

DATED

31st May 2018

**4D INTERACTIVE LIMITED (AND GROUP)
SUPPLIER PRIVACY POLICY**

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4D Interactive Limited

GDPR privacy policy for suppliers (UK)

4D Interactive Limited ("**we**" or "**the Company**") and its group entities listed in Appendix 1 (together the "**Group**") value the trust of our operators and readers ("Suppliers"). We are committed to protecting the privacy and security of your personal information.

1. WHAT IS THE PURPOSE OF THIS DOCUMENT?

- 1.1 This policy describes how we collect and use personal data about you during and after your working relationship with us, in accordance with the General Data Protection Regulation (GDPR).
- 1.2 This policy applies to all past, current and prospective suppliers (including those that may be unsuccessful in the application process), applicants, candidates, consultants, individual contractors, (together, "suppliers") and any third parties whose information you provide to us in connection with the supply of services.
- 1.3 The Company will collect and process personal, confidential and non-confidential data about you ("**personal data**") prior to your commencement as a supplier and throughout your engagement with us as set out in this policy.
- 1.4 This policy does not form part of any contract of engagement, and does not confer any contractual right on you or place any contractual obligation on us.
- 1.5 This policy applies to all personal data collected, maintained, transmitted, stored, retained, or otherwise used (i.e. processed) by us regardless of the media on which that personal data is stored. We may update this policy at any time and will notify you in writing if the policy is updated.
- 1.6 The Company is a "data controller". This means that we are responsible for deciding how we hold and use personal data about you. We are required under data protection legislation to notify you of the information contained in this policy.
- 1.7 It is important that you read this policy, together with any privacy notice we may provide on specific occasions when we are collecting or processing your personal data, so that you are aware of how and why we are using such information.

2. DATA PROTECTION PRINCIPLES

We will comply with data protection law. This says, among other matters, that the personal data we hold about you must be:

- (a) used lawfully, fairly and in a transparent way;
- (b) collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
- (c) relevant to the purposes we have told you about and limited only to those purposes;
- (d) accurate and kept up to date;

- (e) kept only as long as necessary for the purposes we have told you about; and
- (f) kept secure.

3. THE KIND OF INFORMATION WE HOLD ABOUT YOU

- 3.1 Personal data, or personal information, means any information about an individual from which that person can directly or indirectly be identified. It does not include data where the person is no longer identifiable (anonymous data).
- 3.2 There are "special categories" of more sensitive personal data which require a higher level of protection.
- 3.3 We may collect, store, and use the following categories of personal data about you:
 - (a) **Personal details:** Name, title, work and home contact details (email, phone numbers, physical address), languages(s) spoken, gender, date of birth, marital/civil partnership status and dependents, disability status, and photograph.
 - (b) **Recruitment:** Any information provided in connection with your application and evidence of ability to supply the services.
 - (c) **Fees and charges:** pay frequency, bank account details, call records to calculate weekly fees and termination date.
 - (d) **System and application access data:** information obtained through electronic means such as, information about your use of our information and telecommunications systems, information required to access company systems and applications such as System ID, email account, instant messaging account, and electronic content produced by you using Company systems.

Sensitive information:

- 3.4 As part of this, please note that we may collect, store and use the following "special categories" of more sensitive personal data:
 - (a) Information about your health, including any medical condition

We may collect this information for specific purposes, such as health/medical information in order to accommodate a disability or illness. Please be assured that we will only use such sensitive information for the purposes set out in this policy and as provided by law.

4. HOW IS YOUR PERSONAL DATA COLLECTED?

- 4.1 We collect personal data about suppliers through our application and recruitment, directly from candidates.
- 4.2 We may collect additional personal data in the course of activities throughout the period of you supplying services for us.

5. HOW WE WILL USE INFORMATION ABOUT YOU

- 5.1 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 data to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. The situations in which we may process your personal data are listed below.

- (a) **Recruitment:** Making a decision about your recruitment or appointment. Determining the terms on which you work for us. Making a decision about your recruitment or appointment.
- (b) **Managing suppliers:** Managing work activities generally, including recruitment.
- (c) **Payments and benefits:** Paying you. Administering the contract we have entered into with you.
- (d) **Business operations:** personal information provided in supplying the services and for which there are regulatory reasons to collect such as the recording of phone calls, SMS readings/chats and IM readings.
- (e) **Compliance:** Compliance with legal and other requirements, such as record-keeping and reporting obligations. Conducting audits, and compiling audit trails and other reporting tools. Maintaining records relating to business activities. Compliance with government inspections and other requests from government or other public authorities. Responding to legal process such as subpoenas and pursuing legal rights and remedies.
- (f) **Data protection:** To monitor your use of our information and communication systems to ensure compliance with our IT policies. To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.

Some of the above reasons will overlap and there may be several legal bases for processing which justify our use of your personal data.

