

Privacy notice Job candidates

Following the entry into force of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation) (Official Journal EU L 119, p. 1) – GDPR, we would like to inform you about the rules of processing of your personal data in connection with the recruitment for a position with VPP sp. z o.o.

It is and has always been our intention to give priority to privacy protection. To this end, we take all necessary organisational and technical measures to ensure that the processing of personal data meets not only legal requirements but also reflects the best standards of personal data protection. Below, we present basic information related to the processing of your personal data.

1. Who is the Controller of your personal data?

Your personal data is processed by Vita Polymers Poland sp. z o.o. (“Data Controller”), with its registered office in Brzeg Dolny (56 – 120), ul. Henryka Sienkiewicza 31, entered into the Register of Entrepreneurs kept by the District Court for Wrocław-Fabryczna in Wrocław, 9th Commercial Division of the National Court Register, under the KRS no. 15447, share capital: PLN 57,670,600.00, NIP: 9170000044, tel. + 48 71 3808900, fax. +48 71 3808913, e-mail: sektetariat@vitafoam.pl

2. What are the grounds, purposes and periods of storage of your personal data by the Controller?

The Controller determines the purposes and means of the processing of personal data and as such administers your personal data. The purposes of data control and processing are specified below. In any case, the Controller makes every effort to ensure that the scope of processing of your personal data is minimal and adequate to the processing purposes indicated below.

In accordance with the Labour Code, the Controller, as your potential employer, has the right to request that you, as a job applicant, provide your personal data including:

Other personal data may be processed by the Controller based on your consent.

The Controller processes the following types of personal data:

- a. full name;
- b. date of birth;
- c. contact details indicated by a person;
- d. education;
- e. professional qualifications;
- f. employment history;

Other personal data may be processed by the Controller based on your consent.

In any case, the Controller makes every effort to ensure that the scope of processing of your personal data is minimal and adequate to the processing purposes indicated below. Please find below:

- the legal basis for the processing of your personal data (in relation to the purpose of the processing) (point **a**)
- and the periods of storage of your personal data or the criteria for their determination (in relation to the purpose of the processing) (point **b**).

- 2.1. Recruitment for a position indicated in a job advert, in connection with which you provide us with your personal data.
 - a. basis – Article 6(1)(b) of the GDPR and labour law provisions indicating the scope of personal data job applicants are to provide at the request of an employer. Article 6(1)(a) of the GDPR – if your data is processed on the basis of a consent.
 - b. storage period – until the completion of recruitment for a position indicated in a job advert, in connection with which you provide us with your personal data. When personal data is processed on the basis of your consent – from the moment of granting the consent until its withdrawal – however, not longer than until the completion of recruitment for a position indicated in a job advert, in connection with which you provide us with your personal data.
- 2.2. Recruitment for other positions than those indicated in a job advert in connection with which you provide us with personal data, constituting legitimate interest of the Controller.
 - a. basis – Article 6(1)(f) of the GDPR – a legitimate interest consisting in pursuing or defending against claims. Article 6(1)(a) of the GDPR – if your data is processed on the basis of a consent.
 - b. storage period – If a consent for processing is not required, personal data is processed for the purpose in question until you object to the processing of the data and the Controller reviews and accepts such objection, however not longer than for a period of 1 year from the date of the transfer of your personal data to us. When personal data is processed on the basis of your consent – from the moment of granting the consent until its withdrawal – however, not longer than for a period of 1 year from the date of the transfer of your personal data to us.
- 2.3. Pursuing or defending against claims related to the recruitment process.
 - a. basis – Article 6(1)(f) of the GDPR – a legitimate interest consisting in establishing, pursuing or defending against claims.
 - b. storage period – the limitation period for claims related to the recruitment process.
- 2.4. When you visit us – security and protection of the property and people staying at our premises.
 - a. basis – Article 6(1)(f) of the GDPR – a legitimate interest consisting in ensuring the security of all persons staying at the Controller's site.
 - b. storage period – personal data other than captured and recorded by security cameras will be stored for no longer than 6 months from the date of registration of the entry of a person to the site; data captured and recorded by security cameras – up to 3 months from the date of its registration by security cameras at the Controller's site.
- 2.5. As a rule, personal data is processed for a specific purpose only for the period of processing defined for that purpose (as indicated above).
- 2.6. The completion of the processing of personal data for a given purpose does not automatically mean that such data has to be erased. In such a case, data processing is limited to the purposes for which the processing periods have not yet ended.
- 2.7. Personal data is completely removed from the Controller's ICT systems and paper files after the expiry of the longest period of processing of such data.
- 2.8. Circumstances may arise which could not have been foreseen at the stage of planning the data retention periods, which will justify the need for longer processing of data for a specific purpose. In particular, there may arise circumstances which will be subject to examination by a public administration authority or a court in criminal, civil or administrative proceedings. Such proceedings may not be finished before the expiry of the envisaged data processing period. In such a case, the Controller will make every effort to ensure that during such proceedings the scope of processing of personal data is minimal and adequate to the purposes of the proceedings.

