



# Privacy Policy

**PayCaptain's Privacy and Data Protection Policy**

Version: 1.1

Classification: Public

PayCaptain Payroll Solutions  
25 Manchester Street, London W1U4DJ



## 1. Introduction

### 1.1 Important information and who we are

Welcome to PayCaptain's Privacy and Data Protection Policy ("**Privacy Policy**").

At PayCaptain Payroll Solutions Limited ("**PayCaptain**", "**we**", "**us**", or "**our**") we are committed to protecting and respecting your privacy and Personal Data in compliance with the law and guidelines of the EU General Data Protection Regulation ("**GDPR**").

This Privacy Policy explains how we collect, process and keep your data safe. The Privacy Policy will tell you about your privacy rights, how the law protects you, and inform our employees and staff members of all their obligations when processing data.

The individuals and organisations from which we may gather and use data can include:

- Customers
- Suppliers
- Business contacts
- Third parties connected to your customers
- Pension Providers, HMRC and other government agencies

This Privacy Policy applies to all Personal Data processed at any time by us.

### 1.2 Who is Your Data Controller and Data Protection Officer?

PayCaptain is your Data Controller and responsible for your Personal Data.

We have appointed a data protection lead who is responsible for overseeing questions in relation to this Privacy Policy. If you have any questions about this Privacy Policy, including any requests to exercise your legal rights surrounding your Personal Data please contact them using the details set out below:

Full name: Simon Bocca

Email address: [privacy@paycaptain.com](mailto:privacy@paycaptain.com)

Postal address: 25 Manchester Street, London, W1U 4DJ, United Kingdom

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 ([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.



## 1.3 Processing Data on Behalf of a Controller and Processors' responsibility to you

In discharging our responsibilities as a Data Controller, we will undertake the following responsibilities responsibilities:

- Ensure that all processing of Personal Data is governed by one of the legal bases laid out in the GDPR (see 2.2 below for more information on those bases);
- Ensure that Processors authorised to process Personal Data have committed themselves to confidentiality or are under an appropriate statutory obligation of confidentiality;
- Implement appropriate technical and organisational measures to ensure a level of security appropriate to the risk associated with the processing of Personal Data;
- Ensure your data protection rights are maintained, including the:
  - right of access;
  - right to rectification;
  - right to erasure;
  - right to restriction of processing;
  - right to data portability; and
  - right to object to processing.
- Cooperate, on request, with the supervisory authority in the performance of its tasks;
- Ensure that all data processors do not process Personal Data except on instructions from the Controller;



## 2. Legal Basis for Data Collection

### 2.1 Types of Data / Privacy Policy Scope

“**Personal Data**” means any information about an individual from which that person can be identified.

We may collect, use, store and transfer different kinds of Personal Data about you. Not all of the following types of data will necessarily be collected from you but this is the full scope of data that we collect and when we collect it from you:

- Profile/Identity Data: This is data relating to your first name, last name, gender, date of birth.
- Contact Data: This is data relating to your phone number, addresses, email addresses, phone numbers.
- Marketing and Communications Data: This is your preferences in receiving marketing information and other information from us.
- Billing Data: This is information relating to your debit and credit card information such as the name attached to your payment details and your billing address.
- Transactional Data: This is information of details and records of all payments you have made for our services or products.
- Payroll data: payroll, salaries, wages, employment taxes, statutory payments, etc.
- Bank Information: making payments, the data includes sort codes, account numbers, account owners and bank names
- Tax Information: government agencies. Including National Insurance Numbers, Unique Tax References, Tax Codes.

We also collect, use and share Aggregated Data such as number of payslips processed and number of transactions. Aggregated Data could be derived from your Personal Data but is not considered Personal Data in law as this data will not directly or indirectly reveal your identity. However, if we combine or connect Aggregated Data with your Personal Data so that it can directly or indirectly identify you, we treat the combined data as Personal Data which will be used in accordance with this Privacy Policy.

We may also aggregate data to enable research or analysis so that we can better understand and serve you and others. For example, we may conduct research on your demographics and usage. Although this aggregated data may be based in part on Personal Data, it does not identify you personally. We may share this type of anonymous data with others, including service providers, agents and current and prospective business partners.

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).



## 2.2 The Legal Basis for Collecting That Data

There are a number of justifiable reasons under the GDPR that allow collection and processing of Personal Data, as follows:

- **“Consent”**: Certain situations allow us to collect your Personal Data, such as when you tick a box that confirms you are happy to receive email newsletters from us, or ‘opt in’ to a service.
- **“Contractual Obligations”**: We may require certain information from you in order to fulfil our contractual obligations and provide you with the our service.
- **“Legal Compliance”**: We’re required by law to collect and process certain types of data, such as fraudulent activity or other illegal actions.
- **“Legitimate Interest”**: We might need to collect certain information from you to be able to meet our legitimate interests - this covers aspects that can be reasonably expected as part of running our business, that will not have a material impact on your rights, freedom or interests. Examples could be your address, so that we know where to deliver something to, or your name, so that we have a record of who to contact moving forwards.



## 3. How we use your personal data

### 3.1 Our Uses

Set out below is a table containing the different types of Personal Data we collect and the lawful basis for processing that data.

