

Your privacy is extremely important to us...

...and we are committed to protecting your personal data. This privacy notice will inform you how we look after your personal data when you visit our website as well as throughout and after your professional engagement with us. Additionally, it will tell you about your privacy rights and how the law protects you.

Purpose of this Privacy Notice

Source Pay Ltd (company number 11850880) is committed to protecting the privacy and security of your personal information. This privacy notice describes how we collect and use personal information in accordance with the UK General Data Protection Regulation ("UK GDPR").

Source Pay Ltd is a "data controller" under the UK GDPR and the Data Protection Act 2018. This means that we are responsible for deciding how we hold and use personal information about you. Your information is gathered, shared and used by Source Pay as set out in this privacy notice. We are required under data protection legislation to notify you of the information contained in this privacy notice. Any reference to "we," "us" or "our" means Source Pay Ltd.

This notice applies to prospective, current and former employees, workers and contractors. This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time.

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

We have appointed a Data Team who are responsible for overseeing compliance in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the Data Team using the details set out below.

Contact details

Our full details are:

Full name of legal entity: Source Pay Ltd

Email address: compliance@sourcepay.co.uk

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. We would, however, appreciate the chance to deal with your concerns before you approach the ICO.

Changes to the Privacy Notice and duty to inform us of changes

This version was last updated in April 2024.

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

DATA PROTECTION PRINCIPLES

We will comply with data protection law. This means that the personal information we hold about you must be:

Used lawfully, fairly and in a transparent way.

Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.

Relevant to the purposes we have told you about and limited only to those purposes.

Accurate and kept up to date.

Kept only as long as necessary for the purposes we have told you about.

Kept securely.

What information do we collect about you?

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

There are special categories of more sensitive personal data which require a higher level of protection.

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

Personal Data such as first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender

Contact Data email address, telephone numbers, address details

Next of kin and emergency contact information.

National Insurance number.

Bank account details, payroll records and tax status information.

Salary, annual leave, pension and benefits information.

Start and end date.

Location of employment or workplace.

Copy of driving licence or passport.

Socio-demographic Data including details about your work or profession, nationality, copy of visa (if applicable), and any other immigration information, including Biometric Residence

Permits, share codes and European Settlement Status or Pre-Settlement Status

Copies of right to work documentation

Employment records (including job titles, work history, working hours, working pattern, training records and professional memberships).

Compensation history.

Performance information.

Time and attendance records.

Disciplinary and grievance information.

Documentary data includes details about you that are stored in documents in different formats or copies. This includes identity documentation such as passport and proof of address

Transaction Data includes details about payments from you and other details of services you have purchased from us

Contract Details about the employment we provide to you and services you provide to end-user clients

Usage Data includes data about how you use our employment and other relevant services

Open data and public records includes details about you that are in public records and information about you that is openly available on the internet

Technical Data includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access our website and portal

Marketing and Communications Data includes your preferences in receiving marketing from us and our third parties, your communication preferences, information you provide to us in emails, letters and over the phone

Calls may be recorded for training and quality purposes

Where it is necessary for us to gather special categories of personal data we will only do when we have a lawful basis

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

Trade union membership.

Information about your health, including any medical condition, health and sickness records.

How is your personal information collected?

We may collect personal information about you (or your business where applicable) from other companies within our group and from these sources:

Data you give to us:

When you apply to join Source Pay or request a call back

When you talk to us on the phone

When you use our websites or portal

From personnel records

In emails and letters

In surveys

If you use our "refer a friend" scheme

When you ask us to refer you to our external partner services

Data we collect. This includes the amount, frequency, type, location, origin and recipients:

Transaction data

Technical and usage data. This includes the profile you create to identify yourself when you connect to the Source Pay portal. It also includes other data about how you use Source Pay, how you engage with our website and subsequent marketing communication. We gather this data from devices you use to connect, such as computers and mobile phones, using cookies and other internet tracking software

We will collect additional personal information in the course of job-related activities, such as email and phone correspondence, throughout the period of you working.

Data from third parties:

Other companies within our group of companies

Recruitment agencies that introduce you to us and end-user clients including consultants and other professionals we may engage with

Payroll service providers

Pension administrators

Background check providers

Public information sources such as Companies House

Agents working on our behalf

Market researchers

Companies that we partner with

Your friends, family and colleagues that have referred you through our “refer a friend” scheme

If you fail to provide personal information

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers). In this case, we may not be able to commence employment and may terminate any agreement for such employment, but we will notify you if this is the case at the time.

