

SPANLY

Privacy Policy

Version 2.0 | 16 June 2026

By making use of this Website, you acknowledge that you have read, understand, and agree to be bound by the terms set out in this Privacy Policy, as amended from time to time. Your continued use of our Website also indicates that you acknowledge and agree that this Privacy Policy may be amended from time to time, without notice to you, and you agree to be bound by the amended terms.

1. OVERVIEW

1. Spanly, a division of Flink South Africa (Pty) Ltd recognises the obligations imposed by the Protection of Personal Information Act 4 of 2013 ("POPI") and the provisions of data protection set out in the General Data Protection Regulation 2016/679 ("the GDPR"). This Privacy Policy must accordingly be interpreted in accordance with the definitions set out in POPI and the GDPR (hereinafter collectively referred to as "Privacy Laws").
2. Given the nature of our business as an Employer of Record ("EOR") service provider, we are necessarily involved in the collection and processing of personal information of Talent, Clients and other data subjects. Ensuring data privacy and the protection of your personal information is important to us. We are committed to ensuring that all collection, use and disclosure of personal information is lawful, reasonable and pursuant to the purposes of our business engagements with you, as prescribed by Privacy Laws.
3. This Privacy Policy is applicable to any User, Talent, Client and any other person using our Services or browsing our Website.
4. This Privacy Policy sets out what personal information we collect from you when you make use of our services or browse our website, how we collect your personal information, the purpose for collecting such personal information, and how we use your personal information.

2. WHAT IS PERSONAL INFORMATION AND WHY DO WE COLLECT IT

5. Personal information refers to information relating to an identifiable person (including individuals and organisations). This includes information about your name, contact details (including your phone number and email), address, business information, employment details, and relevant financial and tax-related information.
6. We will use our best endeavours to limit the processing of your personal information to that which you have provided your express consent. Notwithstanding this, your continued use and enjoyment of our Website and Services, and your agreement to this Privacy Policy, is construed as consent in terms of section 69 of POPI and Article 7 of the GDPR, as the case may be.
7. We collect your personal information in order to provide, maintain and improve the performance of our services. This includes collecting information to:

- Establish and verify your identity and business operations, including those processes which may be required from us by law or good industry practice;
- Perform the Services that you request of us, including EOR services such as employment administration, payroll, tax and benefits management;
- Accomplish any further purpose that is related to providing our Services;
- Communicate with you in the manner in which you prefer, including via email, post, SMS or telephonically;
- Develop an online User profile;
- Maintain and update our database of Users, Talent and Clients;
- Update and inform you about our Services and any changes to our Services or Website;
- Respond to any queries, concerns or requests that you may lodge with us or any Authority;
- Conduct market or client satisfaction research or for statistical analysis;
- Comply with auditing or record keeping purposes;
- Fulfil any contractual or legal obligation that we may have to you or a third party;
- Comply with any law or regulation or legal request from a recognised Authority;
- Comply with any software, security-related or administrative purpose; and
- Any other activity which may be lawful, reasonable and necessary to our business activities, including the administration of Talent employment in accordance with applicable Labour Legislation.

3. HOW WE COLLECT YOUR PERSONAL INFORMATION

8. We collect your information in four ways.
9. First, we collect your personal information directly from you or your representatives. We may collect information through electronic communication, telephonically, during meetings, through related documentation and in general interactions with you or your representatives, including electronic interactions.
10. Secondly, we collect your personal information from your electronic profiles, including your website and social media platforms. Information received from your online profiles is generally used for general informational purposes and to obtain the information necessary to understand your background, skills and experience.
11. Thirdly, we collect your personal information from our affiliates and third-party service providers. This information is used for verification purposes, general informational purposes and to supplement information which you have already provided or agreed to provide.
12. Lastly, we may collect your personal information through IT and electronic networks to determine who is visiting and using our Website and other online platforms. This includes information like your IP address, browser details, pages visited, date and time of visit, and other information relating to your computer operating system.

4. HOW LONG WILL WE KEEP YOUR INFORMATION

13. We may retain your personal information for as long as we continue to provide Services to you and for five years thereafter. For purposes of this section, our Services will be regarded as being terminated if you no longer access our Services or browse our Website for a consecutive period of two years.
14. We may further retain your personal information for a longer period of time if:
 - We are required by law or regulation to do so;

- We are required by a contractual obligation with you to do so, or you expressly request us to retain such information for a longer period; or
- We are required to keep your personal information for a legitimate purpose related to our Services, including purposes related to Talent employment records or Labour Legislation.

