

Privacy and Personal Data Protection Policy

Last update date: 25 April 2023

Preamble

This Privacy and Data Protection Policy (hereinafter referred to as the "Policy") "**Confidentiality Policy**") defines the manner in which HelperChoice collects, uses, stores and transmits Personal Data provided by Users or collected by HelperChoice from Users of the Platform.

HelperChoice undertakes to collect and use the Personal Data of the Users in strict compliance with the French Data Protection Act, in particular the provisions of the French Data Protection Act (Loi Informatique et Libertés) and those of the European Regulation on the Protection of Personal Data (hereinafter the "RGPD").

Helperchoice.com is published by Pandcha Limited, a company incorporated and registered in Hong Kong with company number 60225838, registered in the following address: 5/F, United Centre, 95 Queensway, Admiralty, Hong Kong.

By using the Platform, Users agree that their Personal Data may be processed in the manner and for the purposes indicated herein. Users are presumed to have read this **Confidentiality Policy** prior to accepting it when they register

This Confidentiality Policy can be viewed at any time on the HelperChoice website and can also be downloaded and printed from the Platform.

Contact details of the Data Protection Officer (DPO): HelperChoice - DPO
5/F, United Centre, 95 Queensway, Admiralty, Hong Kong
dpo@helperchoice.com

Article 1 - Definitions

General Terms of Use: means the general terms of use of the HelperChoice Platform available at the following address: <https://www.helperchoice.com/cgv> ;

"Personal Data" or "Data": means, within the meaning of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016, any information relating to an identified or identifiable natural person ;

"Controller" means, within the meaning of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016, the person who determines the means and finalities of data processing. Where two or more data controllers jointly determine the finalities and means of processing, they are the Joint Controllers;

"Processor": means, within the meaning of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016, the person processing personal data on behalf of and on the instructions of the Controller;

Capitalized terms not defined in this Confidentiality Policy shall have the meaning ascribed to them in the Terms and Conditions.

Article 2 - Status in processing operations

1.1. HelperChoice as a data controller

HelperChoice acts as the Data Controller for the collection and processing of the Personal Data of the Members in the context of the account creation and the use of the Platform.

1.2. HelperChoice as Joint Controller

HelperChoice acts as joint controller with the Caregiver for the processing of the Personal Data of Caregivers accessible on the platform by Employers (e.g. first name, photo, telephone number of the Caregivers).

Article 3 - Personal data collected

Personal Data is collected from the information directly provided by the User and due to actions carried out by the User on the Platform, i.e. by means of automatic collection.

The mandatory or optional nature of the Personal Data to be provided is indicated at the time of collection.

Information is collected when the User registers, subscribes to a Premium Subscription, verifies his/her profile if he/she is a Childcare Provider, contacts HelperChoice's Customer Service, makes

a simulation to evaluate the cost of childcare, makes an online reservation, or browses the HelperChoice Platform and consults the profiles of the Caregivers or Employers.

2.1. Personal data concerning the Employers

HelperChoice collects the following data on Employers:

- User ID ;
- Name ;
- First name ;
- Email address (registration or simulator if not registered) ;
- Telephone number ;
- Postal code or physical address (registration or simulation if not registered) ;
- Photo (optional) ;
- IP address ;
- Cookie Identifiants;
- Credit card number, validity date, security code and IBAN (data stored and processed only by our payment service providers Stripe and Payline);
- Payment transaction history ;
- Messages ;
- Advertisements ;

2.2. Personal data concerning the Caregivers

Whatever the selected Personal Services, HelperChoice collects the Personal Data of the following Providers:

- User ID ;
- Name ;
- First name ;
- Email address;
- Telephone number ;
- Photo (optional) ;
- Postal address;
- Gender ;
- Nationality ;
- Date of birth ;
- Place of birth ;

- IP address ;
- Cookie Identifiants;
- IBAN (optional at registration) ;
- Credit card number, validity date, security cryptogram (optional, for verification and processed only by Payline, Stripe, payment providers);
- Payment history ;
- Level of education ;
- Mother tongue ;
- Languages spoken (optional) ;
- Possession of a vehicle ;
- Driver's licence ;
- Competences in the field of Personal Services selected ;
- Number of years of experience in the selected areas of Personal Services ; -
- References ;
- Identity card, work visa ;
- Qualifications (University, Teaching qualifications, Official and recognised Childminder or Elderly Care accreditation, First Aid Certificates, etc.);

When the Caregiver provides school support, pet sitting and assistance to the elderly, the following Personal Data are also collected:

- Studies carried out ;
- Current job ;
- Interests ;
- Sports (optional).

