

**Constitution**  
Last Update 10/7/19

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**The CheckABLE Constitution**

Date: 10/7/19

This document has been written by the 3 directors of RGR Solutions, namely Jonathan Greenwood, Pat Rogerson and Bill Rogerson. Checkable (and the check-able.com website) are trading names of RGR Solutions Ltd and this document relates mainly to the use of data obtained and subsequently shared by Check-able and check-able.com.

The aim of this document is to record discussions, comments, thoughts, advice and processes used in order to come to a realistic, fair, transparent conclusion as to why and how RGR (and Checkable) share members' data and who they share it with.

This document represents a 'black and white' written record of our recent (previous 9 months) discussions with each other, with third parties and with various institutions (see below) and the conclusions that we have drawn (and why); it also serves as a written record of advice we have received, and from who we received it.

To date we have taken advice from the following:-

FSB (Federation of Small Businesses)  
Peninsula HR  
Sills & Betteridge Solicitors  
ICO (The Information Commissioners Office)

We intend, if necessary to take further advice (possibly from the above institutions) but also from other sources should we feel that this is necessary, now or in the future.

We have attempted to split this document into sections in order to show a logical progression to our conclusion

1. Background: Why we initially felt that this project became necessary
2. Purpose: What we are hoping to achieve in this project
3. Overview of the project: A brief overview of how it will work in practice.
4. GDPR: How we intend to conform to GDPR data protection and sharing rules
5. The future of this project
6. Amendments

**Background**

All 3 directors have a background in vehicle logistics and a combined experience of over 50 years in this field. The industry's main activity is moving vehicles from one place to another, sometimes by driving them, sometimes by loading them onto transporters. In order to achieve our goal we utilize the services of drivers. Sometime these drivers are self employed, sometimes employed. At the time of writing drivers are mainly self employed. The idea of a data sharing company and website was born out of discussions between the 3 directors dating back to August 2018, although all 3 directors have been aware of a problem with the industry dating back much further than this. These discussions were generally about a small but significant (and increasing) minority of drivers who I would politely describe as rogues, who to date have remained pretty much anonymous within

our industry, free to leave one company to 'pick up the pieces' and then move on to another. These rogues can be extremely damaging to our industry and to our individual businesses. The effects of the rogues range from offending / losing customers to destroying years of hard work, a company's reputation and potential financial ruin for a logistics company or for one of our customers. We consider this to be unfair on the industry, on our individual businesses, on our customers and on the vast majority of decent, honest, hard working drivers....who may often be 'tarred' with same brush.

Our aim here is not to be vindictive, nor to punish. What we really hope to achieve is an industry in which standards are raised, and good drivers recognised and rewarded, to everyone's benefit. This can be achieved both by giving the good drivers recognition, and (where appropriate) supporting and re-training rogue drivers to improve their practices.

## **Purpose**

We have several goals:

- To create a forum in which people can share their experiences, both positive and negative, of different drivers;
- To identify (and ultimately reward by allowing them to seek increased payment for good work) the honest, hard working drivers;
- To protect our businesses, and other businesses in the industry, by using the shared experiences to make informed decisions on use of drivers;
- To help protect our customers businesses, as a knock-on effect of the previous bullet-point; and
- To make a profit
  - o As business men we see this as an opportunity to make a profit out of Checkable and check-able.com, however please do not interpret this as our only goal.....it is far from it! We hope that the previous bullet-points will help to save money that may otherwise erode the profits of our (and other) vehicle delivery businesses, money that would otherwise be spent on putting right the effects of rogue drivers.

## **Overview of The Project**

Please note: As of the time of writing the website is only 80% complete and so may be altered, but the general overview and ultimate goals will remain the same. The descriptions below represent our core goals, but additional 'bells and whistles' may be added in the future. Any additional features will be subject to the same data protection / GDPR / sharing principles that we will use with our core aims and the collected data will be used and shared in accordance with our Privacy Notice. The data subjects will always have the rights set out in our Privacy Notice.