5. DISCLOSING YOUR PERSONAL INFORMATION

15. We will not disclose your personal information unless it is for purposes as set out in this Privacy Policy or if we have received your permission to do so. We will disclose your personal information:
 - To our employees, contractors and agents to the extent that these parties need your personal information in order for us to provide Services to you;
 - To our affiliates, including Flink SA (Pty) Ltd, where relevant to the provision of Services;
 - To Clients, in connection with the employment and management of Talent, as required under an Engagement Schedule;
 - To payroll providers, pension fund administrators, tax authorities and other third parties necessary to fulfil our EOR obligations;
 - To authorities or governmental agencies in order to comply with any law, regulation or legal process; or
 - In order to protect our rights, property or safety or those of our employees, contractors, agents, clients or any other third party.

6. INFORMATION SECURITY

16. We take care to ensure that your personal information is adequately protected against unauthorised access and use and remains secure.
17. We may store your personal information at a physical location or by electronic means, including on a cloud-based system. We store your personal information directly or transfer and store it on a central database.
18. We will take reasonable, appropriate and generally accepted measures to ensure that your personal information is protected against unauthorised and unlawful processing, accidental loss, destruction or damage. However, we cannot guarantee that the collection, transmission and storage of your personal information is absolutely secure online. We accordingly do not warrant the security of any personal information we process.
19. In order to protect your personal information, we undertake to regularly review our security controls and implement appropriate and generally accepted technical and organisational measures to ensure such protection as far as reasonably possible.
20. We further impose necessary security, privacy and confidentiality obligations on those third parties that we have a contractual relationship with to ensure, as far as reasonably possible, that your personal information remains secure.
21. If your personal information is processed in a country that does not have substantially similar laws for the protection of personal information, we will take the necessary measures to ensure that your personal information is adequately protected in terms of the minimum standards set down by the GDPR.

7. CONSENT OF PROCESSING BY THIRD PARTY SERVICE PROVIDERS

22. We make use of third-party assessors, including Managed Integrity Evaluation (Pty) Ltd and Integrity International (Pty) Ltd, to conduct background screening checks and psychometric assessments ("the Assessments") respectively.
23. The further terms regulating the processing of Personal Information for purposes of the Assessments are found in the Disclosure Consent Terms.
24. In providing EOR Services, Spanly may also engage third-party payroll processors, benefits administrators, and tax service providers. Engagement of such service providers will be subject to appropriate data processing agreements to ensure compliance with Privacy Laws.

8. YOUR RIGHTS

You have the following rights as they relate to the collection and processing of your personal information:

25. **Access to information:** you have the right to request a copy of the personal information that we hold about you. A request for such information may be subject to an administrative fee permitted by law.
26. **Right to correction:** you have the right to request that we update or correct the personal information that we hold about you.
27. **Right to deletion:** under certain circumstances, you have the right to request that we delete the personal information that we hold about you, subject to our legal retention obligations.
28. **Right to object:** you have the right to object to us processing the personal information that we hold about you if you have not consented to the processing, the processing is not necessary to perform our services, or the consent is not related to a legal purpose.
29. **Right to lodge a complaint:** you have the right to complain if you are concerned about the way in which we collect or process the personal information that we hold about you.
30. If you believe that we have used your personal information in a manner which is contrary to this Privacy Policy, we request that you first attempt to resolve any concerns with us directly, by contacting our Information Officer at:

Information Officer:	Telisha van der Merwe
Email:	telisha@spanly-hire.co.za

31. If you are not satisfied with the process, you have the right to lodge a complaint with the Information Regulator at:

The Information Regulator (South Africa)	
Address:	JD House, 27 Stiemens Street, Braamfontein, Johannesburg
Email:	complaints.IR@justice.gov.za

9. COOKIES

32. When viewing or visiting our Website, information may be retrieved or collected from your browser and stored, mostly in the form of cookies. A cookie is a file containing an identifier that is sent by a web server to a web browser and is stored by that browser.

33. The personal information that we store about you may be linked to the information stored in and obtained from cookies. It does not usually directly identify you, but it can give you a more personalised web experience.
34. Insofar as such cookies are not strictly necessary for providing our online Services and related products, we will ask you to consent to our use of cookies when you first visit our Website and other online platforms.
35. We use both “persistent” cookies and “session” cookies: a persistent cookie will be stored by a web browser and will remain valid until its set expiry date, unless you delete it before the expiry date; a session cookie will expire at the end of your session, when the web browser is closed.
36. You are entitled to review and manage your Cookie Preferences at any time.

10. STATUS OF THIS PRIVACY POLICY

37. This Privacy Policy must be read as if specifically incorporated into the Terms and Conditions, the Service Level Agreement and the Disclosure Consent Terms.

11. CHANGES TO THIS POLICY

38. We may update this Privacy Policy at any time by publishing an updated version on our Website. We encourage you to review this Policy on a regular basis.