Examples provided in the table below are indicative in nature and the purposes for which we use your data may be broader than described but we will never process your data without a legal basis for doing so. For further inquiries please contact our Data Protection Officer.

Activity	Type of data	Legal Justification	Purpose
When someone opts-in to marketing communications	Marketing and Communications Data	Consent	So we can send you relevant marketing information about our products and services
When a company becomes a customer	Billing Data	Contractual Obligations	We need this information so we can send invoices for our services.
Setting up the payroll system	Contact Data	Contractual Obligations	We need this information to provide payroll processing services.
When someone uses the PayCaptain App	Profile/Identity Data	Explicit Consent	We store information related to you accessing the PayCaptain App
To deliver the full range of our services and functionality.	Contact Data Wages Data Tax Data	Contractual obligation	To enable the smooth provision of our services
To verify your identity in accordance with our obligations under anti-money laundering requirements.	Identification Contact Data Personal Data Photo	Contractual and Legal obligations	Onboarding of you as a customer
To use data analytics to improve our product or service offering	Website Data App Data Cookie Data	Consent	To improve our website and service offering.



## 3.2 Marketing and Content Updates

You will receive marketing and new content communications from us if you have created an account and chosen to opt into receiving those communications.

## 3.3 Change of 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.

## 4. Your rights and how you are protected by us

### 4.1 What control do I have over PayCaptain's use of my Personal Data?

Under the GDPR, you can exercise the following rights in relation to your data. These rights can be exercised by emailing [privacy@paycaptain.com](mailto:privacy@paycaptain.com).

#### Access

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

#### Rectification

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.

If you need to add or change any information, you can just log in to your PayCaptain's account and make the change in your settings. If it doesn't look like you can make the change on your own, just reach out to us at [privacy@paycaptain.com](mailto:privacy@paycaptain.com) and we will change the data.

#### Erasure

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 applicable 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.

#### Objection to Processing

You have the right to object to the 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.

## **Restriction of Processing**

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.

## **Data Portability**

If you ask us, 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.

## **Withdrawal of consent**

This applies 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.

## **4.2 How Does PayCaptain Protect Customers' Personal Data?**

We implement a variety of security measures to ensure the security of your Personal Data on our systems. For more information on this please contact [privacy@paycaptain.com](mailto:privacy@paycaptain.com). Any Personal Data collected by us is only accessible by a limited number of employees who have special access rights to such systems and are bound by obligations of confidentiality. If we use subcontractors to store your data, we will not relinquish control of your Personal Data.

No transmission of data over the internet is guaranteed to be completely secure. It may be possible for third parties not under the control of PayCaptain to intercept or access transmissions or private communications unlawfully. While we strive to protect your Personal Data, we cannot ensure or warrant the security of any Personal Data you transmit to us. Any such transmission is done at your own risk. If you believe that your interaction with us is no longer secure, please contact us.





## 4.3 Opting out of Marketing Promotions

You can ask us to stop sending you marketing messages at any time by emailing [unsubscribe@paycaptain.com](mailto:unsubscribe@paycaptain.com) or sending an SMS or WhatsApp message saying "STOP".

Where you opt out of receiving these marketing messages, we will continue to retain other Personal Data provided to us as a result of interactions with us not related to your marketing preferences.

## 4.4 How to request your data and the process for obtaining it

You will not have to pay a fee to access your Personal Data (or to exercise any of the other rights).

We may need to request specific information from you to help us confirm your identity and ensure you have the 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.

## 4.5 Information Commissioner's Office

You have the right to complain to the Information Commissioner's Office if you believe we have not handled your request in an appropriate manner. For information on contacting the ICO, please see their website at <https://ico.org.uk/>.

# 5. Your Data and Third Parties

## 5.1 Will we share your data with third parties?

We may share your Personal Data with our subcontractors or affiliates (subject to confidentiality obligations to use it only for the purposes for which we disclose it to them and pursuant to our instructions).

If PayCaptain is sold or makes a sale or transfer, we may, in our sole discretion, transfer, sell or assign your Personal Data to a third party as part of or in connection with that transaction. Upon such transfer, the Privacy Policy of the acquiring entity may govern the further use of your Personal Data. In all other situations your data will still remain protected in accordance with this Privacy Policy (as amended from time to time).

## 5.2 Third-Party Links

This Site 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.

# 6. How long will we retain your data for?

We will only retain your Personal Data for as long as reasonably necessary to fulfil the purposes we collected it for. We may retain your Personal Data for a longer period than usual in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.



## 7. International Transfer of data

We are currently storing all data in the UK and this policy will be amended in the event of transferring data outside of UK in the future.

## 8. Notification of changes

We keep our Privacy Policy under review and will place any updates on this webpage. This version is dated 20 July 2020.

## 9. Terms of use

Please also see our Terms of Use (<https://www.paycaptain.com/terms>) which set out the terms, disclaimers, and limitations of liability governing your use of PayCaptain.



## 10. Document History

Version	Date of Issue	Author	Changes
1.0	18/08/20	Simon Bocca	Production Version
1.1	12/09/20	Simon Bocca	Compliance Review (FSCom)