services in order to display targeted advertising to you across a broad range of their own and other websites. Also used by Google in combination with SID to verify Google user account and most recent login time.
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.youtube.com	YouTube	SID HSID PREF APISID LOGIN_INFO GPS SSID YSC SAPISID	Persistent Persistent 4 years Persistent Persistent 30 minutes Persistent Persistent Persistent	YouTube collects user data link through videos embedded in websites, which is aggregated with profile data from other Google services in order to display targeted advertising to you across a broad range of their own and other websites. Also used by Google in combination with SID to verify Google user account and most recent login time.
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.google.com	Google	APISID SSID NID	3 months 3 months 6 months	Google uses the data link gathered from most of these cookies to determine
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		SID SAPISID HSID	3 months 3 months 3 months	the interests of web users and sell advertising space to organisations based on such interests as well as aligning adverts to the content on the pages where the adverts appear.
.bing.com	Bing	MUID MUIDB	1 year 1 year	The Microsoft User See Identifier (MUID) is used by below Microsoft Advertising services to help count valid clicks.
.hubspot.net	HubSpot	__cfduid	1 year	The __cfduid cookie is used to identify individual Employers behind a shared IP address and apply security settings on a per-Employer basis.

Opt-out

EU – <http://www.youronlinechoices.eu/>

How do I control my cookie settings on my computer?

Please be aware that if you decide to disable or block cookies, parts of the Platform may not function correctly, or at all, and we may not be able to offer our services to you.

Should you choose however to disable or block our cookies on your device you will need to do this through your browser. Click on the 'Help' menu on your particular browser to learn how to manage your cookie preferences. You can also easily delete and manage any cookies that have been installed in the cookie folder of your browser by following the instructions provided by your particular browser manufacturer:

- [Google Chrome](#)
- [Internet Explorer](#)
- [Mozilla Firefox](#)
- [Safari \(Desktop\)](#)
- [Safari \(Mobile\)](#)
- [Android Browser](#)
- [Opera](#)

- Opera Mobile

Alternatively, you can visit www.aboutcookies.org or www.youronlinechoices.eu for comprehensive information on how to manage cookies.