Our (initial) three core aims will be:

- Obtaining evidence that the driver is who he says he is (ID)
- Obtaining evidence that the driver is licensed (License Checks)
- Obtaining evidence that the driver is insured (Insurance checks)

Additionally, we will collect data based on reviews of the driver left by other site users. These reviews will be left by Logistics companies, by dealers and by members of the public. This data will be visible to other website members in accordance with the following section.

The project will be 90%+ web based, the remainder will be admin based. There are several sections to the website as follows:

### **Drivers Profile**

- o This is where drivers will be able to store and view their data, and also view data that is left, for the driver, by relevant others.... as reviews. The driver will also be able to challenge reviews, check his or her driving license, and upload documents to verify address and other details.

### **Logistics Company Dashboard**

- o This is where a logistics company will be able to view and manage drivers. The LC will also be able to leave reviews for drivers and be able to view drivers' data including reviews left by others

### **Dealership Dashboard**

- o This is where a dealer will be able to manage key handovers to drivers and will also be able to leave and read driver reviews. This is a feature that may be added after the initial launch of the website.

### **Admin Backend**

- o This will be for Check-able staff to administer the other 3 sections (above)

### **A Driver Pool**

- o This will be an area where available drivers will be placed, so drivers looking for work. This is also a feature that we intend to add after the initial launch of the website.

## **Data Collection and Sharing**

Please refer to our Privacy Notice for details on the data we collect, how and why we collect it, and with whom we share it.

## **GDPR**

During the course of this project the directors have been very aware of its need to comply with all data protection laws including GDPR. We have always aimed to be fair, reasonable and transparent about the what, why and who with of data sharing. To this end we have to date taken advice on GDPR from sources including the FSB, Peninsula HR, Sills & Betteridge Solicitors, and the ICO. We have also read around the subject and have tried to understand the basic principles of data sharing and also the finer details....

We intend collecting data from various sources and sharing it with various other entities, and for various purposes, all as clarified in more detail in our Privacy Notice. As part of our considerations about setting up Checkable, we therefore gave detailed thought to balancing up the benefits to ourselves and others in the industry, as against the potential risks or dangers for data subjects.

In our view, the key area of risk to data subjects here relates to the "review" element of Checkable. We recognise that negative reviews of a driver may affect the ability of that driver to obtain work in the future. We recognise that there is a risk of a (genuine) negative review having a disproportionate impact when compared with the gravity of the misbehaviour, and we also recognise that, in certain circumstances, people leaving the reviews may have ulterior motives or even seek to leave misleading reviews.

In order to mitigate these risks, we have thought very carefully about a procedure for verification of reviews. It will not be possible for us to pre-mediate every review left – we simply do not have the capacity to do so. However, we have arranged the review process so that:

A driver is notified immediately upon a review being left for him (via email);

It is straightforward for the driver to notify us that the review is contested, and then provide us with their version of events;

Once that is done, the review will be temporarily removed until the end of our review process;

We will assess the information provided by both the reviewer and the driver, and may request further information and/or evidence if we deem it appropriate; and

We will try to make our decision from the point of view that we need to be reasonably sure that the review is true – if we are unsure then we will err on the side of caution and remove the review.

We believe that by offering this balanced review process, and the presumption in favour of removal of a challenged review unless we are reasonably sure that it is accurate, that we are doing enough to mitigate the risk of false reviews being left. We have formed this view on the basis of guidance from the ICO and others.

With respect to people taking a disproportionate action based on the review, we do not believe that there is anything that we can do about this. We are providing a conduit by which people can share information – we believe that the benefits for our industry of doing so outweigh the possibility that a small minority may take an irrational approach to using that information.

Finally, we recognise that there is a risk with data stored either online or on a server connected to online resource, that such data may be vulnerable to hacking or other cyber-crime. We have engaged reputable contractors to take care of both our software and hardware for Checkable with a view to appropriately mitigating this risk.

### **The future of this project**

Our core aim is to make the vehicle logistics industry a better, safer, more profitable, more enjoyable industry to work in. We hope to achieve this fairly quickly. If our model works well in this industry we intend to move it into other related (and possibly unrelated) industries..

### **Amendments/Review**

This document will be reviewed on or around the date one year after it is first publicised on the Checkable website.