

Privacy policy for employees not on the payroll

Your privacy as a payroll employee, temporary employee, seconded employee, self-employed person, zero-hours contractor or artist is important. We are therefore very careful when treating your personal data that we collect in relation to our contract.

This privacy policy sets out how we collect and deal with your personal data.

We process and secure your personal data as carefully as possible, in accordance with the General Data Protection Regulation (GDPR) and other applicable laws and regulations.

Who is responsible for processing your personal data?

Zuyd University of Applied Sciences Foundation (Stichting Zuyd Hogeschool)

Postbus 550

6400 AN Heerlen

Commercial Register No. 14 06 09 95

Zuyd University of Applied Sciences has a Data Protection Officer. If you have a question concerning privacy legislation or exercising your rights, please contact this officer at the above address or by e-mail functionarisgegevensbescherming@zuyd.nl.

For which purposes do we process your personal data?

We collect and process personal data of payroll employees, temporary employees, seconded employees, self-employed persons, or zero-hours contractors for various purposes:

HR and finance

- Reaching agreements on the deployment, rates, and realization of the contract or order.
- For the performance of the tasks recorded in the contract or order;
- The financial processing and payment of incidental or other expenses relating to the agreement or order;
- The aggregation and anonymization of data for policy or other studies, statistics, and management information;
- Handling any complaints or reports to officials including the Confidential Counsellor, the Ombudsman or the Data Protection Officer;
- Providing for the conduct of an audit by an external auditor or a competent government agency;

ICT and communication; dependent on the specific order description:

- The provision of ICT facilities, including an e-mail or other account, digital storage space, employee card, workplace, equipment, and access to Zuydnet and the accompanying user preferences and settings;
- Access to ICT systems such as Moodle and Osiris for performing education-related work;
- Notification of information on the organization (including via Zuydnet);
- For the purpose of business communications within and outside Zuyd;
- The monitoring and security of communications with computer and network systems;

Facilities

- The security of access to buildings and sites and security of goods located in buildings or on sites;
- Implementing the parking policy;

Others

- Following accreditation and certification processes;
- The implementation or application of a law.

If we use your personal data for purposes other than those stated in this privacy policy, or in the specific information accompanying a procedure or form, we will inform you in advance and if applicable, request your consent. And if there are changes to the use of your personal data, we will inform you about this. There is no automated decision-making concerning your personal data.

Which personal data of payroll employees, seconded employees, or temporary employees do we process?

- Name and address details: surname, first names, initials, gender;
- Age details: date of birth;
- Contact details: private and other telephone number(s) and e-mail address;
- Nationality data;
- Data on performance: job(s), hours worked, nature, period;
- Identification data: citizen service number, type, number and validity of identity document, (passport) photograph and/or other image material, any work and residence permits;
- For persons from outside the European Economic Area (EEA), we also gather copies of identity documents.
- Depending on the specific order, any account data: personnel number, e-mail address, Zuyd user name and password, electronic signature;
- Depending on the specific order, any user/location data: log-in details, IP address(es), device ID and control systems of mobile device(s), building access data, use of employee card;
- Other data which must be processed for the application of a law.

Which personal data of self-employed persons do we process?

- Name and address details: surname, first names, initials, gender, street name and number, postal code, town/city.
- Contact details: private and other telephone number(s) and e-mail address;
- Financial data: rates, IBAN, VAT number, Commercial Register registration;
- Data on performance: job(s), hours worked, nature, period, content;
- personal and other data to determine whether there is an employment contract (in relation to determining the need for a model contract in accordance with the *Wet DBA* Employment Relations Deregulation Act).
- Depending on the specific order, any account data: personnel number, e-mail address, Zuyd user name and password, electronic signature;
- Depending on the specific order, any user/location data: log-in details, IP address(es), device ID and control systems of mobile device(s), building access data, use of employee card;
- Other data which must be processed for the application of a law.

Which personal data of zero-hours contractors do we process (based on IB47)?

- Name and address details: surname, first names, initials, gender, street name and number, postcode, town/city;
- Age details: date of birth;
- Any identity data in the case of a nationality of one of the countries outside the EEA: valid copy of identity document and work or residence permit.
- Financial data: rates, IBAN;
- Contact details: private and other telephone number(s) and e-mail address;
- Other data: working hours;
- Depending on the specific order, any account data: personnel number, e-mail address, Zuyd user name and password, electronic signature;
- Depending on the specific order, any user/location data: log-in details, IP address(es), device ID and control systems of mobile device(s), building access data, use of employee card;
- Other data which must be processed for the application of a law.

Which personal data of artists do we process?

