

Viewer Limited

GDPR Privacy Notice for Viewer Members

August 2021

1. INTRODUCTION

Viewer Limited (“we” or “us”) take the privacy and security of your personal data very seriously.

We hold personal data about Viewer Members for a variety of purposes, as set out in this privacy policy.

In this privacy notice, we set out how we collect and use your personal data before, during and after your working relationship with us, in accordance with the UK General Data Protection Regulation (GDPR).

We may update this notice at any time, and we may provide you with additional privacy notices from time to time.

This notice is provided pursuant to Article 13 of the UK GDPR.

Controller of your personal data

A “controller” under data protection laws is the company or person that determines the purposes for which your personal data will be used and how it will be processed.

For the purposes of this privacy policy, the controller of your personal data is Viewer Limited, a company incorporated in England with company number 10069752 and with registered office at Ham Hill Sydmonton, Ecchinswell, Newbury, Berkshire, United Kingdom, RG20 9AB.

2. TYPES OF PERSONAL DATA THAT WE PROCESS

Personal data means any information about an individual from which that person can be directly or indirectly identified. It does not include anonymous data where the identity has been removed.

We collect, store, and use the following categories of personal data about Viewer Members:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- Date of birth.
- Gender.
- Next of kin and emergency contact information.
- Bank account details.
- Start date.
- DBS certificates.
- Information about your use of our information and communications systems.
- Photographs.
- Feedback from clients on your performance as a Viewber Members.
- Records of the appointments you have undertaken for Viewber.
- Training records and a record of your score on the internal “star” rating system which reflects the number of training exercises which you have undertaken.
- Details of any complaints made about you by Viewber clients or other Viewber Members.

Environmental data

In connection with Viewber’s commitment to monitoring and reducing the business’ carbon footprint, we collect information about the modes of transport used by Viewber Members when you provide services to us. If you use a car, the information which we collect may include the registration plate (for accurate emission calculations) and the engine size and fuel type.

Special categories of personal data

We may also collect, store and use the following “special categories” of more sensitive personal information:

- Information about criminal convictions and offences, including any disclosures made on a DBS certificate which you provide as part of the process to engage you as a Viewber Member.

Information about ethnicity

In order to facilitate our monitoring of equal opportunities engagement, we may collect information about racial or ethnic origin. However, this will always be collected directed from you, so you will be aware if we are processing this type of information.

3. HOW WE COLLECT YOUR PERSONAL DATA

We collect personal data from you through the process to engage you as a Viewber Member. In particular, we may provide you with forms to complete or access to our online systems which may require you to provide personal data which we will record as use for the purposes described in this privacy policy. If you decide not to provide us with certain personal data that we have requested, we may not be able to enter into or perform contracts between us (such as paying your invoice), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our Members).

When you register with us as a Viewber Member, you will directly provide us with certain personal data such as your bank account details and next of kin information.

We collect further personal data about you in the course of your relationship with us as a Viewber Member, for example, a record of the jobs that you have undertaken for us.

We may also collect personal data of the types specified in Section 2 above from third parties. Such personal data may include, for example, complaints received from our clients which relate to a Viewber Member. Any category of personal data set out in Section 2. above which you do not provide to us directly yourself will be obtained from a third party or generated using a Viewber system.

4. LEGAL BASIS FOR THE USE OF YOUR PERSONAL DATA

Data protection law specifies a number of grounds on which we are entitled to use your personal data. We are also required to inform of the grounds which we are relying on to process your personal data.

Most commonly, we will use your personal information on the following grounds:

- Where we need to perform the Viewber Membership Agreement between us or any other contract between us.
- Where we need to comply with a legal obligation.
- Where it is necessary for our legitimate interests (or those of a third-party) and your interests and fundamental rights do not override those interests.

We may also use your personal data on the following grounds, in the unlikely event that these become relevant:

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

5. PURPOSES FOR WHICH WE PROCESS YOUR PERSONAL DATA

We will process your personal data for the following purposes:

We set out in the table below the purposes for which we process your personal data and the lawful grounds on which we carry out such processing.

