Privacy Notice for Cloud21 Contractors

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1. Aims

At Cloud 21 Limited (“Cloud21”), the relationship we have with third parties who provide consultancy

services (“contractors”) is at the heart of everything we do and that means we value your trust. Cloud21 is committed to protecting the privacy and security of your personal information. This Notice tells you what personal information Cloud21 collects about you, why we need it, how we use it and what protections are in place to keep it secure in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 (as amended).

Cloud21 is a "controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to current and former contractors. This notice does not form part of any contract of engagement or any contract to provide services. We may update this notice at any time but if we do so, we will provide you with an updated copy of this notice as soon as reasonably practical.

It is important that you read and retain 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 that information and what your rights are under the data protection legislation.

2. Key Terms

“Personal information” means information about you, and from which you could be identified, including information which may be protected under the UK General Data Protection Regulations (UK GDPR).

3. Privacy at Cloud21

We will comply with data protection law. It is Cloud21’s policy to:

- Process your personal information fairly, lawfully and in a transparent way in accordance with applicable laws.
- Only collect personal information from you when we need it for legitimate purposes, or legal reasons which we have clearly explained to you and not use this information in any way that is incompatible with those purposes.
- Ensure that your personal information is adequate, relevant and not excessive for the purpose for which we collect it.
- Not keep your personal information for longer than we need to.
- Keep your personal information secure and limit the people who can access it.
- Ensure that you know how to access your personal information and exercise your rights in relation to it, including being able to keep it accurate and up to date.
- Ensure that any third parties we share your personal information with take appropriate steps to protect it.

4. What Personal Information Does Cloud21 Collect from and Hold 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 person's identity has been removed (anonymous data).

There are certain types of more sensitive personal data which require a higher level of protection, such as information about a person's health, sexual orientation or criminal convictions.

We will collect, store and use the following categories of personal information about you (please note that the examples are illustrative and non-exhaustive):

Type of Information	Examples
Information about you:	Name, address, date of birth, right to work
Information to contact you:	Name, address, telephone and e-mail addresses.
Information to identify you:	Photographs, passport and/or driving licence details, electronic signatures.
Information about your suitability to contract with us as a Contractor and/or a relevant third party:	ID information such as passport details and driving licence information, criminal record checks, VAT, credit and fraud checks.
Information about your skills and experience:	CVs, and/or tender information, references, recommendations, records of qualifications, skills, training and other compliance requirements.
Information about your terms of engagement with Cloud21	Your contract and any related correspondence
Information that we need to pay you	Bank account details, national insurance or social security numbers (where applicable), fee history
Information relating to the provision of services to us	Information regarding any deliverables under the Agreement with you and the completion of your provision of services to us to the agreed standard.
System information	Information about your use of our information and communication systems, usage of IT user accounts, web browsing and login and device activity and machine learning and advanced analytics which may include geo-location data when connected to Cloud21 systems.

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

- Information about your health, including any medical condition and sickness records, including details of any periods where you inform us that you are unable to provide the services under the Contractor Agreement due to ill health.

5. How Is Your Personal Information Collected?

We collect personal information about Contractors either directly from you or sometimes from a third-party agency or referrer. We may sometimes collect additional information from third parties including any referees provided by you.

We will collect additional personal information in the course of activities provided by you throughout the period of you providing services to us.

6. Why Do We Need to Collect and Use Your Personal Information?

We need to collect and use your personal information for a number of purposes. 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 have entered into with you.
- Where we need to comply with a legal obligation.

- Where it is necessary for legitimate interests pursued by us or a third party and your interests and fundamental rights do not override those interests.

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.

We need all the categories of information in the list above 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 provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below (please note that the examples are illustrative and non-exhaustive):

Purposes for which we need your personal information	Examples
Onboarding	• To assess your suitability to provide services for Cloud21 • To perform requisition and applicant management activities • To perform precision matching to client requirements • To conduct screening • To maintain a library of correspondence • To make offers and provide Contractor Agreements • To conduct pre-engagement checks, including carry out criminal record and credit checks where applicable.
Finance and other business administrative purposes:	• Budgetary and financial planning and administration • Organisational planning and development and Contractor management • Compensation administration, including payments under Contractor Agreements • Problem resolution • Business travel and expenses management • Conduct business reports and analytics • The management of Health & Safety • To communicate with you and to facilitate communication between you and other people • Compliance and compliance reporting including conflict of interest reporting • Risk management • Project management • Training and quality purposes • Making arrangements for the termination of our working relationship • Making decisions about your continued engagement. • Determining whether your engagement is deemed employment for the purpose of Chapter 10 of Part 2 of the Income Tax (Earnings and Pensions) Act 2003 (ITEPA 2003) and providing you with a status determination statement if required.
Security purposes:	• Physical access control • Authorising, granting, administering, monitoring and terminating access to, or use of, Cloud21 or third-party facilities, records, property, and infrastructure including communications services such as business telephones and email/internet use

	• CCTV • Prevention and detection of crime
IT administration purposes:	• IT systems access control and use monitoring • IT fault reporting, management and resolution • Systems administration, support, development, management and maintenance • To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems • Where applicable, to monitor your use of our information and communication systems to ensure compliance with our Acceptable Use of IT policy, to fulfil cyber security requirements, to monitor usage of IT user accounts, equipment and systems and to allow the identification and prevention of malicious attacks and the use of machine learning and advanced analytics. • To prevent the copying of personal or commercially sensitive data to unauthorised systems or storage.
Legal purposes	• To comply with our legal obligations • Dealing with legal disputes involving you or other Contractors, workers and contractors or employees, including accidents at work • Comply with health and safety obligations

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

7. If You Fail to Provide Personal Information

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you fees), or we may be prevented from complying with our legal obligations (such as to ensure health and safety requirements on our premises are met).

