



Privacy Policy

1. Who we are

HolidayFlex is part of the Wider Plan family of products. Wider Plan is committed to protecting your privacy and the security of your personal information.

Registered office: Wider Plan Ltd, 11-16 Chestnut Court, Jill Lane, Sambourne, B96 6EW

Company registration number: 5207145 (England & Wales)

2. Definitions and interpretation

2.1 The following terms are defined:

- a) "You" and "your" mean the person who is using the HolidayFlex service.
- b) "We", "us" and "our" mean Wider Plan Ltd, which owns and operates the HolidayFlex brand.
- c) "Service" means the HolidayFlex annual leave adjustment scheme.
- d) The "website" means the HolidayFlex website at www.holidayflex.com unless otherwise stated.
- e) "Data Controller" means the party who determines the purpose and means of processing personal data, as per prevailing data protection legislation.

2.2 The headings to clauses are for convenience only and shall not affect the construction or interpretation of these terms.

2.3 Unless otherwise stated,

- a) The singular includes the plural and vice versa;
- b) The words "includes" and "including", and variations thereof, are each without limitation.

3. Our commitment to data protection

This Privacy Policy explains how we lawfully, fairly and transparently use any personal information we collect about you when you use HolidayFlex.

We are registered as a Data Controller with the Information Commissioner's Office and we will only use your data in accordance with prevailing data protection legislation.

HolidayFlex schemes are provided as an employer-supported benefit. When an employer enters into a contract with Wider Plan to provide its employees with access to HolidayFlex, they agree to work with us as a Joint Data Controller for this purpose.

As Joint Data Controllers, Wider Plan and the employer both have responsibility for deciding how personal data is processed. However, Wider Plan and the employer have agreed to take responsibility for different aspects of these data processing decisions, as detailed below.

Wider Plan is responsible for managing scheme registrations and processing a user's request for an adjustment to their annual leave allowance, usually via a salary sacrifice arrangement.

The employer is responsible for making any changes to payroll

processing and maintaining its employment and payroll records. The employer is also responsible for demonstrating to HMRC that the HolidayFlex scheme is run in accordance with HMRC guidelines. We will share data with the employer to enable them to demonstrate this.

Wider Plan acts as sole Data Controller in respect of any personal information relating to business-to-business arrangements, including information relating to personnel who are involved in administering their employer's HolidayFlex scheme.

Wider Plan is the primary point of contact for any questions or complaints relating to HolidayFlex data protection. Where we are operating as a Joint Data Controller, we will liaise with the relevant employer as necessary to ensure an appropriate response is provided.

4. How we collect information about you

We will collect information from you (and from your employer as applicable) which we consider necessary in order for us to provide and administer the HolidayFlex scheme. This includes information which we consider necessary for assessing eligibility for the scheme and ensuring compliance with HMRC requirements.

We will collect your contact details, payroll details, salary information and salary sacrifice details as required for the specific arrangements agreed with your employer. This information will either be provided by you during registration and ongoing account use, or it will be provided to us by or on behalf of your employer.

If you are involved in the administration of your employer's scheme, we will collect your contact details and job role. This information will be provided by you or your employer during registration or subsequent account use.

In all cases:

We may also collect any personal information which you provide to us voluntarily, for example by contacting us by email or phone.

Website usage information may be collected using cookies as detailed below.

You may decline to share certain items of personal data with us, in which case we may not be able to provide you with some or all features of the service.

5. How we use the information about you

We will use only use the information we have collected about you where we have a legal basis for doing so.

By registering for HolidayFlex, you are entering into a contract with Wider Plan. By seeking an adjustment to your annual leave, you are requesting a variation to your contract of employment. Wider Plan and your employer will process your data as we consider necessary to fulfil our respective contractual obligations.

Wider Plan and your employer will also process your data as necessary to meet our respective legal obligations in respect of payroll processing and HMRC compliance.

If you are involved in the administration of your employer's scheme:

We will use your information as we consider necessary to fulfil our contractual obligations with your employer.

We may use your information to market other business-to-business services to your employer in accordance with prevailing legislation. Consent is not required in advance for business-to-business marketing but we will provide clear unsubscribe facilities. Any marketing will be relevant and proportionate.

In all cases:

We will process your data where we have a legitimate interest in doing so, for example to monitor and improve our services, to investigate an actual or potential breach of our terms and conditions, to facilitate continuity of our services and to protect our rights and property or those of other parties.

We will process your data where we have a legal obligation to do so, for example in respect of a fraud investigation or a request from HMRC.

6. How we share your personal information

We will not sell or rent your information to third parties for marketing purposes. Information will only be shared as necessary in respect of the above lawful purposes.

If you are a HolidayFlex user:

We will share information with your employer to enable them to assess your eligibility, make the necessary amendments to payroll, maintain appropriate employment records, demonstrate HMRC compliance and otherwise fulfil their responsibilities.

We may share relevant information with your employer in order to improve the accuracy of our respective records and enable us to provide our services efficiently.

If you are involved in the administration of your employer's scheme:

We will share your personal information with employees who are using your HolidayFlex scheme and who have a legitimate reason for contacting you. We will only share this information when we are approached by a user with a query which we cannot address on your behalf.

In all cases:

We retain the right to appoint data processors to assist us with any aspect of the provision of HolidayFlex. We will ensure that any data processors enter into a contractual commitment with Wider Plan, confirming that they will abide by prevailing data protection legislation and will process HolidayFlex data only in accordance with our instructions.

