



## TUGELA PEOPLE LTD

### DATA PRIVACY POLICY

Welcome to Tugela People Ltd's data privacy policy.

Tugela People Ltd ("**Tugela People**" or "**We**") respects your privacy and is committed to protecting your personal data. This privacy policy will inform you as to how we look after your personal data when you visit our website (regardless of where you visit it from) or contact us via email or phone and share your data with us. It also tells you about your privacy rights and how the law protects you.

#### 1. Important information and who we are

##### **Purpose of this privacy policy**

This privacy policy aims to give you information on how Tugela People collects and processes your personal data through your use of this website, including any data you may provide through this website when you complete any forms on our site or send any information to us as well as any data that you provide to us in person, via email or on the phone. It is important that you read this privacy policy so that you are fully aware of how and why we are using your data.

We do not knowingly collect data relating to children and do not use any data relating to children.

We are the controller and responsible for your personal data. If you have any questions on this policy, including any requests to exercise your legal rights, please contact Nick Lankester using the details set out below:

Full name of legal entity: Tugela People Ltd

Email address: [info@tugelapeople.com](mailto:info@tugelapeople.com)

Postal address: Scorpio F.1, Linford Wood Business Park, Rockingham Drive, Milton Keynes, United Kingdom, MK14 6LY

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK regulator for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

##### **Changes to the privacy policy and your duty to inform us of changes**

We keep our privacy policy under regular review. This version was last updated in December 2023.

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.

##### **Third-party links**

This website may include links to third-party websites, plug-ins, and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit. Such third parties may include:

- Service providers acting as processors based in US who provide IT and system administration services;
- Professional advisers including lawyers, bankers, auditors, and insurers who provide consultancy, banking, legal, insurance and accounting services;

- HM Revenue & Customs, regulators and other authorities based in the United Kingdom who require reporting of processing activities in certain circumstances; or
- Our clients and customers, based in the United Kingdom.

## 2. The data 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).

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

- **Identity Data** includes first name, last name, username, or similar identifier.
- **Contact Data** includes billing address, delivery address, email address and telephone numbers.
- **Financial Data** includes bank account and payment card details.
- **Transaction Data** includes details about payments to and from you and other details of services you have purchased from us.
- **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 this website.
- **Usage Data** includes information about how you use our website and services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

### If you fail to provide personal data

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 (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us, but we will notify you if this is the case at the time.

## 3. How is your personal data collected?

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
  - To provide and maintain our services to you
  - To conduct our services and complete our client contracts
  - To notify you about changes to our services
  - To provide customer support
  - To gather analysis or valuable information so that we can improve our services
  - To monitor the usage of our services
  - To detect, prevent and address technical issues
  - To provide you with news, special offers and general information about other goods, services and events which we offer that are similar to those that you have already purchased or enquired about unless you have opted not to receive such information.

- **Automated technologies or interactions.** As you interact with our website, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies. Please see our [cookie policy](#) for further details.
- **Third parties or publicly available sources.** We will receive personal data about you from various third parties and public sources as set out below:

Technical Data from the following parties:

- (a) analytics providers such as Google, based outside the UK;
  - (b) advertising networks such as Google based outside the UK;
  - (c) search information providers such as Google, based outside the UK; and
  - (d) our CRM provider Constant Contact based outside the UK.
- Contact, Financial and Transaction Data from providers of technical, payment and delivery services.

#### 4. How we use your personal data

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

- Where we need to perform the contract we are about to enter into or have entered into with you.
- When our clients have provided third party personal data so we can conduct our work on their behalf
- 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 a legal obligation.

