 OPTiM Payroll

# OPTiM Privacy POLICY

1. **Introduction**

Protecting our customers’ and their employees’ personal data is important to OPTiM Payroll. This Privacy Policy sets out how we collect, use, store, share and protect this personal data in compliance with Data Protection legislation.

* 1. **Company Information**

OPTiM Payroll is a trading name of OFS Support Services Limited, a company registered in the Republic of Ireland with company number 438135 and having its registered office at Unit 3 Liosban Business Park, Tuam Road, Galway. Further information can be found at <http://www.optimpayroll.com>

* 1. **Contact us**

If you have any questions as to the manner in which personal data is being handled or if you require any further information you can contact the Data Protection Officer at payroll@optimpayroll.com or by writing to:

OPTiM Payroll, Unit 3 Liosban Business Park, Tuam Road, Galway

* 1. **Policy Review**

This policy will be regularly reviewed to ensure we continue to meet our obligations in processing your personal data and protecting your privacy. In order to do so, we reserve the right to update, modify and amend this policy at any time as required. We would recommend that you check back regularly to keep informed of any updates. We will not make any significant changes to the policy without informing you.

* 1. **Protecting your information**

We are committed to protecting your company’s and employees’ personal data and to implementing appropriate technical and organisational security measures to protect it against any unauthorized or unlawful processing and against any accidental loss, destruction, or damage.

**2. Data we collect**

In order to provide payroll processing services and provide you with relevant information and reports, we need to collect a number of categories of personal data various sources including from your company, your employees, Revenue Commissioners in the Republic of Ireland, Her Majesty’s Revenue & Customs (HMRC) in the United Kingdom. We obtain this personal data during the company setup process, employee setup process, marketing or through our on-going management of your account. We cannot provide you with payroll processing services unless we have this necessary information.

These personal data categories include:

Company and employee name and address, bank account details, contact details such as telephone number, mobile phone number, email address, date of birth, and marketing preferences.

**3. How we use your information**

We will use your personal data to provide your company with payroll reports and information, to pay your employees and forward payslips to them. In particular, we may use your personal data for the following purposes:

**3.1 Account Management**

In order to set up and process payroll for you and manage your contact with us, we are required to process your personal data. This involves processing personal data for the purpose of payroll processing, maintaining and exchanging information on hours worked, rates of pay and processing payments.

Legal Basis: The processing is necessary for the performance of the contract which you are party to or in order to take specific steps prior to you entering into a contract.

Legal Basis: The processing is necessary to comply with our legal obligations.

Legal Basis: The processing is necessary for our legitimate interests or those of a third party and to ensure you meet the filing requirements of the Revenue Commissioners or HMRC. It is within OPTiM Payroll’s legitimate interest to use certain personal data to establish, maintain and review an account to allow OPTiM Payroll to better manage customers’ accounts, enforce rights set out in the terms and conditions of service and to ensure that accurate payroll processing services are provided and that any complaints are resolved appropriately.

**3.2 Customer Support**

In order to respond to queries and manage and investigate any complaints, we are required to process your company’s and employees’ personal data. If you or your employees contact us or we contact you or them, we will use personal data such as pay details and payslip history. We may monitor and record such communications, email and other electronic communication to help investigate any queries or complaints and for training purposes.

Legal Basis: The processing is necessary for the performance of the contract which you are party to or in order to take specific steps prior to you entering into a contract.

Legal Basis: The processing is necessary to comply with our legal obligations.

Legal Basis: The processing is necessary for our legitimate interests or those of a third party and to ensure you meeting the filing requirements of the Revenue Commissioners or HMRC. It is within OPTiM Payroll’s legitimate interest to use certain personal data to establish, maintain and review an account to allow OPTiM Payroll to better manage customers’ accounts, enforce rights set out in the terms and conditions of service and to ensure that accurate payroll processing services are provided and that any complaints are resolved appropriately.

**3.3 Marketing**

In accordance with your marketing preferences, from time to time we may provide you with information on our services/promotional efforts which we feel may be of interest to you. Again depending on your marketing preferences we may also contact you after you have ended your account with us to make you aware of our services.

Depending on your marketing preferences and as otherwise permitted by law we may contact you by:
(a) Non-electronic means, including by post or in person; and
(b) Electronic means including live telephone calls, email, SMS (texts), multimedia messaging or social media (e.g. Facebook and Google).

Legal Basis: The processing is based on your consent for the specific purpose (e.g. by opting in and receiving certain marketing communications on setup or otherwise.
Legal Basis: The processing is necessary for our legitimate interests or those of a third party. It is within OPTiM Payroll’s legitimate interest to provide you with information on OPTiM Payroll’s services including information that we have tailored to your interests.

If you wish to change your marketing preferences you can do so at any time by writing to us at the address provided above, emailing us at payroll@optimpayroll.com or by calling us on 091 778911.

**3.4 Debt Management**

In order to allow OPTiM Payroll to appropriately manage any debt issues if they were to occur.
Legal Basis: The processing is necessary for the performance of the contract to which you are party or in order to take specific steps prior to entering into a contract.
Legal Basis: The processing is necessary for our legitimate interests of the controller or those of a third party. It is within OPTiM Payroll’s legitimate interest to use certain personal data to help manage a debt issue and enforce rights set out in the terms & conditions of service.

**3.5 Website Statistics**

Like most websites, we gather statistical and other analytical information of all visitors to our website including cookies and click trails. We use the data gathered to get a better understanding of where our visitors come from and to help us better design and organise our website and for the purposes set out below at Assessment of Customer Preferences and Account History.
Legal Basis: The processing is necessary for our legitimate interests or those of a third party. It is within OPTiM Payroll’s legitimate interest to provide you with the best customer website experience by ensuring that we continually improve our processes and website.