Types of personal data	Purposes for processing	Legal basis for processing
Personal data provided to us, as described in section 2 above, including any special categories of personal data	Making a decision about your recruitment or appointment.	Legitimate interests – being the engagement of contractors to deliver our client services.
Personal data provided to us, as described in section 2 above, including any special categories of personal data	Determining the terms on which you work for us.	Legitimate interests – being the engagement of contractors to deliver our client services.
Personal data provided to us, as described in section 2 above.	Paying you. Administering the contract, we have entered into with you.	Performance of a contract with you (the Viewber Membership Agreement or any other contract that we sign with Viewber Members from time to time)
Personal data provided to us, as described in section 2 above.	Management of the contract and engagement between us and you, including: Managing and evaluating performance of Viewber Members. Making decisions about your continued employment or engagement. Making arrangements for the termination of our working relationship.	Performance of a contract with you (the Viewber Membership Agreement or any other contract that we sign with Viewber Members from time to time). Legitimate interests being the operation of our business and the management of our contractors.

	Education, training and development requirements. Dealing with legal disputes involving you, or other employees, members and contractors, including accidents at work.	
Record of your internal star rating (see section 2 above)	To contribute to decisions about the allocation of jobs to Viewber Members.	Legitimate interests – being the incentivisation and continued professional development of our contractors.
Personal data provided to us, as described in section 2 above, including any special categories of personal data and personal data provided by clients about you (for example, any complaints that we receive)	To administrate our business and services, including auditing and accounts, and customer service provision and communications with our clients and the maintenance of records of the foregoing.	Legitimate interests – being the operation of our business and the provision of our client services, for client relationship management and the maintenance of client and business records.
Personal data provided to us, as described in section 2 above, including any special categories of personal data	Complying with health and safety obligations.	Legitimate interests – being the creation of a safe working environment. Compliance with a legal obligation
Environmental data which will commonly include personal data described in section 2 above	To monitor our carbon footprint and to receive advisory and certification services from third party service providers.	Legitimate interests – being Viewber’s commitment to operating a socially responsible and environmentally conscious business
Personal data provided to us, as described in section 2 above, including any special categories of personal data	To provide services to clients which require the disclosure of your personal data.	Legitimate interests in respect of personal data which is not special categories of personal data – the legitimate interest being the provision of coaching services Consent in respect of special categories of personal data
Personal data provided to us, as described in section 2 above, including	For legal or regulatory purposes and the prevention of fraud.	Compliance with a legal obligation

information about criminal convictions.		
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How we use special categories of personal data

“Special categories” of personal data require higher levels of protection than regular personal data. In order to process special categories of personal data, we need to have further justification. We may process special categories of personal data in the following circumstances:

- In limited circumstances, with your explicit written consent.
- Where we need to carry out our legal obligations.
- Where it is needed in the public interest, such as for equal opportunities monitoring.

Occasionally, we may process sensitive personal data where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

We will use your sensitive personal data in the following ways:

- In relation to your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

Criminal convictions

We may only process data 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 legal obligations.

Rarely, we may use your personal data relating to criminal convictions where necessary in relation to legal claims, where it is necessary to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

6. AUTOMATED DECISION-MAKING

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision-making in the following circumstances:

- Where we have notified you of the decision and given you 21 days to request a reconsideration.
- Where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights.
- In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your right.

If we make an automated decision on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

7. TRANSFERS TO THIRD PARTIES

PLEASE NOTE THAT YOUR PERSONAL DATA WILL BE PROVIDED TO VIEWBER'S CLIENTS TO ENABLE YOU TO PROVIDE SERVICES TO VIEWBER. Where you are offered and accept an Appointment Booking (as defined in the Viewber Membership agreement) it will be necessary to provide personal data to our clients to enable you to attend the relevant appointment and to communicate with our clients. Clients may use this personal data to contact you directly relating to the relevant appointment – for example, in the event that either you, the client or a viewer of the relevant property is late or needs to ask you about access arrangements. In the event that you cancel an Appointment Booking after accepting it, please note that your personal data may already have been provided to the client in reliance upon your acceptance.

