**ANNEX 1**

**HES Privacy Statement**   
Employees / Applicants / Contractors

Please ensure that the lists below is up-to-date and complete.

Insert HES entity and all its direct and indirect subsidiaries ("**\*\*\***”) possesses and will collect personal data about you both prior to, during and after of your employment relationship, if you apply for a position at Insert HES entity and if you work for us on a contracting basis. Insert HES entity respects your privacy and will treat your data in compliance with the applicable employment laws and data protection laws, including the General Data Protection Regulation. In this policy we describe how and for what purposes Insert HES entity collects and uses your personal data.

The companies processing your personal information are:

Insert HES entity

1. **WHOSE... personal data is being used?**

HES entity collects and handles personal data in relation to amongst others employees, contractors, temporary workers, applicants, as well as related family members or other contact persons (for emergency purposes).

1. **WHAT... personal data is being used?**

Personal data, or personal information, means any information relating to an identified or identifiable natural person. Depending on the circumstances, we may collect, store, and use (all together: process) the following categories of your personal information:

* + - Personal contact details such as name, title, addresses, telephone numbers, and email addresses.
    - Date of birth.
    - Gender.
    - Social security number / citizen service number / BSN number.
    - Identification document number.
    - Marital status and dependents.
    - Next of kin and emergency contact information.
    - Bank account details, payroll records and tax status information.
    - Salary, annual leave, pension and benefits information.
    - Start date(s) of job roles.
    - Location of employment or workplace.
    - Copy of identity documents, such as passport, driving license, utility bills.
    - Recruitment information (including copies of right to work documentation, references and other. information included in a C.V. or cover letter or as part of the application process).
    - Employment records (including job titles, work history, working hours, training records and professional memberships).
    - Salary/payments history.
    - Performance information, also including assessment results and references..
    - Disciplinary and grievance information.
    - Information about your use of our information and communications systems.
    - Photographs.

We may also process more sensitive personal information (to the extent permitted by applicable laws) about your health relevant to your work, including, for example, any medical condition, working capacity and absence records (other than holidays).

This personal data will be updated from time to time, for example by receiving new information from you directly. It is important that the personal information we hold about you is accurate and up-to-date. Please keep us informed if your personal information changes during your working relationship with us.

1. **WHY… is your personal data being used?**

We will only process your personal information when the law allows us to and/or requires us to do so.

We are required by law to have a ground set out in the law to process the information we hold about you. When you are working at HES entity, or apply for a position here, our processing of your personal information is based on the following legal grounds:

* + 1. the performance of a contract to which the data subject is a party or in the performance of pre-contractual measures resulting from a request by you and which are necessary for entering into a contract, such as your employment agreement;
    2. the processing is necessary to comply with legal or regulatory obligations (such as required disability administration in the event of a long-term period of occupational disability);
    3. the processing is necessary to secure a vital interest of yours (such as emergency contact information for your next of kin in the event of an emergency); and/or
    4. the processing is necessary in the legitimate interests of HES entity in exercising its and its staff fundamental rights to run a business in a way which does not unduly affect your interests or fundamental rights and freedoms. When processing is necessary for the legitimate interests of HES entity, we ensure that processing is conducted in such a manner that our legitimate interests outweigh any individual’s interest.

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

The company collects and processes personal information:

* + 1. To fulfil our obligations to you as an employer or individual contractors when you commence work for HES entity and when you start working for HES entity, which means that we will comply with your employment agreement or services agreement, and all other arrangements that we have agreed around your employment agreement. This includes:
    - Making a decision about your recruitment or appointment (including confirming if you are legally entitled to work);
    - Career development and performance assessment (including education and making decisions about salary reviews and compensation);
    - Workforce planning (which includes (i) ascertaining your fitness to work, e.g. drug and alcohol testing; (2) managing sickness absence, (3) complying with (internal and legal) health and safety obligations), (4) to use information relating to leaves of absence, which may include sickness absence or family related leaves, and (5) to use information about your physical or mental health, or disability status to ensure your health and safety in the workplace, to assess your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits.
    - Transfer of employees;
    - Management reporting;
    - Succession planning;
    - Disciplinary matters;
    - Equal opportunities monitoring;
    - Administration of salaries and benefits;
    - Calculation and payment of tax;
    - Legal and compliance purposes; and
    - any other purposes as may be required in connection with the performance and execution of your employment agreement
    1. Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work.
    2. Business management and planning, including accounting and auditing
    3. Promote the security and protection of people, premises, systems and assets. This includes:
    - To monitor your use of our information and communication systems to ensure compliance with our IT policies;
    - To ensure network and information security, including preventing unauthorized access to our computer and electronic communications systems and preventing malicious software distribution;
    - To conduct data analytics studies to review and better understand employee retention and attrition rates;
    1. Monitor compliance with internal policies and procedures. This includes our activities to prevent fraud;
    2. Administer communications and other systems used by HES entity (including internal contact databases);
    3. Investigate or respond to incidents and complaints;
    4. Comply with obligations and rights and cooperate with investigations carried out by the police, government or regulators; and
    5. To transfer data to third parties (see also below);