5.2 If you fail to provide 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, or we may be prevented from complying with our legal obligations.

5.3 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 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.

6. LEGAL BASIS AND PURPOSES OF THE PROCESSING

- 6.1 We will only process your personal data where legally permitted or where you have provided consent. Sometimes more than one legal basis applies to the processing of the same piece of personal data, depending on the processing activity taking place. We will process your personal data on the following legal grounds:

- (a) **Performance of contract.** Usually, your personal data is processed for the performance of your contract, for purposes such as payments, accounting, financial bookkeeping, monitoring the compliance with our policies. In this context, you are obliged to provide us with your personal data, otherwise we will not be able to execute the duties under the contract of engagement.
- (b) **Legitimate interest of the data controller.** Another legal basis for processing your personal data is the legitimate interest of the data controller, i.e. the Company, which will be the case for intra-group reports and financial planning such as budget, effectivity, effective defence of legal rights/against alleged entitlements of others, operating, managing and safekeeping of the IT and communications systems, terminations, managing product and service development, improving products and services, managing company assets, allocating company assets, strategic planning, project management, business continuity, compilation of audit trails and other reporting tools, maintaining records relating to business activities, budgeting, financial management and reporting, communications. Please note that where this basis applies, we will consider the risk to you as an individual as against the legitimate interest of the data controller.
- (c) **Legitimate interest of third parties.** This can also provide the basis of processing your personal data, e.g. customers, affiliated companies or other Company stakeholders for example in cases of fraud prevention, the enforcement of legal entitlements.
- (d) **Compliance with a legal obligation.** Processing can in some cases be necessary for compliance with a legal obligation to which the controller is subject. That might especially be the case if we have to answer to public authorities. We process your personal data for the legal obligations compliance with audits and other government inspections.
- (e) **Suppliers consent.** If the processing of personal data is not based on one of grounds (a) to (d) above, it will only be performed if you give your consent (we do not need your consent if the relevant processing is based on one of grounds (a) to (d) above). If we require your consent for processing your personal data, 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 and you may refuse to give your consent.

7. HOW WE USE PARTICULARLY SENSITIVE PERSONAL DATA

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

- (a) in limited circumstances, with your explicit written consent;
- (b) where we need to carry out our legal obligations and in line with our data protection and IT security policies;
- (c) where it is needed in the public interest
- (d) and in line with our data protection and IT security policies; and

- (e) where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

7.2 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.

7.3 Legal basis and purposes of the processing

- (a) We will only process special categories of personal data where the law allows us to do so. In most instances, the processing we have set out above is necessary:
 - (i) for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity; or
 - (ii) for reasons of substantial public interest.
- (b) This applies to requests by government bodies for health and safety, tax and reporting, and compliance with environmental, criminal and other public laws. If none of the exceptions, we will only process special categories of personal data if you give consent.

7.4 Do we need your consent?

- (a) We do not need your consent if we use special categories of your personal data in accordance with our written policy to carry out our legal obligations.
- (b) In limited circumstances, we may approach you for your written consent to allow us to process certain 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 and you may refuse to give your consent.

8. AUTOMATED DECISION-MAKING

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

- (a) where we have notified you of the decision and given you 21 days to request a reconsideration;
- (b) where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights;
- (c) in limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights; and
- (d) if we make an automated decision on the basis of your sensitive personal data 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.

- 8.2 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.
- 8.3 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.

9. DATA SHARING

We may 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. We may transfer your personal data outside the EU. If we do, you can expect a similar degree of protection in respect of your data.

Why might you share my personal data with third parties?

We will share your personal data 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.

9.1 Which third-party service providers process my personal data?

"Third parties" includes third-party service providers (including contractors and designated agents), professional advisors, and other entities within our group, as set out below.

- (a) **Professional advisors:** Accountants, auditors, lawyers, insurers, bankers, and other outside professional advisors in all of the countries in which the Group operates.
- (b) **Service providers:**

The following third-party service providers process personal data about you for the following purposes:

Name of provider	Activity carried out by provider
Barclays Bank PLC	Banking services
Leaman Mattei Ltd	Auditors
Sage Software Ltd Sage (UK) Ltd	Accounting software

- (c) **Public and governmental authorities:** Entities that regulate or have jurisdiction over the Company such as regulatory authorities, law enforcement, public bodies, and judicial bodies.

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

All our professional advisors, third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal data in line with our policies, as are any parties to corporate transactions. We only permit them to process your personal data for specified purposes and as appropriate, in accordance with our instructions.

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

The Group currently operates in the United Kingdom. We do not envisage sharing your personal data outside of the United Kingdom.

We may share your personal data with other entities in our group as part of our regular reporting activities on company performance, in the context of a business reorganisation or group restructuring exercise, for system maintenance support and hosting of data. We may share your personal data with a group at a regulator's instruction or to otherwise comply with the law.