Article 4 - Purposes and legal bases of processing

4.1. The legal basis for processing

Personal Data are collected:

- on the basis of the User's acceptance of the General Terms of Use and this Privacy Policy;
- on the basis of the legitimate interest of HelperChoice ;
- on the basis of the legal obligations of HelperChoice or when the processing is necessary for the execution of a public service mission.

4.2. The finalities of data processing carried out on the Platform

The purpose of collecting Personal Data is to provide HelperChoice Users with a safe, optimal, efficient and personalized experience.

The collection of Personal Data is to:

- use of the Platform correctly;
- manage, protect, improve and optimise the Platform;
- customise the User's account;
- provide the possibility of paying for the Services and receiving the corresponding payments;
- send information about the Services (e.g. booking confirmation) or about the Platform;
- contact HelperChoice customer service;
- network and communicate with other Members;
- provide the Services offered;
- solve any technical problems and disputes;
- personalise, evaluate, and improve the Services and Content;
- inform Users about the Services through targeted marketing and/or promotional offers;
- Detect and investigate any potentially prohibited and illegal activities and enforce the HelperChoice Terms of Service;
- respect HelperChoice of its legal and regulatory obligations;
- implement Verifications and moderation of Members' profiles;
- prevent and fight computer fraud.

Article 5 - Data retention period

HelperChoice only keeps the Data for the time necessary for the operations for which they were collected and in compliance with the regulations in force.

HelperChoice applies different retention periods for data:

- Cookies are kept for a maximum of 13 months, except for cookies placed by Google Analytics, which are kept for a maximum of two (2) years;
- payment histories are kept:
 - six (6) years in intermediate storage afin order to comply with the provisions of Article 243-16 of the Social Security Code;
 - ten (10) years in intermediate storage afin order to comply with the provisions of

Article 123-22 of the Monetary and financial Code;

- Criminal record extracts are deleted immediately after their verification (they are only verified for Caregivers who request a Profile Verification);
- Other Personal Data is kept for 5 years after the last use of the Platform if the Member has not deleted his account.

In the event of deletion of the Member's account, the Data shall be deleted as soon as possible in a complete and definitive manner.

Exceptions to the above-mentioned periods are provided for in the event that HelperChoice has to comply with a legal obligation which requires the processing under EU law or the law of the Member State to which HelperChoice is subject and in the event that the processing is necessary for the establishment, exercise or defence of legal claims as well as the other exceptions provided for in Article 17.3 of the GDPR.

Article 6 - Cookie management

HelperChoice uses cookies to improve and personalize the Platform and to measure the audience.

When a User visits the Platform for the first time (or if the User uses private browsing), a banner is displayed to collect their consent to the use of cookies other than those needed by HelperChoice to operate the site and provide the Services.

The User has the possibility to set his browser so that cookies are refused or deleted

- **Google Chrome:**
<https://support.google.com/chrome/answer/95647?hlrm=en>
- **Mozilla Firefox:**
<https://support.mozilla.org/en-US/kb/cookies-information-websites-store-on-your-computer>
- **Microsoft Edge:**
<https://support.microsoft.com/en-gb/help/4468242/microsoft-edge-browsing-data-and-privacy-microsoft-privacy>
- **Opera :**
<https://help.opera.com/en/latest/security-and-privacy/#tracking>
- **Internet Explorer:**
<https://support.microsoft.com/en-gb/help/17442/windows-Internet-explorer-delete-manage-cookies#>
- **Apple Safari:**
<https://support.apple.com/guide/safari/manage-cookies-and-website-data-sfri11471/mac>

However, it is not recommended to block all cookies as this would make it impossible to use certain features of the HelperChoice Platform.

Article 7 - Recipients of Personal Data

6.1. Hosting of Personal Data

The data is stored and hosted on virtual servers (called "cloud") at Amazon AWS (Amazon Web Services). The data hosting centre is located in Singapore.

6.2. Recipients of the Personal Data

By posting an ad, the Applicants accept that HelperChoice relays this ad to its partners in order to maximize their chances of finding a job.

Only the content of the ad is automatically relayed and published on the website of the said HelperChoice partners.

The identity of the Caregivers and Employers remains confidential and not apparent on the advertiser's site. In order to get in touch with the Caregivers and Employers, any person interested in the advertisement that appears on the partner's site will be automatically redirected to the Platform, with the obligation to register in order to be able to get in touch.

HelperChoice does not sell or rent Personal Data to third parties for marketing purposes.

HelperChoice may transmit User Data if required or permitted by law or if the transmission is deemed necessary, to comply with HelperChoice' legal obligations, to respond to any claims against HelperChoice, to respond to any judicial request or in the case of enquiries and investigations, to comply with the Terms of Use, or to ensure and guarantee the rights, property and safety of HelperChoice, its employees and any third party.

In the event of a sale or purchase of a business or assets, HelperChoice reserves the right to share Personal Data with the potential seller or buyer of such business or assets.