How we will use your personal information

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

Where we need to perform the contract we are about to enter into or have entered into with you

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.

Where we need to comply with our legal obligations

Where you have consented to it

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

Where we need to protect your interests (or someone else’s interests).

Where it is needed in the public interest or for official purposes.

Situations in which we will use your personal information

We need all the categories of information in the list above (see What information do we collect about you?) primarily to allow us to perform our contract with you and to enable us to comply with legal obligations. In some cases, we may use your personal information to pursue legitimate interests of our own or those of third parties. A legitimate interest is when we have a business or commercial reason to use your information. But even then, it must not unfairly go against what is right and best for you. If we rely on our legitimate interest, we will tell you what that is.

The below is a list of all the ways in which we may use your data and the basis upon which we rely on. We have also specified what our legitimate interests are if we rely on this basis.

Purpose/Activity

Type of information

Lawful basis for processing including basis of legitimate interest

- To register you as a new employee
- To conduct identity and any other necessary right to work checks on you
- Identity
- Contact
- Performance of a contract with you
- Necessary to comply with a legal obligation
- Determining the terms on which you enter into a contract of employment with us.
- Checking you are legally entitled to work in the UK.
- Paying you and, if you are an employee, deducting tax and National Insurance contributions.
- Providing pension benefits to you.
- Liaising with your pension provider.
- Performing the contract we have entered into with you.
- Business management and planning, including accounting and auditing.
- Gathering evidence for possible grievance or disciplinary hearings.
- Making decisions about your continued employment or engagement.
- Making arrangements for the termination of our working relationship.
- Identity
- Contact
- Financial
- Transaction

- Performance of a contract with you

To manage our relationship with you

- To develop new ways to meet your needs

- To develop and carry out marketing activities

- To study how you engage with us

- To provide advice or guidance relevant to your employment

- To improve our offering

- To respond and deal with complaints

- To contact you within a 12-month period of you ending your assignment or employment to ask you to re-engage with us or our Group.

- To develop and manage our business and services

- To test new offerings

- To manage how we work with other companies that provide services to us and our employees

- To make recommendations

and suggestions to you about updates that may be of interest to you, including engagement communication regarding offers, benefits, rewards, competitions and prizes; and communicating to you about services that our other Group companies provide and those of our external business partners.

- To analyse any data we hold on you to understand your interests and preferences and to review and better understand employee retention and attrition rates.

- Identity

- Contact

- Usage

- Marketing and Communications

- Technical

- Performance of a contract with you
- Necessary to comply with a legal obligation
- Necessary for our legitimate interests (to keep our records updated, to study how employees engage with us to grow and develop our business and offerings and to inform our marketing strategy, to record the efficiency of new offerings, to contact you with information and updates relevant to you, and to encourage you to re-engage with us)
- To detect, investigate, report, and seek to prevent fraud and financial crime
- To manage risk for us, our employees and our recruitment agency and end-user clients
- To obey laws and regulations that apply to us
- Identity
- Contact
- Financial

Performance of a contract with you

- Necessary to comply with a legal obligation
- Necessary for our legitimate interests (ensuring that we efficiently and effectively deal with financial crime
- Developing and improving our procedures and ensuring compliance with regulations)
- To run our business in an efficient and proper way to protect our business
- Identity
- Contact
- Technical
- Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise)
- Necessary to comply with a legal obligation
- To send your contact details to external business partners who offer services that may be relevant to you
- Identity

- Contact
- Necessary for our legitimate interests (to offer you products or services that enable you to comply with your legal obligations or that support your employment)
-
- To exercise our rights set out in agreements or contracts
- Identity
- Contact
- Performance of a contract with you
- Establish, exercise or defend legal claims
- Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work.
- Ascertaining your fitness to work.
- Managing sickness absence.
- Complying with health and safety obligations.
- Equal opportunities monitoring.
- Gender pay gap reporting.
- Identity
- Contact
- Performance of a contract with you
- Necessary to comply with a legal obligation
- Necessary for our legitimate interests (to protect our business from legal claims)

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

How we use particularly sensitive personal information

Special categories of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

In limited circumstances, with your explicit written consent.

