



Benefefex
A Zellis Company

Customer Privacy Policy

GDPR REC 4.1B – data controller

Official – Public

Version 1.0

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Printed documents or local copies will be classified as uncontrolled documents.

1 Document Control

1.1 Legal Disclaimer

This document and all the information contained in it is proprietary and confidential to Benefex. Benefex reserves all intellectual property rights in relation to the material included in this document. Accordingly, it must not be disclosed or otherwise revealed to outside parties without the prior written consent of Benefex.

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Customer Privacy Policy

1 Scope

This privacy policy aims to provide you with information on how Benefex collects and processes User personal data, in its capacity as a data controller, in relation to the specific products or services purchased from Benefex. Any reference within this privacy policy to 'customer' shall be read as a direct reference to your employer.

It is important that you read this privacy policy together with any other privacy policy we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy policy supplements other notices and privacy policies and is not intended to override them.

2 Privacy Notice

2.1 Who we are

When we refer to "Benefex" in this privacy policy, we are referring to the following companies within the Benefex Group:

1. Benefex Limited (company registration number 04768546), a company registered in England and Wales whose registered office is at Mountbatten House, Grosvenor Square, Southampton, Hampshire, SO15 2JU;
2. Benefex Financial Solutions Limited (company registration number 06242658), a company registered in England and Wales whose registered office is at Mountbatten House, Grosvenor Square, Southampton, Hampshire, SO15 2JU;
3. Affinity Financial Network U.K Limited (04428631), a company registered in England and Wales whose registered office is at Mountbatten House, Grosvenor Square, Southampton, England, SO15 2JU; and
4. Affinity Financial Network Limited (number 322827), a company registered in Ireland whose registered office is at 26/27 3rd Floor 1 Custom House Plaza, I.F.S.C. Dublin 1, Dublin, Ireland.

This privacy policy is issued on behalf of the Benefex Group, so when we mention "Benefex", "we", "us", "our" in this privacy policy, we are referring to the relevant company in the Benefex Group responsible for processing your personal data. We will let the Customer know which entity will be the controller of the Customer's employees' personal data when the Customer purchases the software or service with us.

We are committed to protecting and respecting your privacy. The Benefex Group are a technology business that provides Software as a Service (**SaaS**) solutions via our proprietary platform, OneHub. The platform is accessible across mobile, tablet and desktop. Benefex Financial Solutions Limited, which is an FCA regulated insurance Intermediary, also provide specialist benefits broking and consultancy services to our customers.

This privacy policy sets out the basis on which we process personal data, provided to us, by the customer or directly by the customer's employees (the **Users**), within the software applications or directly to Benefex, to enable us to provide the software and services as a data controller.

Benefex shall act as a data controller when providing the following software and services (the **Services**):

- Analytics;
- Discounts & Cashback;
- Wellbeing;

- Broking and Consultancy; and
- OneHub.

Please read this privacy policy carefully to understand our views and practices regarding your personal data and how we will treat it. Section 2.2 and 2.2.5 of this Privacy Policy confirms the types of personal data we shall process when providing the Services.

With respect to both the Data Protection Act 2018 (**DPA**) and the EU General Data Protection Regulation (**EU GDPR**, and together with the DPA, the **Applicable Privacy Legislation**), Benefex acts as both a data processor and data controller. This privacy policy is only applicable to our data controller activity, which applies to the following Services: (i) Broking and Consultancy, (ii) Discounts & Cashback (for cashback redemptions only), (iii) Wellbeing, and (iv) Analytics (for aggregation and anonymisation of User usage data only).

We are registered with the relevant data protection authorities as follows:

	Benefex Limited	Benefex Financial Solutions	Affinity Financial Network U.K Limited	Affinity Financial Network Limited
DP Authority	Information Commissioner's Office			Data Protection Commission
Company Reg #	Z8773545	Z3103927	ZB053938	322827
DP Rep	Information Security Director			
Contact address	Mountbatten House, Grosvenor Square, Southampton, Hampshire, SO15 2JU			3rd Floor 1 Custom House Plaza, I.F.S.C. Dublin 1, Dublin

2.2 What we collect and process and why

We collect and process personal data so we can provide the Services. The table below sets out the types of personal data which we will process as data controller.

2.2.1 Data Types Processed

Depending on the Services purchased by the Customer, the following types of personal data may be processed by us to provide the Services:

Analytics	Source of Data
User's usage data related to the Services (to the extent it comprises personal data).	Collected directly from the User to enable the provision of our Analytics software application.
Discounts and Cashback	Source of data
Profile photo, bank details, phone number, click tracking, telephone number, IP address, login activity and click tracking.	Personal data is provided by the User, to enhance user profile and from login processes.
Wellbeing	Source of data
Age range.	Personal data is provided by the User to enable us to provide the Wellbeing software application.
Broking and Consultancy (Risk, Health, and Pension)	Source of data

<p>User Personal Data required:</p> <p>Forename, surname, date of birth, NI number, age, address, salary, job title, unique identifier (normally employee ID),</p> <p>If included in the specific benefit:</p> <p>gender, date of birth, level of cover, forename, and surname of spouse/partner/child (if covered)</p> <p>Risk only:</p> <p>Absentee Information (including date first absent, reason for absence, expected return to work date if known).</p>	<p>The personal data may be accessed through OneHub (if available) or provided directly by Customer to Benefex.</p>
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Please also see section 2.2.5 below which sets out the the special category personal data which may be processed by us when performing certain Services.