The profiles of Members are publicly accessible. Some Personal Data may be seen by the public, on search engines, depending on what has been filled in by the User on his profile or in his or her ad, such as first name, city, postcode, photo, content of the ad, location, languages spoken, nationality, experience, lifestyle, age range of youngest child, professional experience, diplomas.

6.3. Transfers of Personal Data outside the European Union

In order to provide its Services, HelperChoice may have to make data accessible to its service providers located outside the European Union (EU) and more widely in the European Economic Area (EEA).

In this case, HelperChoice ensures that these subcontractors are located in a country considered as providing an adequate level of protection according to the European Union, or, in the case where the subcontractor is located in the United States, that they respect contractual provisions guaranteeing an equivalent level of data protection (such as the clauses e.g., standard contractual clauses established by the European Commission in its Implementing Decision (EU) 2021/914 of 4 June 2021 on standard contractual clauses for the transfer of personal data to third countries under Regulation (EU) 2016/679 of the European Parliament and of the Council)

Article 8 - Rights of the User

In accordance with the French Law n° 78-17 of January 6, 1978 relating to computers, files and liberties, known as the "Loi Informatique et Libertés", and the RGPD, the User can exercise any of the rights described in this section with HelperChoice, by contacting our services at the following address: dpo@helperchoice.com namely :

- The right of access authorises the User, on proof of identity and if the conditions for exercising this right are met, to obtain communication of the Data concerning him/her;
- The right of rectification allows the User to request that their Data be modified, updated or deleted when it is inaccurate or incomplete;
- The right of deletion allows the User to demand the deletion of the Data concerning him/her without any costs, within the limits of the legal obligations incumbent upon HelperChoice. Every user also has the possibility to delete his account and the Data attached to it;
- The right to portability allows the User to receive the Data he/she has provided in a structured, commonly used and machine-readable format and to transmit it to another controller;
- The right to object allows the User to object to the processing of his/her Data for legitimate reasons;
- The right to define the fate of the Data after death allows the User to define directives concerning the treatment of his/her Data after his/her death;

HelperChoice may first ask the User to verify his identity before taking any further action regarding his or her application.

Article 9 - Security

HelperChoice implements all necessary technical and organizational measures in order to ensure the security and confidentiality of data processing.

8.1. Hosting

The data is stored and hosted on virtual servers (called "cloud") at Amazon AWS (Amazon Web Services). The data hosting centre is located in Singapore.

8.2. Security protocols

The transfer of information to the HelperChoice servers is protected by a secure connection (SSL over HTTP (HTTPS)).

HelperChoice does not transmit the information in clear text to avoid any trace in the server logs. The data is encrypted using the SSL SHA256 protocol (with RSA 2048bits).

8.3. Access to production environments

Only the HelperChoice technical team has access to the database via a secure private network.

The databases are anonymised during the backup in order to produce databases for the developers that are "*similar*" to those in production.

Access to production environments is strictly limited and nominative. A VPN connection to a server (with a public IP) then allows connection to the private network. Access to the databases is impossible outside the Platform and the data reconciliation tools, also present on the private network.

8.4. Access to internal tools

Access to internal tools is nominative and managed via Google Suite (SSO with other tools).

The internal tools have their own logs with varying degrees of information. Server logs are hosted on Amazon and kept for a maximum of one (1) year. HelperChoice regularly deletes the data to free up space. For security reasons, access is limited to a restricted number of technical team members.

HelperChoice uses Lastpass to secure passwords, perform strength and expiry audits and strengthen its internal protection.

8.5. Access to servers

Two-factor authentication is required to connect to the HelperChoice servers.

8.6. Access to network devices

HelperChoice only has a private network to access the public internet and a network printer. The access to the private network is by Wifi with a secure password on a professional Cisco application.

8.7. Backup of data on workstations

HelperChoice has chosen to use Google Suite in order to protect User data and to ensure that no data is stored on the workstations.

8.8. Firewall software used to protect data and servers

No data is physically stored on the HelperChoice intranet. HelperChoice staff use Google Suite and its tools in order to store the files. This ensures access control and data security. An antivirus solution is included.

A firewall is available at the routing layer of the intranet. Publicly referenced sites are filtered. The Cisco application takes care of this. The default web browser used is Google Chrome which also blocks browsing of sites known to be malicious by default.

8.9. Intrusion prevention/detection system

HelperChoice uses Sscreen, an application security management platform that prevents data breaches, stops account takeovers and blocks business logic attacks.

8.10. Internal policy on confidentiality and data protection

HelperChoice regularly provides RGPD training sessions to its staff in order to remind them of their obligations regarding data protection and confidentiality. RGPD documentation can be consulted at any time on the HelperChoice intranet.