9.4 What about other third parties?

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

9.5 Transferring information outside the EU

We do not envisage sharing your personal data outside of the United Kingdom.

Should this change, we will update this policy to reflect the country or countries outside of the UK to which personal data may be transferred, the basis for each transfer, and the relevant adequacy safeguard(s) for each transfer. Any transfers will be consistent with and will respect EU and UK data protection laws.

10. DATA SECURITY

10.1 We have put in place measures to protect the security of your information. Further details of these measures are available upon request.

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

10.3 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 staff, 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. A summary of these measures are available upon request.

10.4 We have put in place procedures to deal with any suspected data security incident and will notify you and any applicable regulator of a suspected breach where we are legally required or it is appropriate to do so.

11. DATA RETENTION

How long will you use my information for?

11.1 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, or reporting requirements, after which it will be deleted or archived except to the extent that it is necessary for us to continue to process it for the purpose of compliance with legal obligations to which we are subject or for another legitimate and lawful purpose. To determine the appropriate retention period for personal data, we take a number of factors into account.

- 11.2 In some circumstances we may anonymise your personal data so that you are no longer identifiable, in which case we may use such information without further notice to you.
- 11.3 Application personal data will be retained to the extent necessary to enable the Company to comply with any legal obligations or for the exercise or defence of legal claims following the application process. Unsuccessful applicant's personal data will be stored for up to 6 months then destroyed securely and safely in accordance with our legal obligations.
- 11.4 We will normally keep your supplier file throughout the time that you supply services to us and for 6 years after you cease supply, after which it will be destroyed unless there is a good reason to keep it (or any part of it) for longer (for example, for the purposes of compliance with our obligations relating to audits or tax). Once you are no longer a supplier we will retain and then securely destroy your personal data in accordance with our Document Retention Policy available upon request.

12. YOUR OBLIGATIONS

12.1 Your obligation to inform us of changes

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.

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

13.1 Your rights in connection with your personal data

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

- (a) 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;
- (b) request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected;
- (c) 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 exercised your right to object to processing (see below);
- (d) object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and the circumstances of your particular situation mean you wish to object to processing on this ground. You also have the right to object where we are processing your personal data for direct marketing purposes (including profiling);
- (e) request the restriction of processing of your personal data. This enables you to ask us to suspend the processing of personal data about you, for example if you want us to establish its accuracy or the reason for processing it; and
- (f) request the transfer of your provided personal data to another party.

Please note, however, that certain personal data may be exempt from such access, correction and deletion requests pursuant to applicable data protection laws or other laws and regulations.

13.2 Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal data for a specific purpose, you have the right to withdraw your consent for that specific processing at any time.

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 we have another legitimate basis for processing information in law, we may still process the same data and we will not require your consent to do so.

13.3 No fee usually required

You will not ordinarily be required to pay a fee to access your personal data (or to exercise any of the other rights), but we may charge a reasonable fee for any additional copies of the materials we provide. Where your request is manifestly unfounded or excessive, we may also charge a reasonable fee or alternatively, we may refuse to comply with the request.

13.4 What we may need from you

We may 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 data is not disclosed to any person who has no right to receive it.

14. HOW TO EXERCISE YOUR RIGHT OF ACCESS OR OTHER RIGHTS RELATING TO YOUR PERSONAL DATA

14.1 If you want to make a request in respect of your rights relating to your personal data, please contact the Data Protection Officer in writing by

- (a) emailing us at DPO@4DINTERACTIVE.CO.UK;
- (b) writing to us at the following address:

Data Protection Officer
4D Interactive Limited
Lu.405 The Light Bulb
1 Filament Walk
London, England
SW18 4GQ

14.2 Please note that we may be required to ask you for further information in order to confirm your identity before we provide the information requested.

14.3 If your request or concern is not satisfactorily resolved by us, you can contact the Information Commissioner.

15. DATA PROTECTION OFFICER

We have appointed a data protection officer (DPO) to oversee compliance with this policy. If you have any questions about this policy or how we handle your personal data, please contact the DPO.

16. OUR CONTACT DETAILS

Our full details are:

Contact	Simon Newton, Data Protection Officer
Address	4D Interactive Limited Lu.405 The Light Bulb 1 Filament Walk London, England SW18 4GQ
Phone (UK)	020 3940 7092
Phone (Int)	+44 (0)20 3940 7092
Email	DPO@4DInteractive.co.uk

17. CHANGES TO THIS PRIVACY POLICY

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

If you have any questions about this privacy policy, please contact the DPO.

APPENDIX 1

4D Interactive group companies, all registered in England

4D Interactive Limited

Candywall Limited

Excel Telemedia Limited

Intermediactive Acquisitions Limited

Intermediactive Group Limited

Intermediactive Holdings Limited

Psychic Live Services Limited

Psychic Switchboard Limited