2.2.2 Data Accuracy

To ensure that Benefex maintains accurate and complete information, it is the Users' responsibility to ensure that data provided to Benefex is accurate and complete.

2.2.3 What is the purpose of processing and who receives the information?

Benefex processes the personal data to provide the Services to the Users. This processing may include (i) providing information relating to rewards, recognition, discounts & cashback, (ii) understanding an individual's wellbeing to provide associated information, (iii) analysing a User's interactions with the applications, (iv) communicating with Users, and (v) collecting additional information where required.

To provide the Services, the personal data is processed by Benefex to:

- meet our obligations arising from any contractual agreements between us and the customer.
- meet our obligations arising from any contractual agreements between us and an individual (the employee).
- make changes to our services and send direct communications in response to requests for support.
- provide aggregated statistical comparisons to other organisations.
- conduct market review to provide best possible solution for the customer.
- assist with insurance claims when required.
- conduct risk assessments for associated insurance broking requirements.
- process and check health declarations.
- undertake a data reconciliation activity which involves the comparison of two data sets (one provided by the benefits provider and the other obtained from OneHub).

Where we are required to collect personal data by law or under the terms of a contract we have with your employer, and you fail to provide that data when requested, we may not be able to perform the contract we have or provide the services procured for your benefit by your employer. In this case, we may be unable to provide you with the Services, but we will notify you if this is the case at the time.

2.2.4 Our legal basis for processing

Benefex shall only process the User's personal data where the law allows us to. This includes:

- (i) to meet our contractual requirements to provide the Services to the customer. Benefex, as a business-to-business service provider, relies on the lawful basis for processing set out under Article 6(1)(b) of the DPA;
- (ii) 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; and
- (iii) 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 direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time in accordance with section 2.4 of this privacy policy.

2.2.5 Special categories of personal data

Due to the nature of the Services and the employee benefits which may be made available by the customer to their employees, Benefex may receive and process minimal amounts of special category personal data as set out below.

1. Health Data.

- a. Benefit providers providing insurance products may require the completion of a risk assessment by the customer (and/or you) to enable the benefit provider to provide a policy quotation, the arrangement of such policy quotation forms part of our Broking and Consultancy service.
- b. We provide the customer with claims administration and management assistance for health and risk insurance products brokered by us. As part of this Service, we will require the customer (and/or you) to provide us with health data that is directly related to a specific claim (if relevant).

2. Gender Data.

- a. Benefit providers often require the provision of gender data to enable them to provide their policy quotation and to issue the product. We will require the customer to provide gender data to enable us to perform the Broking and Consultancy services.
- b. Our Wellbeing service requires the processing of gender data to provide Users with appropriate health and wellbeing content recommendations.

Wherever possible, Benefex encourages the customer (and/or you) to provide all special category personal data directly to the benefit provider / third party requesting access to it. We do not collect any information about Users' criminal convictions and offences.

2.2.6 Profiling

Benefex does conduct limited automated profiling in relation to our Wellbeing products. This involves an online health related checklist which asks the end user to answer "yes or no" to various health questions, to enable us to assess the End User criteria and to provide specific targeted guidance for health and wellbeing services.

2.2.7 Automated technologies

For security purposes all our software applications will automatically log and store access and device information to assist us in investigating should an incident occur. Our software applications also use cookie management tools,

providing the User with control of what analytical cookies are available to Benefex. As with all software applications, some cookies are necessary for the operation of the applications and services.

2.2.8 Data Analytics

Benefex uses data analytics to provide relevant benefits data to its customers and we will also use it ourselves to aid with the improvement of Benefex's services.

Benefex will collect, aggregate, anonymise, use and share such data to demonstrate (on a statistical basis) the how the Services are used and by which demographics (**Analytics Data**). Analytics Data could be derived from Personal Data, but **the data will be fully anonymised and so will not directly or indirectly reveal any User's identity**. For example, we may aggregate and anonymise your usage data to calculate the percentage of Users accessing a specific application feature or benefit selection.

If we were to combine or connect the Analytics Data with any Personal Data, so that it can directly or indirectly identify any User, we would treat the combined data as Personal Data and use it only in accordance with this privacy policy.

2.3 Consent

As part of the Services, Benefex may provide the User with the option of subscribing to newsletters or alerts regarding the Services. Consent is the lawful basis that Benefex relies on when processing the Personal Data provided by a User during the sign-up process, in accordance with Article 6(1)(b) of the DPA.

2.4 Withdrawal of consent

The Users may, in accordance with Article 7(3) of the DPA, withdraw their consent to receive any marketing communication directed to them via the Discounts and Cashback service by (i) using the supplied unsubscribe links on the communications received or (ii) updating their email notifications in their application profile. Withdrawal of consent from any other service will have to be directed to the individual's employer as it may affect services offered under their contract of employment.