We may have to share your personal data with certain third parties, including third-party service providers for example because it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

Third-party service providers may carry out the following services: administration, and IT services.

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. We may also need to share your personal information with a regulator or to otherwise comply with the law.

We require third parties to respect the security of your data and to treat it in accordance with the law. They must act only in accordance with our instructions, and they agree to keep your personal data confidential and secure.

The environmental data described in Section 2. above is shared with our third party environmental consultants Carbon Footprint Ltd. Your name is not shared with these consultants, but vehicle number plates together with the other information specified in Section 2. above is shared for the purposes of Viewber obtaining carbon neutrality certification.

8. TRANSFERS OUTSIDE OF THE EEA

We may transfer your personal information outside the UK. If we do, you can expect a similar degree of protection in respect of your personal information as that provided under the laws of the UK.

Where we, or our service providers, transfer your personal data outside of the UK in this way we will do so in compliance with applicable laws, including the UK GDPR, and endeavour to ensure that adequate safeguards are in place so that your personal data is treated in a way that is consistent with and which respects the UK laws on data protection, including via standard contractual clauses. If you require further information about our safeguard measures in place you can request it from GDPR@Viewber.co.uk

9. DATA SECURITY

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

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.

10. DATA RETENTION

We will 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.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise 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 Viewber member we will retain and securely destroy your personal information in accordance with applicable laws and regulations.

11. RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

It is important that the personal data we hold about you is accurate and up to date. Please keep us informed if your personal information changes.

You are granted various rights under data protection laws, which we summarise below:

- **right to access personal information** – you have a right to obtain confirmation of whether we are processing your personal information, access to your personal information and information regarding how your personal information is being used by us;
- **right to have inaccurate personal information rectified** – you have a right to have any inaccurate or incomplete personal information rectified. If we have disclosed the relevant personal information to any third parties, we will take reasonable steps to inform those third parties of the rectification where possible;
- **right to have personal information erased in certain circumstances** – you have a right to request that certain personal information held by us is erased. This is also known as the right to be forgotten. This is not a blanket right to require all personal information to be deleted. We will consider each request carefully in accordance with the requirements of any laws relating to the processing of your personal information.
- **right to restrict processing of personal information in certain circumstances** – you have a right to block the processing of your personal information in certain circumstances. This right arises if you are disputing the accuracy of personal information, if you have raised an objection to processing, if processing of personal information is unlawful and you oppose erasure and request restriction instead or if the personal information is no longer required by us but you require the personal information to be retained to establish, exercise or defend a legal claim;
- **right to data portability** – in certain circumstances you can request to receive a copy of your personal information in a commonly used electronic format. This right only applies to personal information that you have provided to us (for example by completing a form or providing information through a website). Information about you which has been gathered by monitoring your behaviour will also be subject to the right to data portability. The right to data portability only applies if the processing is based on your consent or if the personal information must be processed for the performance of a contract and the processing is carried out by automated means (i.e., electronically);
- **right to object to processing of personal information in certain circumstances, including where personal information is used for**

marketing purposes – you have a right to object to processing being carried out by us if (a) we are processing personal information based on legitimate interests or for the performance of a task in the public interest (including profiling), (b) if we are using personal information for direct marketing purposes, or (c) if information is being processed for scientific or historical research or statistical purposes. You will be informed that you have a right to object at the point of data collection and the right to object will be explicitly brought to your attention and be presented clearly and separately from any other information; and

- **right not to be subject to automated decisions where the decision produces a legal effect or a similarly significant effect** – you have a right not to be subject to a decision which is based on automated processing where the decision will produce a legal effect or a similarly significant effect on you.

You may exercise any of your rights at any by contacting us at GDPR@Viewber.co.uk. You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

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.

You also 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.

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 email us at GDPR@Viewber.co.uk. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

If you have any questions about this privacy notice, please email GDPR@viewber.co.uk