Where we need to carry out our legal obligations and in line with our data protection policy.

Where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our occupational pension scheme, and in line with our data protection policy.

Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

Less commonly, we may process this type of information 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 may also process such information about employees or former employees in the course of legitimate business activities with the appropriate safeguards.

Our obligations as an employer

We will use your particularly sensitive personal information in the following ways:

We will use information relating to leaves of absence, which may include sickness absence or family related leaves, to comply with employment and other laws.

We will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work and to monitor and manage sickness absence.

Do we need your consent?

We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

Marketing

We strive to provide you with choices regarding certain personal information uses, particularly around marketing and advertising.

If you have given your consent to receive marketing emails, you can withdraw this at any time, or if we are relying on our legitimate interests to send you marketing, you can object.

You can ask us or third parties to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you, or you can adjust your marketing preferences by checking or unchecking the relevant boxes when you follow the Email Preferences link. You can also email the team directly: support@sourcepay.co.uk

Where you opted out of receiving marketing emails, this will not apply to communications between us necessary to carry out your employment or any other important notice in relation to our offering and changes to your existing employment.”

Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

Who do we share your personal data with?

We may have to share your personal data with the third parties set out below for the purposes set out in the table above (“How we will use your personal information”)

Companies within the Source Pay of companies as part of our regular reporting activities on company performance, for system maintenance support and hosting of data, and when you request to receive services or information about any of our other entities in our Group

Internal staff who help support and administer our employment solution

Companies House, HMRC, regulators and other authorities

Our auditors and external business professionals and lawyers conducting our FCSA annual review

Fraud prevention agencies

Credit reference agencies

Our insurance broker and insurers if you make a claim or we notify them in respect of a claim or potential claim concerning you

Organisations that introduce you to us including recruitment agencies and end-user clients including consultants and other professionals we may engage with

Organisations that we introduce you to

Companies you ask us to share your data with

Any third-party service provider that we have partnered with to offer you services you may

To provide independent advice for investment and pensions, and when looking to address protection needs. Sharing data for this purpose is necessary for our legitimate interests.

Qdos Broker and Underwriting Services Limited (“QDOS”)

In the event you request IR35 review advice or services and comply with best corporate governance or legal obligations. Sharing data for this purpose is necessary for our legitimate interests

CMME

To support with advice and guidance around mortgage brokering and income protection services relevant to contractor business models. Sharing data for this purpose is necessary for our legitimate interests

Freelancer Financials

To support with advice and guidance around mortgage brokering and income protection services relevant to contractor business models. Sharing data for this purpose is necessary for our legitimate interests

AXA Health

To support with personal private healthcare or private healthcare through your business, we will share data which is necessary for our legitimate interests

Other third-parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice.

Third-party service providers (including contractors and designated agents). The following activities are carried out by third-party service providers: IT and marketing services including use of cookies and trackers, accounting services and use of accounting software

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

International transfers

We will only send your data outside of the European Economic Area ("EEA"):

In accordance with your instructions

To comply with a legal obligation

To work with any agents, subcontractors or advisers who we may use to offer accounting support services

Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission

Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe

Where we use providers based in the US, we may transfer data to them if they provide similar protection to personal data shared between the Europe and the US

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA

DATA SECURITY

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

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. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with data security breaches. Where required by legislation, we will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

How long will you use my personal data for?

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, insurance, contractual 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 data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal information.

Access to your personal information

You are entitled to make a data subject access request to receive a copy of the personal data we hold about you. We may need to verify your identity before we provide this to you.

Please note that you will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

Request correction of personal information

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 information

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

This is where we are relying on a legitimate 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 when we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have legitimate grounds to process your information which overrides your rights and freedoms.

Request restriction of processing 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 transfer of your personal data

We will provide to you, or a third party you have chosen, your personal data in a 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.

Right to withdraw consent

You have a right to withdraw your consent at any time. 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 commence employment and may terminate any agreement for such employment. We will advise you if this is the case at the time you withdraw your consent.

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

DATA TEAM

We have appointed a Data Team to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please

contact the Data Team by emailing dpo@sourcepay.co.uk. 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.

CHANGES TO THIS PRIVACY NOTICE

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this privacy notice, please contact dpo@sourcepay.co.uk