We will not share any of your personal information with any other third parties without your permission, unless:

- a) We suspect any form of illegal behaviour.
- b) It is necessary by law, regulation or legal proceedings.
- c) It is required to enforce our Terms and Conditions.
- d) We consider it necessary action to protect the property, rights or safety of Wider Plan or any other party.
- e) The third party is acting in a professional capacity, for example as a regulator, auditor or appointed data processor and has suitable confidentiality and privacy measures in place.

7. Marketing and communications

We will not pass your contact details to third parties except as detailed above.

We will contact you with information relating to your use of HolidayFlex.

This may include for example confirming your order, advising you of updates to your order or the scheme and notifying you of relevant legislative change.

If you are involved in the administration of your employer's scheme:

We will contact you as we consider necessary to facilitate the administration of your HolidayFlex scheme.

We may use your information to market other business-to-business services to you in accordance with prevailing legislation.

8. Your data protection rights

You can make a request in respect of your data protection rights through any of our usual contact channels.

You have the right to request a copy of any information which we hold about you. This is called a subject access request.

If you wish to receive a copy of your data to assist with your transfer to another service provider, please specify this. We will consider the reasonableness of each request and respond accordingly.

You have the right to have your data rectified in the event it is incorrect or incomplete. Please do contact us in the event of any of your information being inaccurate, as we are committed to maintaining the high quality of our data.

You have a limited right to ask us to restrict processing of your personal data in certain circumstances. We will consider the reasonableness of each request along with your employer where applicable and will respond accordingly. Your access to HolidayFlex will be suspended in the event of us agreeing to such a request. Your employer has a statutory responsibility to continue with payroll processing, including honouring any salary sacrifice agreement which is in place.

You have the right to request erasure of your personal data. This is also known as the 'right to be forgotten'. We will anonymise or delete your data in response to this request unless there is an overriding reason for not doing so. For example, as HolidayFlex often involves an adjustment to salary, there a statutory duty to retain personal information relating to payroll and tax records. Requests to be 'forgotten' will be fulfilled once any overriding reason for delay has ceased to apply.

Copies of your data may also be retained to satisfy legal, regulatory and accounting requirements.

We routinely take backups of data for business continuity purposes. The backups would only be accessed for routine tests or in the event of a failure of our live database. In the event of using this data any previous requests for anonymisation or deletion will be upheld. We will retain a record of requests in order to facilitate this.

You have the right to object to the way in which we are processing your personal data. If you wish to object, you must provide specify which processing you object to, including a reason for your objection.

As HolidayFlex is operated in association with your employer as Joint Data Controller, we will share your data protection requests with your employer.

9. Cookies

Our website uses cookies to store information about your site usage. A cookie is a small text file that is sent to your browser from a web server and then stored on your hard drive. Cookies enable us to recognise your computer and record information from your visits to the site, such as your preferred settings. This saves you having to re-enter the same

data each time you use the site and allows us to provide you with a more customised experience.

We may also use cookies and analytical software to collect anonymous data for internal research purposes and to compile statistical reports on website activity.

Most internet browsers accept cookies by default; however, you can usually change your browser settings to reject cookies. If you choose not to receive our cookies you will not be able to receive any personalised features and you may not be able to benefit from all our services.

10. Using other websites

This Privacy Policy only applies to the websites provided by Wider Plan on which it is published.

Our website may contain links to websites which are owned or controlled by parties other than Wider Plan. These links are provided for your convenience and do not imply that we have reviewed or approved the third-party sites or their policies.

When you access the linked third party websites, you do so at your own risk. You should check that you agree with each website's Privacy Policy and Terms and Conditions before giving them any of your personal details. We will not be held liable for any misuse of your information or other misconduct by the third party, or any other loss arising from your use of a third party website.

If your employer requires you to use a third party website to order your annual leave adjustment, this is outside the scope of Wider Plan's responsibility to you. Your employer is responsible for ensuring that they or the third party provide you with clear information about which party is acting as the Data Controller and how your data will be used.

11. Our commitment to data security

We take data protection seriously and we have implemented technical, physical and administrative security measures to protect your information against unauthorised access, loss, misuse or destruction.

While we work very hard to protect your privacy, online data transmission can never be entirely secure. Therefore, we cannot guarantee that your personal information will always remain private.

If we become aware that there has been a security breach and that your personal data may have been compromised, we will take appropriate steps to rectify the breach and we will contact you as soon as reasonably practical.

12. Data retention policy

We will retain your personal information for six full tax years following you last placing a request for an annual leave adjustment through HolidayFlex.

If you fail to place a request within one year of registering for HolidayFlex, we will not consider you to have ever been an active user and we will delete your personal data within one month of the end of the following tax year.

Your employer will retain your personal data relating to your membership of HolidayFlex in line with their own data retention policy. You are advised to request details from your employer if desired.

13. Location of data processing

HolidayFlex databases are held at data centres within the UK or EEA.

Your employer will also store and process data in respect of your membership of their HolidayFlex scheme. In some cases, this may lead to your data being transferred or processed outside the UK or EEA. You are advised to request details of the location of data processing from your employer if desired.

HolidayFlex data may also be saved on storage solutions that have servers outside the UK or EEA, for example within the email systems used by us or your employer. We will only use storage solutions that we consider to provide secure services with appropriate safeguards.

14. Changes to this Privacy Policy

We may change this Privacy Policy from time to time so please revisit this page at your convenience to ensure that you are aware of any updates. We will bring any substantial changes to your attention by email.

Your continued use of the service will constitute your acceptance of any changes.

15. Further information

Please contact us if you have any questions. We hope that we will be able to resolve any queries or complaints to your satisfaction.

You also have the right to make a complaint about the processing of your personal data to your local Data Protection Authority.