Generally, we do not rely on consent as a legal basis for processing your personal data although we will get your consent before sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

#### Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal grounds, we are relying on to process your personal data where more than one ground has been set out in the table below:

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To register you as a new customer	(a) Identity (b) Contact	Performance of a contract with you
To process and deliver your service including: (a) Manage payments, fees, and charges (b) Collect and recover money owed to us	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us)
To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy policy (b) Asking you to leave a review or take a survey	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our services)
To enable you to complete a survey	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to study how customers use our services, to develop them and grow our business)
To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security and to prevent fraud) (b) Necessary to comply with a legal obligation
To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications (f) Technical	Necessary for our legitimate interests (to study how customers use our services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our website, services, marketing, customer relationships and experiences	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customers for our services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about goods or services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile (f) Marketing and Communications	Necessary for our legitimate interests (to develop our services and grow our business)



## **Marketing**

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

### **Promotional offers from us**

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which services and offers may be relevant for you (we call this marketing).

You will receive marketing communications from us if you have requested information from us or purchased services from us and you have not opted out of receiving that marketing.

### **Third-party marketing**

We will get your express opt-in consent before we share your personal data with any third party for marketing purposes.

### **Opting out**

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 by contacting us at any time.

### **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.

## **5. Disclosures of your personal data**

We may share your personal data with third parties such as Sage People which is powered by Salesforce for the purposes set out in the table *Purposes for which we will use your personal data* above. 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.

## **6. International transfers**

Many of our external third parties are based outside the UK so their processing of your personal data will involve a transfer of data outside the UK, including to countries such as South Africa and India. If your personal data is transferred to, stored at, or otherwise processed in a country or territory outside the EU, and that country or territory has not been recognised as providing an adequate level of data protection, we will put in place additional safeguards to protect your personal data, based on standard contractual clauses.

## **EU Representative**



As Tugela People processes the personal data of individuals of the European Union in our role as either “Data Controller” or “Data Processor” we have appointed DataRep as our Data Protection Representative for the purposes of the Data Protection Act 2018.

For more details on your rights, you can contact the National Data Protection Authority in your country or the European Commission [https://ec.europa.eu/info/law/law-topic/data-protection/data-protection-eu\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/data-protection-eu_en)

If you want to raise a question to Tugela People or otherwise exercise your rights in respect of your personal data, you may do so by:

- Sending an email to DataRep at [datarequest@datarep.com](mailto:datarequest@datarep.com) quoting The Forge Insight Ltd. in the subject line
- Contacting us on our online webform at [www.datarep.com/data-request](http://www.datarep.com/data-request) or
- Mailing your inquiry to DataRep. Please contact us for a relevant address.

PLEASE NOTE: when mailing inquiries, it is ESSENTIAL you mark your letters for “DataRep” and not Tugela People Limited. or your inquiry may not reach DataRep. On receiving your correspondence, Tugela People will request evidence of your identity to ensure your personal data and information connected with it is not provided to anyone other than you.

If you have any concerns about how DataRep will handle your personal data, please refer to their privacy policy [www.datarep.com/privacy-policy](http://www.datarep.com/privacy-policy).

## **7. Data security**

Unfortunately, the transmission of information via the internet is not completely secure. Although we will take reasonable steps to protect your personal data, we cannot guarantee the security of your data transmitted to our site; any transmission is at your own risk.

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

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

## **8. Data retention**

### **How long will you use my personal data for?**

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

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, regulatory, tax, accounting, or other requirements.

In some circumstances you can ask us to delete your data: see [\*your legal rights\*](#) below for further information.

In some circumstances we will 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.

### **No fee usually required**

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 could refuse to comply with your request in these circumstances.

### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

### **Time limit to respond**

We try to respond to all legitimate requests within one month. Occasionally it could 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.

## **9. Glossary**

**Consent** means when you freely provide a specific, informed and unambiguous indication of your wishes through a written statement or clear affirmative action, inter alia, to being contacted by our marketing teams, or being asked to participate in a market research project which would be collected on our behalf by us or our third-party recruiters.

**Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

**Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

**Comply with a legal obligation** means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.

## **10. Your legal rights**

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

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

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



**Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- If you want us to establish the data's accuracy.
- Where our use of the data is unlawful, but you do not want us to erase it.
- 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.
- You have objected to our use of your data, but we need to verify whether we have overriding legitimate grounds to use it.

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

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