2.5 Disclosure of personal data

2.5.1 Third Parties:

Benefex may share your personal data with the third parties where necessary for us to provide the Services. These third parties are set out below:

- (i) members of Benefex's Group;
- (ii) benefit providers (i.e. medical insurers, life insurers and pension providers where we are providing Broking services);
- (iii) discount providers (where we are providing Discount & Cashback services); and
- (iv) third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. 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 policy.

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.

2.6 Where does your data reside?

All personal data processed by Benefex will reside within the UK and European Economic Area (**EEA**) unless otherwise agreed with your employer/our customer. Benefex data processing is conducted within our Google Cloud Platform, located in London, Belgium, and (at a customer's request) Singapore.

If the third parties mentioned above are based internationally (outside of the UK and EEA) and are required to process the personal data to provide services to Benefex, Benefex shall ensure that adequate safeguards, such as EU Standard Contractual Clauses (SCC) or the UK International Data Transfer Agreements (ITDA), have been implemented between Benefex and the third party to ensure the security and privacy of your personal data.

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

2.7 Security of your data

Benefex protects your personal data in accordance with data protection law. Benefex will encrypt at rest and in transit all data stored within its infrastructure and will ensure that only authorised personnel will have access to such data. Benefex conduct regular tests of the infrastructure and applications to ensure they remain secure.

In accordance with the Applicable Privacy Legislation, Benefex maintains a security framework under Article 32 "Security of processing". Benefex are certified to ISO 27001 (Information Security Management System) standards and use the associated security controls for ISO 27001 Annex "A", ISO 27017 (Code of practice for information security controls including those associated with access to cloud services) and ISO 27018 (code of practice for protection of Personally Identifiable Information (PII) in public clouds acting as a PII processor). Additionally, we hold the Cyber Essentials Scheme certification from the Information Assurance for Small and Medium Enterprises Consortium (IASME) formerly issued by CESG (Communications-Electronics Security Group).

2.8 Retention Period

We will only retain your personal data for as long as is 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 your employer.

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 general, we maintain your personal data for the following periods:

- Customer data: 7 years or period of the contract, whichever comes first. Thereafter, the data is deleted.
- Bank details for Cashback services: 14 days. The data is deleted automatically after the cashback award has been processed.

Where we anonymise your personal data for statistical purposes, we may use this information indefinitely without further notice to you.

2.9 Your rights as a data subject

While Benefex process your personal data, you as the data subject have the following rights:

- Right of access – you have the right to request a copy of the information that we hold about you as the data controller. Please see section 2.10 for the process to follow.

- Right of rectification – you have a right to correct data that we hold about you that is inaccurate or incomplete.
- Right to be forgotten – in certain circumstances you can ask for the data we hold about you to be erased from our records.
- Right to restriction of processing – where certain conditions apply to have a right to restrict the processing.
- Right of portability – you have the right to have the data we hold about you transferred to another organisation.
- Right to object – you have the right to object to certain types of processing such as direct marketing.
- Right to object to automated processing, including profiling – you also have the right to object to be subject to the legal effects of automated processing or profiling.
- Right to judicial review: if Benefex refuses your request under rights of access, we will provide you with an explanation for our refusal. You then have the right to complain as outlined in clause 2.11 below.

If you wish to exercise any of the rights set out above, please contact us via our contact details set out in section 2.11 below.

2.10 Subject Access Request

If you have provided personal data directly to Benefex, you are entitled to understand what data Benefex are processing and why. If you wish to submit a Subject Access Request (**SAR**), please contact the Benefex Data Protection Official at the following address to request a SAR application form. The SAR application form is required to understand your query and to assist us in verifying your identity. Once completed, please send the SAR application form to:

1. Data Protection Official, Benefex Limited, Mountbatten House, Grosvenor Square, Southampton, Hampshire, SO15 2JU; or
2. Via email to privacy@Benefex.co.uk

Benefex shall comply with a Subject Access Request without undue delay and at the latest within one month of receiving the request. Benefex may extend the time to respond by a further two months if the request is complex or if we have received multiple requests from a single individual. Benefex will notify the data subject if an extension is required.

Note: Proof of identification will be required to ensure that the information is released to the correct person and to the correct address.

2.11 Complaints

If you wish to make a complaint about how your personal data is being processed or how your complaint has been handled, you have the right to submit a complaint directly to Benefex and/or the relevant supervisory authority. The data protection representatives for Benefex and the ICO are detailed below.

You can also contact the UK and Republic of Ireland data protection authorities via their respective websites.

UK:
Information
Commissioners
Office (ICO)

Benefex Data Protection Official

Wycliffe
House, Water
Lane,
Wilmslow,
Cheshire, SK9
5AF
01625 545 745
/ 0303 123
1113

Information Security Director
Benefex Limited, Mountbatten House, Grosvenor
Square, Southampton, Hampshire, SO15 2JU

*ROI: Data
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Change History

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1.0	25/05/2023	Chris Wright, Zak Proffitt and Zuzana Blazkova	All	All	New document