

Privacy statement Payroll Select Nederland B.V.

Introduction

As of 25 May 2018, a new privacy law came into force: the General Data Protection Regulation (GDPR). This law has been created to protect the privacy of all EU citizens.

An important aim of GDPR is to offer clarity to citizens about which data (about them) is being collected. The law also offers citizens the opportunity to object to this process.

This privacy statement is provided by Payroll Select Nederland B.V. (hereinafter: Payroll Select) to inform its (potential) payroll and temporary workers, applicants, freelancers, self-employed workers, flex-workers, (the employees of) clients, (the employees of) intermediaries, client participants or other persons about the personal data that is processed in relation to the provision of services by Payroll Select. This privacy statement shall also apply to all companies related to Payroll Select and all activities that are offered under another trading name.

1. Data from (potential) Payroll and temporary workers

1.1 Which personal details does Payroll Select process from (potential) payroll and temporary workers?

Payroll Select processes the following details from its (potential) payroll and temporary workers:

- Name/address details: name, address, town;
- Contact details: e-mail address, telephone number, postal address;
- Other personal details: nationality, date of birth (age) and place of birth, gender, marital status;
- Work experience: curriculum vitae (CV), work experience, education and schooling details;
- Financial data: IBAN;
- Identity details: (copy) proof of ID, Citizen Service Number (BSN), (copy) work permit, (copy) residence permit;
- Availability: details of availability, leave and absenteeism, details of worked hours;
- Contact moments: in order to ensure good service provision, contact moments by phone and email are registered;
- Access details: when a user name and password are provided to allow access to closed web-portals, this data must also be processed by Payroll Select;
- Processing IP addresses and 'User Agent'.

In some cases, further details are processed, e.g. for the purposes of a reintegration project, during the execution of an Attachment of Earnings or when processing a judicial conflict. The basic principle remains that Payroll Select shall not process more data than is absolutely necessary for the relevant situation.

Special personal details

Payroll Select only processes special personal details if specific consent has been given or if there are clear legal grounds for doing so.

The special details that Payroll Select processes usually relate to data that can be derived from the identity documents that Payroll Select must copy when someone comes to work for them. As well as this, Payroll Select could process special personal details in relation to health, benefits or background. Payroll Select does this in order to apply (premium) discounts and/or subsidies, fulfil reintegration obligations and implement the government target of supporting persons who are disadvantaged within the labour market, as set out in various laws and regulations (social return). This concerns persons who would find it very hard to gain employment without reintegration support.

The only persons who may access the special details that are given to Payroll Select are those who require these details in order to carry out their work and/or fulfil the prevailing laws and regulations. This

includes personnel/financial/absence and/or sales administration, processors, persons involved in (internal and external) quality monitoring, (supervisors) of financial reporting and those involved in the application of premium discounts and arranging subsidies.

1.2 Freelancers

Are you using the services of Payroll Select as a freelancer/self-employed worker? Payroll Select will treat your data in the same way as it does the regular data of payroll and temporary workers. Payroll Select only registers relevant supplementary information such as a Chamber of Commerce number.

1.3 Why does Payroll Select use data from (potential) payroll and temporary workers?

Payroll Select processes the personal data set out under 1.1 in order to effectively execute the employment contract between the employee concerned and Payroll Select. As well as this, Payroll Select uses the details in order to execute the contract that has been concluded with the client (the material employer or intermediary).

The client receives the necessary information for the practical implementation of the agreement (such as name and contact information). Additionally, the client can receive information necessary to limit the hirer's liability.

1.4 Use by third parties

In specific circumstances, Payroll Select shares data with clients and suppliers (e.g. training organisations), audit organisations, government authorities, and companies/persons that have been engaged by Payroll Select in order to execute particular tasks (including processors and company doctors). Data will only be shared in the context of executing the agreement with the person concerned (the employee) and the contract with the client.

Data may also be shared with third parties in order to support the execution of tasks by the client. This could include requesting certificates and access passes for the workplace. The client could also use the data in order to carry out background checks.

Payroll Select can also share data to third parties if there are grounds for doing so on the basis of the law and/or regulations or the application of a legal order or a court order, or they have obtained the prior consent of the person concerned.

2. Data from clients and intermediaries

2.1 Which personal details does Payroll Select process from clients and intermediaries?

Among other things, Payroll Select processes the following details from clients and intermediaries:

- Name/address details: (business) name, address and place of registration/residence;
- Contact details: e-mail address and others details for maintaining the relationship;
- Position with the client: role and contact details;
- Chamber of Commerce details;
- Financial data;
- Contact moments: in order to ensure good service provision, contact moments by phone, email and in the internal (CRM) system which Payroll Select uses are registered;
- Access details: when a user name and password are provided to allow access to closed web environments/portals and/or our intranet, this data must also be processed by Payroll Select.

2.2 Why does Payroll Select use this personal data from clients and intermediaries?

The data set out under 2.1 from clients is processed for the following purposes:

- to enable use of the services provided by Payroll Select and/or to connect the working methods and systems used by the client/intermediary with those used by Payroll Select;

- in order to enter into and maintain a trading relationship with the client/intermediary;
- in order to agree on tasks and/or (undertake to) carry them out;
- in order to provide information about the services of Payroll Select and other activities (for example via e-mail, newsletters and company magazines) and in order to draft quotes;
- in order to enable access to and use of closed web environments and portals provided by Payroll Select;
- to assess credit-worthiness;
- in order to comply with laws and regulations.