1. **WHAT… happens if you do not provide any personal data?**

When our request for your personal information is a legal or contractual obligation, or a requirement necessary to enter into a contract, and you fail to provide that personal information, the consequence could be that you are not allowed to enter offices, we cannot enter into a contract with you (or your employer or a company related to you) or we have to suspend the execution of our contract with you (or your employer or a company related to you).

1. **WHOM... does** HES entity **share my personal data with?**

We may share your personal information with third parties to complete the set of purposes that we have explained above. Third parties includes third-party service providers (including contractors and designated agents) and other entities within the HES International group. All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our privacy policy. We do not allow our third-party service providers to use your personal information for their own purposes. We only permit them to process your personal information for specified purposes and in accordance with our instructions.

The following activities could be carried out by third-party service providers: payroll, pension administration, benefits provision and administration, IT services, and recruitment services. All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our privacy policy.

We may share your personal information with other entities within the HES International group as part of our regular reporting activities on company and/or group performance, in the context of a business reorganisation or group restructuring exercise, for system maintenance support and hosting of data, or where we consider that another group entity is better placed to consider your suitability for a potential role. We may also share your personal data with a person who takes over our business and assets or relevant parts of them.

In exceptional circumstances, we may also share your information the competent regulatory, prosecuting and other governmental agencies, or litigation counterparties, in any country or territory.

1. **DOES...** HES entity **share my personal data outside the European Economic Area?**

We do not transfer your personal information outside the European Economic Area.

1. **WHAT... does** HES entity **do to protect my personal information?**

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They may only process your personal information on our instructions and they are subject to a duty of confidentiality. We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

1. **HOW... long does** HES entity **store my personal information?**

HES entity aims to only collect the minimum amount of personal data required. We will only keep your personal information for as long as necessary to fulfil the purposes we collected it for. The specific period depends on the reason why we have your personal data. We determine this period in line with our HES Document Retention Policy.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer an employee, worker, contractor or candidate or an individual working at a clients or potential client of ours, we will retain and securely destroy your personal information in accordance with applicable laws and regulations.

1. **WHAT... rights do I have?**

Under certain circumstances as defined by law, you have the right to:

* + - **Request access** to your personal information (also known as a "data subject access request"). You can ask us whether we process any of your personal data. If we do this, you can request to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
* **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
* **Request to be forgotten**. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
* **Object to processing of your personal information** where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation that makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
* **Request the restriction of processing** **of your personal information**. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
* **Request the transfer of your personal information** to you or a third party in a structured, commonly used and machine-readable format (also known as “right to data portability”).

If you want to make use of any of these rights, you may contact the compliance officer, please refer to section 10. You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

1. **WHO... can I contact if I have questions or concerns?**

If you have any (possible) concerns on this privacy statement you may report these to the Chief Compliance Officer (compliance@hesinternational.eu). You can also contact your local compliance officer in case of any questions or requests.

You also have the right, at any time, to lodge a complaint about our processing of your personal information with a data protection authority. The relevant contact information can be found here: <https://ec.europa.eu/justice/article-29/structure/data-protection-authorities/index_en.htm>.

1. **HOW... do you handle changes to this privacy notice?**

This privacy statement will be reviewed and in addition may be reviewed from time to time to take account of, for example, changes to legislation, regulatory developments and organizational changes.

A new privacy statement will be provided to you when any substantial changes are made. We may also notify you in other ways from time to time about the processing of your personal information.

1. **Update history**

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| --- | --- | --- | --- |
| **VERSION** | **REVISED BY** | **DESCRIPTION** | **REVISION DATE** |
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