**3.6 Assessment of Customer Preferences and Account History**

Our systems assess customer profiles such as payment preferences, payment history, contract duration, services delivered, contact history, website visits etc. in order to assess customer loyalty for marketing purposes and to determine what services may be of interest to certain customers. Profiling may result in customers being specifically contacted (in accordance with any consents given) to be informed of our service offerings or contract renewal options. Any customer may contact us at any time to enquire about our latest service offerings or contract renewal options.
Legal Basis: The processing is necessary for our legitimate interests or those of a third party. It is within OPTiM Payroll’s legitimate interest to provide you with the best customer experience and offers relevant to you.

**3.7 Recruitment**

If an individual submits a job application online or by email, we will use your personal data for recruitment-related purposes, which may include contacting you via email, telephone, SMS or post.
Legal Basis: The consent of the individual.
Legal Basis: The processing is necessary to comply with legal obligations to which we are subject under our employment law.

**4. Sharing your Information**
There are a number of circumstances in which we may share your personal data with other parties. Below is a list of such potential recipients or categories of recipients with whom we may share information.

* In order to meet legal and regulatory requirements we may share personal data with fraud prevention agencies.
* For debt management purposes we may in certain cases be required to share personal data with debt collection agencies.
* We may disclose information when required by law or legal process for the administration of justice, to protect your vital interest, for investigations by law enforcement or regulatory bodies, to protect and defend OPTiM Payroll’s property and legal rights or by order of a valid order from a court or law enforcement agency.
* Organisations who act as service providers to OPTiM Payroll such as providers of telecommunications, postal services, records storage, data storage, document production and destruction, IT services and security, fraud detection, marketing and market research, and making and receiving financial payments.

We may pass personal data to our agents and service providers when relevant for these purposes, including the use of cloud providers. This may involve passing your personal data outside of the European Economic Area and any such recipients will be bound to comply with the European Commission standard contractual clauses for the transfers of data outside the EEA. Further information is available from payroll@optimpayroll.com

**5. Retention of your information**
We will retain your personal data only for as long as is necessary for the purposes for which it was collected and in order to meet the legal and business requirements of managing your account and experience with us. In particular:

* We will retain personal data that is necessary for us to provide you with our service that you have requested or purchased for as long as it takes us to provide that service;
* We will retain your contact details for marketing purposes for as long as we have your permission to send you marketing information or for as long as we are permitted to do so, subject to your right to object at any stage;
* We will retain records of any transactions you enter into with us or products or services you receive for up to seven years after the date of the transaction. This is so that we can respond to any complaints or disputes that arise in that period;
* We will retain any financial transaction information for seven years after the date of those transactions; and
* We will retain other personal data necessary for us to do so to comply with our regulatory and legal requirements.

**6. Your rights**
The General Data Protection Regulation provides you with a number of rights under the legislation as a data subject. We will respond to your requests within one month of the receipt of your request or inform you in circumstances where an extension may be required.

**6.1 Right of access.**You have the right to be provided with details of the processing of your personal data and to obtain a copy of the personal data we hold about you, subject to applicable exemptions. To help us better deal with your request please provide us with the information necessary to identify you (name, address, employer registration number or Personal Public Services Number (PPSN) and to identify the personal data you require.

In order to make an access request please email payroll@optimpayroll.com or send your request in writing to:

* OPTiM Payroll, Unit 3 Liosban Business Park, Tuam Road, Galway

**6.2 Right to rectification.**If the personal data we hold on you is inaccurate or incomplete you have the right to rectify such personal data and we would encourage you to ensure the personal data we hold on you is kept as up to date and accurate as possible.

**6.3 Right to Erasure.**In certain circumstances you have the right to request the deletion of your personal data where there is no compelling reason for us to continue processing it.

**6.4 Right to restrict processing.**In certain circumstances you can request the restriction of the processing of your personal data where you contest the accuracy of the information; where you object to processing which is based on legitimate interests; where the processing is unlawful and you wish to restrict the processing rather than seek erasure; or where we no longer require to retain your personal data but you wish the personal data to be held while you establish, exercise or defend a legal claim.

**6.5 Right to data portability.**You can request to receive your personal data, which you provided to us, in a structured, commonly used and machine readable format and have the right to transmit this data to another controller.

**6.6 Right to withdraw consent.**If we are processing your personal data on the legal basis of consent you have the right to withdraw your consent at any time. If you withdraw your consent we will no longer be able to carry out processing based on your consent. However by withdrawing your consent it does not invalidate any processing which was undertaken prior to the withdrawal of your consent.

**6.7 Right to object to processing.**You have the right to object to processing based on legitimate interests and to direct marketing (including profiling for the purpose of direct marketing).

Where we have indicated that we are processing your personal data based on legitimate interest you are entitled to object to such processing on grounds relating to your particular situation. We will stop processing your personal data unless we can demonstrate compelling legitimate grounds for the processing which overrides your interests, rights and freedoms or where the processing is necessary for the establishment, exercise or defence of legal claims.

If you wish to object to receiving direct marketing please use the provided opt-outs or contact us to do so.

**6.8 Automated Decision making including profiling.**You have the right not to be subject to automated individual decision making, including profiling, which produce legal effects concerning you or similarly significantly affect you unless it is necessary for the entry into or performance of a contract, authorised by EU or member state law, or based on your explicit consent.

**6.9 Right to lodge a complaint with Data Protection Commissioner.**You have the right to lodge a complaint with the:

* (ROI customers) Data Protection Commissioner by emailing info@dataprotection.ie or writing to the Data Protection Commissioner, Canal House, Station Road, Portarlington, R32 AP23 Co. Laois.
* (NI customers) Information Commissioner’s Office by emailing via <https://ico.org.uk/global/contact-us/email/> or writing to the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

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