8. Change Of Purpose

We will only use your personal information 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 we need to use your personal information 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 information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

9. How We Use Particularly Sensitive Personal Information

Special categories of particularly sensitive personal information, such as information about your health, racial or ethnic origin, sexual orientation, require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data. 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;

- Where it is needed in the public interest
- Where it is necessary to protect you or another person from harm.

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.

10. Situations In Which We Will Use Your Sensitive Personal Information

In general, we will not process particularly sensitive personal information about you. On rare occasions, there may be other reasons for processing, such as it is in the public interest to do so. The situations in which we will process your particularly sensitive personal information are listed below.

We may use information about your physical or mental health, or disability status, to ensure your health and safety at our premises.

11. 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.

We do not need your consent where the purpose of the processing is to protect you or another person from harm or to protect your well-being and if we reasonably believe that you need care and support, are at risk of harm and are unable to protect yourself.

12. Information About Criminal Convictions

We may only use information relating to criminal convictions where the law allows us to do so. This is usually where that processing is necessary to carry out our obligations and provided, we do so in line with our Data Protection & Confidentiality Policy.

We will only collect information about criminal convictions if it is appropriate given the nature of the services you are providing and where we are legally able to do so. Where appropriate, we will collect information about criminal convictions as part of the onboarding process or we may be notified of such information directly by you in the course of you providing services to us. We will use information about criminal convictions and offences to assess your suitability for engagement as a Contractor.

We will use information about criminal convictions and offences in the following ways:

- Where you are assigned to provide services for a new client or matter where information regarding criminal convictions or a disclosure and barring check is considered necessary for our legitimate interests and your interests and fundamental rights do not override those interest. In this situation we will request your specific consent to us processing this information.
- We may be notified of such information directly by you in the course of you providing services to us.

We are allowed to use your personal information in this way for our legitimate interests and with your specific consent. We have in place an appropriate policy and safeguards which we are required by law to maintain when processing such data.

13. Automated Decision-Making

We do not envisage that any decisions will be taken about you using automated means. However, we will notify you in writing if this position changes.

14. Data Sharing

We may have to share your data with third parties, including third-party service providers and other entities in the group. We require third parties to respect the security of your data and to treat it in accordance with the law.

Why might you share my personal information with third parties?

We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so. This may include, but is not limited to, situations where we are required to provide information to NHS Clients to assist in any investigations, and HMRC.

Which third-party service providers process my personal information?

Third parties includes third-party service providers (including contractors and designated agents) and other entities within our group e.g. legal services.

How secure is my information with third-party service providers and other entities in our group?

All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

When might you share my personal information with other entities in the group?

We will share your personal information with other entities in our group as part of our regular reporting activities on company performance, for system maintenance support and hosting of data.

What about other third parties?

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. In this situation we will, so far as possible, share anonymised data with the other parties before the transaction completes. Once the transaction is completed, we will share your personal data with the other parties if and to the extent required under the terms of the transaction.

We may also need to share your personal information with a regulator or to otherwise comply with the law. This may include making returns to HMRC, disclosures to stock exchange regulators and disclosures to shareholders such as directors' remuneration reporting requirements.

15. Transferring Information Outside The UK

To ensure that your personal information receives an adequate level of protection, if we are required to transfer your data outside of the UK we will put in place appropriate measures to ensure that your personal information is treated by any third party to which we transfer such data to in a way that is consistent with and which respects EEA law on data protection.

16. How Do We Protect Your Personal Information?

We have security arrangements in place to guard against unauthorised access, improper use, alteration, destruction or accidental loss of your personal information. You are required to help with this by ensuring that your own personal information and that of other Contractors, employees, workers and third parties are kept secure. You should not share your (or anybody else's) personal information unless there is a genuine business reason for doing so.

We take appropriate organisation and technical security measures and have rules and procedures in place to ensure that any personal information we hold on computer systems is not accessed by anyone it shouldn't be.

When we use third party organisations to process information on our behalf, we ask them to demonstrate their compliance with our security requirements and any instructions we may give them and their compliance with relevant data protection legislation throughout the time they work for Cloud21. These organisations take their instructions from us and their obligations with regard to what information they process and what they can do with it are agreed in the contracts we have with them.

17. Data Retention

How long will you use my information for?

We will retain your personal information for as long as necessary to fulfil the purposes for which we collected it, including for the purposes of satisfying any legal, accounting or reporting requirements. Details of retention periods for different aspects of your personal information are available from DPO@cloud21.net

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.
- 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 that information without further notice to you. Once you are no longer a Contractor of the company, we will retain and securely destroy your personal information in accordance with applicable laws and regulations.

In most circumstances your records will be permanently deleted 7 years after your final assignment with us ends.

18. Your Rights of Access, Correction, Erasure and Restriction

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us by notifying ask@cloud21.net.

Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a data subject access request). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information 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 information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information 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.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.
- **Make a complaint** if you are unhappy with the way in which we have handled your data.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, make a complaint regarding the handling of your data, or request that we transfer a copy of your personal information to another party, please contact us via dpo@cloud21.net.

Please note that in order for us to ensure you are not contacted regarding further opportunities at Cloud21, it may be appropriate for us to retain a very limited amount of data on record. This will include your Name, Email address, reason for no contact and start and end dates that you were working with Cloud21 as a contractor.

No fee usually required

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 for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the 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 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.

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 contact us at: ask@cloud21.net. 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.

19. 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 the personal information that we hold about you, we suggest that you speak to your Cloud21 engagement lead or by emailing ask@cloud21.net.

You can request a copy of the information that we hold about you at any time by contacting the data protection officer.

Email: DPO@cloud21.net

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