3. Details of applicants

3.1 Which personal details does Payroll Select process from job applicants?

Payroll Select processes (mainly) the following details from its applicants:

- Name/address details: name, address, town;
- Contact details: e-mail address, telephone number, postal address;
- Other personal details: date and place of birth and gender;
- Work experience: curriculum vitae (CV), work experience, education and schooling details;
- Availability: details about availability and leave;
- Contact moments: in order to ensure good service provision, contact moments by phone, email and in the ATS system which Payroll Select uses are registered;
- Access details: when a user name and password are provided to allow access to closed web-portals, this data must also be processed by Payroll Select.

Other details that are important in the context of assessing an applicant, i.e. references.

3.2 Why does Payroll Select use this personal data from applicants?

Payroll Select processes the personal data set out under 3.1 in order to effectively execute the mediation role between the employee concerned and Payroll Select's clients. As well as this, Payroll Select uses the data to execute the contract that has been concluded with the intermediaries.

3.3 Use by third parties

Payroll Select shares data with its clients. Data will only be shared in the context of executing the service and/or in order to reconcile the supply and demand from the labour market.

The client could also use the data in order to carry out background checks.

Payroll Select can also share data to third parties if there are grounds for doing so on the basis of the law and/or regulations or the application of a legal order or a court order, or they have obtained the prior consent of the person concerned.

4. Retention period

Payroll Select retains the personal data for no longer than is necessary to realise the purposes for which the data was collected and according to the relevant law and regulations.

As an employer, Payroll Select retains data as long as the employee is working for them. Payroll Select is then obliged by law to retain some of this data for up to 7 years after the end of the employment contract. The system is purged once a year.

If this concerns an applicant who did not complete the selection process successfully, Payroll Select will retain the data for one year. This data is stored in order to potentially find another suitable offer for the applicant. The system is purged once a year and after the retention period of one year (if there is no consent to extend this) and the data will then be automatically deleted.

5. Rights on the basis of privacy legislation

(Potential) payroll and temporary workers, applicants, freelancers, self-employed workers, flex-workers, (the employees of) clients, (the employees of) intermediaries, client participants or other persons are entitled to review their own data.

When it transpires that this data is incorrect, they are entitled to have this data corrected and/or deleted. There may also be a request to transfer the personal data to another organisation or to limit the processing of the data. Much of the data that Payroll Select holds can be reviewed and/or amended via the Payroll Select portal.

As a result, there may be circumstances when it is impossible to (completely) comply with a request (e.g. if the review would lead to a breach regarding the privacy of others, or if Payroll Select still needs the data). In this case, Payroll Select would justify why the request cannot be accommodated (in full).

6. Right to submit a complaint

Payroll Select is very careful with the personal data it holds and is always trying to make further improvements in this context. If you have a suggestion or complaint regarding the way in which Payroll Select deals with personal data, this must be reported to the Data Protection Officer at Payroll Select, see article 11. He/she can assess the complaint and bring about any changes. There is also a right to submit a complaint to the Personal Data Authority.

7. Security

Payroll Select takes suitable technical and organisational measures to protect your (personal) data against loss or any form of illegal processing. If personal details are processed by third parties (on behalf of Payroll Select), we will always conclude a corresponding agreement which ensures that personal data is dealt with in the appropriate manner and adequately secured. Personal data may be processed within or outside of the Netherlands.

8. Origin of data

Data about the (potential) Payroll and temporary workers and/or applicants are obtained from (employees of) the client, (employees of) the intermediary or from the employee him/herself. The (employees of the) client or (the employees of the) intermediary also provide contact details so that Payroll Select can approach the employee for additional details and conclude an employment contract. The employee also provides data in order to respond to a vacancy with a Payroll Select client. Payroll Select will pass some details onto the client in this context for the purposes of employment mediation. In some cases, the client will provide more than just the contact details. The client will ask for permission before providing this additional information.

If, during or after the employment period, data is exchanged between the client and Payroll Select, e.g. about the effectiveness or otherwise in the context of a reintegration project or (potential) judicial conflict, permission will not be requested. This exchange will take place on the basis of the legitimate interests of Payroll Select and the client.

9. Website

Supplementary to the above, visitor personal data from our websites is also processed.

The website can be visited without personal data being provided. Payroll Select collates non-identifiable automatic information about the users of its websites, such as the IP-address from your computer, user agent, the type of browser you are using, the date and time of accessing the website, the region in which visitors are located, the website that directed the user to the Payroll Select site, the pages and components on the website that are visited and also which information is reviewed.

The data gathered is used to harmonise the website content with the wishes and needs of website visitors. For more information about the cookies that Payroll Select uses, see the Cookie summary on the Privacy Statement page.

10. Changes

Payroll Select retains the right to modify this privacy statement. We recommend checking this privacy statement regularly in order to see whether any changes have been implemented.

11. Contact details for the Data Protection Officer

Payroll Select has appointed a Data Protection Officer who can be approached for comments, questions and complaints. The Data Protection Officer can be reached via fg@payrollselect.nl or by post at Postbus 75, 7400 AB, Deventer, attn. the Data Protection Officer.

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