- Name and address details: surname, first names, initials, gender, street name and number, postcode, town/city;
- Age details: date of birth;
- Identification data: citizen service number (for Dutch artists), nationality (for non-Dutch artists); type, number and term of validity of identity document, any work or residence permit or refugee passport.
- Financial data: rates, IBAN;
- Contact details: private and other telephone number(s) and e-mail address;
- Other data: working hours;
- Depending on the specific order, any account data: personnel number, e-mail address, Zuyd user name and password, electronic signature;
- Depending on the specific order, any user/location data: log-in details, IP address(es), device ID and control systems of mobile device(s), building access data, use of employee card;
- Other data which must be processed for the application of a law.

On the basis of which grounds do we gather personal data?

We may only process your personal data if we have grounds for this.

For the above target groups, the grounds can be traced to an agreement (e.g. payroll, secondment, temporary employment, or order contract). After all, we need to process personal data in order to be able to execute the agreement. We are also sometimes **required by law** to process certain personal data and even to provide it to external parties such as the Dutch Tax and Customs Administration or your actual employer (payroll or temporary employment agency).

We also sometimes process your personal data for the **legitimate interests** of the university of applied sciences. In these situations, it is necessary to process your personal data for our business processes. Finally, we can also request your **consent** for purposes that are not included in the grounds above.

How does Zuyd acquire your personal data?

Personal data are provided directly by you or via the payroll organization or temporary employment agency that formally employs you.

Who receives your personal data?

Within Zuyd, your personal data are processed only by employees of Zuyd assigned to implement one or more of the above objectives. In general, these will be your client/manager and the HR Service. Sometimes it is necessary to send your personal data to an employee of Zuyd who is/are necessarily involved in one of the above objectives.

For a number of processes, we use third party service providers, both within and outside the European Union. For this purpose, it is sometimes necessary for us to provide your personal data to these service providers (processors). We only provide personal data that are necessary for that purpose, and we reach agreements concerning the security, use, and retention of the data. For example, we contract processors agreements with our service providers and ensure that service providers outside the EU guarantee an appropriate level of security through the application of 'binding business regulations' that are approved by the Dutch Data Protection Authority (DPA).¹

We can also provide your personal data to third parties that have an independent responsibility, sometimes with and sometimes without your consent. The provision of your personal data to these parties is often a statutory requirement or necessary to execute the payroll or temporary employment contract. For example, we pass on the personal data of taxpayers to the Dutch Tax and Customs Administration (on the basis of the IB47 form). If this is required by law, we also pass on personal data in relation to ultimate vicarious liability for payment of taxes and social insurance contribution to the Dutch Tax and Customs Administration.

We never sell your personal data.

For how long do we retain your data?

We retain your personal data for as long as is necessary for the purpose for which we collected them. The Selectielijst Hogescholen (Selection list for universities of applied sciences) serves as the principle here.

In general, we erase personal data at the latest two years after the contract has been terminated. A statutory term of seven years after the end of the contract applies for keeping payroll data that are of importance for taxes and for the model contract.

If an employee is hired from outside the EEA, we keep a copy of their identity document for a term of five years after the termination of the agreement

Security of your data

We make every effort to protect your personal data as effectively as possible against unauthorized access, loss, or theft. The systems in which your data are stored are all protected by a password or 2-factor authentication. If we have your personal data processed by a party other than Zuyd, we enter into agreements concerning security, use, and storage of those data.

¹ The EU-US privacy shield (Microsoft) can be viewed via www.privacyshield.gov/welcome. The binding business regulations of ADP can be viewed at www.adp.nl/over-adp/privacy/

What are your rights?

You have various rights in relation to your personal data, such as the right of access, rectification, objection, and deletion. A full list of your rights is available on the website of the Dutch Data Protection Authority (www.autoriteitpersoonsgegevens.nl/en). If you wish to exercise one of your rights, please contact us at privacy@zuyd.nl. You are also entitled to file a complaint with the Dutch Data Protection Authority. If you have a complaint, please report it first to your supervisor or via privacy@zuyd.nl.

The exercise of your rights relates only to the processing purposes for which Zuyd University of Applied Sciences is the controller (see the purposes above). Zuyd is not responsible for personal data gathered by a payroll organization or temporary employment agency. If you wish to exercise your rights on such data, you should submit a request directly to the payroll or temporary employment organization.

Questions

If you have any questions concerning privacy legislation or exercising your rights, you can also contact the Data Protection Officer at the above address or by e-mail at functionarisgegevensbescherming@zuyd.nl.

Changes

We may amend this privacy policy at any time, such as if there are changes to legislation. We therefore advise you to consult this policy regularly.

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