

TERMS OF BUSINESS – PAYROLL

1. **Our service to you.** Our Payroll Bureau service prepares and manages your employee payroll and our services may include:
 - Calculation and administration of your employee's salaries;
 - We may also pay the salary directly to the employee's bank account;
 - We can also issue pay slips, P45's and P60's when necessary;
 - We will advise HMRC regarding collection of tax;
 - We will advise government agencies such as the Department of Work and Pensions regarding national insurance contributions;
 - We can manage your employee's workplace pension auto-enrolment arrangements and employee workplace pension contributions and advise your pension provider
 - We can manage BACS payments

To provide our payroll services we require full and accurate information concerning your company and employees and so cannot not be held responsible or bear any liability as a result of any incorrect information presented to us. We are not responsible for any HMRC penalties or interest charges that may arise as a consequence of a failure on your part to meet any HMRC liability payments.

Our payroll services adhere to HMRC statutory requirements.

2. **Personal Data.** The personal data we hold about your employees includes their names, dates of birth, gender, home addresses and salary. We also hold employee's National Insurance numbers and company information such as work e-mail address, start date, job titles and departments. We may also hold bonus payments, pension contributions and details of childcare vouchers.
3. **Data Processor and Data Controller.** In most instances we are data processors as we process the payroll on the company's behalf who are the data controller. However we may become a Data Controller where we determine the purpose for which and the manner in which any personal data is processed. An example of this might be when using our online platform. We are a registered data controller with the ICO under registration reference Z7559664.
4. **Legal Basis.** As a Payroll Bureau our lawful basis for processing your employee's data is that it is necessary for the performance of the contract we have with you to deliver payroll services. We rely on the performance of the contract and our legitimate interest, as the basis for processing your employee's personal data.
5. **Authentication.** As part of our compliance with GDPR we will ask three data protection questions before discussing any personal information about your employees with you. We also have in place identification procedures when we contact other third parties.
6. **Who handles your employee's Personal information?** Each company has a dedicated Payroll Manager and Administrator who have access to your employee's data. You will be notified of your Payroll Manager and Administrator when you join us.

Who handles your employee's Personal information? *continued.* There may be occasions when the Payroll Manager and/or Administrator will change and you will be notified of this change and introduced to your new contacts.

Access to your employee's personal data is restricted on our systems. There may be occasions when another Payroll Manager or Administrator will need access to your employees details, for example to cover holiday or sickness. In these instances they must go through a verification process to gain access which is monitored on a monthly basis.

7. **Storage.** Data is stored locally on advo systems and authentication solutions are required for access. All sensitive data is encrypted in traffic and at rest using Transparent Data Encryption (TDE) technology.
8. **Safeguards.** All staff and contractors must sign confidentiality agreements and undergo criminal background checks prior to joining or providing services to advo Payroll. There is mandatory training on privacy and security awareness included in the induction process for all staff. Staff are given their own customers and are identified on the system. There is also inbuilt security on the system which gives staff different levels of access to data so that staff only have access to their own customer's policies.
9. **Security.** All data stored on staff computers requires strong passwords to access data. If laptops are lost or stolen, data confidentiality and integrity are not at risk, data can be wiped ensuring confidentiality and integrity are maintained.

Security threat and risk assessments (TRAs) are conducted and risk mitigation activities established and assigned to responsible individuals. Data is backed up regularly.

We have procedures in place to detect, report and investigate data breaches. The company and its employees would be notified of any data breach as well as the Information Commissioner within 72 hours of us becoming aware of the breach.

A disaster recover and business continuity plan have been developed and are tested and updated regularly.

Please see advo group Personal Health Information Safeguarding document for full details which is available on request.

Hardcopy Documents Security. We work electronically however there are occasions when data is in paper form. Any documents which give details of a company and its employees are disposed of using a confidential shredding service. All staff are trained to adhere to document usage procedures and must make sure that all paper documents which give details which would identify a company or a person are disposed of using the confidential shredding service. Staff are expressly prohibited from disposing of paper into waste paper bins or to take documents out of the office unless express permission is provided for example when visiting a client company for a meeting.

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E-mailing Personal Data. There may be instances when we have to e-mail a document which holds personal data to a third party as part of our duties as a Payroll Bureau. In these instances we will encrypt the data being sent and use Transport Layer Security (TLS) where possible with third parties.

10. **Third Parties.** The personal data we hold about your employees is shared with third parties which will include HMRC, Government agencies for social or national insurance and Pension Providers. This is necessary for the performance of our role as a Payroll Bureau and the service we provide to deliver payroll services to your employees.
11. **advo on line and advo on line Plus.** In some instances we will supply you and your employees with passwords to access our on line portal. This will give you and your employees the ability to view personal data, payslips and P60's. The passwords issued are secure and generated automatically by our systems.
12. **Charges.** We charge either a monthly or annual fee, payable via direct debit, for the provision of payroll services. The amount of charges applied will be dependent on the scope of services we provide. The amount of fees charged will be outlined in a separate client agreement.
13. **Term of agreement.** Any agreement between advo payroll and clients for the delivery of payroll services shall be for an initial period of no less than one year after which it will continue unless or until either party terminates this agreement by giving not less than three (3) months written notice.

After the initial 12 month period a client may terminate the agreement at any time upon three (3) months' notice such termination date to always be a minimum of 3 calendar months after the date of written notice. Where a client has paid an annual fee for an annual period which ends more than one month after the date of termination, we shall refund to the client that portion of the annual fee corresponding to the portion of the annual period after the date of termination, no later than one month after the date of termination.

14. **Data Retention.** We have an obligation to retain records for HMRC and Works and Pensions.
 - Wages / salary record (also overtime, bonuses and expenses): 6 years: Taxes Management Act 1970
 - Income tax and NI records: Not less than 3 years after the end of the financial year: The Income Tax (Employments) Regulations 1993 (SI1993/744) as amended.
 - National Minimum/Living Wage: 3 years after the end of the pay reference period: National Minimum Wage Act 1998
 - Working time record: 2 years: The Working Time Regulations 1998 (SI1998/1833)

15. **Data Portability.** If requested we can provide individual client files in an excel spreadsheet format. This information will only include the information which was provided to us.

16. **Complaint handling.** It is our intention to provide you with a high level of customer service at all times. If there are occasions when we do not meet your standards please contact Mrs Gill Mateo either verbally or in writing, who will take details of your concerns. We will acknowledge in writing advising you of who is dealing with your concerns and attempt to address your concerns within five working days. If our investigations take longer we will provide a full response within twenty working days or explain our position and provide timescales for a full response.
17. **Client responsibility and accuracy of payroll data.** It is the Client's sole responsibility for ensuring the completeness and accuracy of the payroll data we use for all their employees and that the payroll summary report matches the payroll data. The Client must notify advo payroll of any errors in their payroll summary report no later than twelve noon on their BACS input day or, where BACS Payments are not made no later than twelve noon on the day before their scheduled payment day.
18. **Law.** These terms of business are subject to the laws of England and Wales. Any dispute shall be subject to the exclusive jurisdiction of the English and Welsh Courts. If a court rules that any provision of these terms is invalid or unenforceable this will not affect the validity of the rest of the terms which will remain in force.

advo group follows data protection law.

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