3. Who are the recipients of your personal data?

3.1. As part of our tasks and objectives, your personal data may be transferred to various recipients of personal data.

These recipients can be grouped in the following categories:

- a. VITA Group companies related to the Controller,
 - b. providers of ICT hardware- and software-related services,
 - c. security companies providing the Controller with personal and property protection services at the Controller's sites (depending on the location of a site),
 - d. consulting firms, in particular firms providing legal or financial services,
 - e. supervisory authorities, regulatory authorities and other governmental authorities or third parties, if required by applicable provisions of law (in a manner consistent with such provisions).
- 3.2. Personal data may be made available to the so-called third countries, i.e. to states outside the European Economic Area and to international organisations. In the case of transfer of personal data outside the EEA to a country which, according to the European Commission, does not provide an adequate level of protection of personal data, the Controller will ensure adequate or appropriate protection of the personal data provided and the transfer will take place on the basis of an agreement which takes into account the EU requirements for the transfer of personal data outside the EEA, such as standard contractual clauses approved by the European Commission.

4. When are you entitled to object to the processing of your personal data?

- 4.1. You have the right to object at any time to the processing of your personal data which is based on the Controller's legitimate interests. This applies to all the processing purposes indicated above where Article 6(1)(f) of the GDPR was indicated as the grounds for processing.
- 4.2. We will cease to process your data for the above-mentioned purposes unless we can demonstrate that in relation to your data there are important, legitimate grounds that override your interests, rights and freedoms, or that your data is necessary to establish, pursue or defend claims. Therefore, we kindly ask you to justify your objection in such a way so that we can get to know your specific situation and that we can respond to it.
- 4.3. We will make every effort to inform you as soon as possible about the actions we have taken in relation to your objection, however not later than within one month of receiving your request. In special situations when your objection is of a complex nature, or when it is filed together with other requests, we reserve the right to extend the above-mentioned period by another two months. You will be informed about this within one month of receiving your request.
- 4.4. You can exercise the above right to object free of charge.

5. What other rights do you have?

According to the GDPR, you have specific rights connected with the processing of your personal data by the Controller.

5.1. Right of access to personal data

Under the right of access you can obtain from the Controller:

- a. confirmation whether or not personal data concerning you is being processed,

- b. and where that is the case, you are entitled to obtain a copy of the data subject to processing and information about the circumstances of the data processing.

5.2. Right to rectification of personal data

Under the right to rectification the data subject may obtain:

- a. rectification of their incorrect (inaccurate) personal data;
- b. completion of incomplete personal data.

When requesting rectification, you should demonstrate that your personal data is inaccurate or incomplete.

The Controller's failure to rectify or supplement the data will entitle you to request that the supervisory authority orders the Controller to grant your request.

5.3. Right to erasure

Under the right to erasure (the so-called "right to be forgotten") you can obtain from the Controller the erasure of your personal data if:

- a. your personal data is no longer necessary in relation to the purposes for which it was collected or otherwise processed;
- b. you withdraw your consent to the processing of data and there is no other legal ground for processing;
- c. you object to the processing and there are no overriding legitimate grounds for the processing or if you object to the processing of data for the purposes of direct marketing;
- d. your personal data has been unlawfully processed;
- e. the personal data has to be erased for compliance with a legal obligation in Union or Member State law to which the Controller is subject;
- f. the personal data has been collected in relation to the offer of information society services offered directly to a child under 16 years of age.

The erasure of data should involve the destruction of personal data (or media carrying such data) or such other modification of personal data which will prevent identification of the data subject (e.g. blacking out).

However, the right to be forgotten applies only to the exceptions described in the GDPR. According to the GDPR, this right shall not apply if the processing of data is necessary, *inter alia*, to exercise the right to freedom of expression and information as well as to establish, pursue or defend claims.

5.4. Right to restriction of processing

The restriction of processing consists in limiting the processing of data only to its storage.

The Controller of your personal data is obliged to restrict the processing of data in the following cases:

- a. if you contest the accuracy of your personal data or object to processing, for a period allowing the Controller to verify the accuracy of the data or to consider the objection;
- b. the processing is unlawful and you oppose the erasure of the personal data and request the restriction of its use instead;
- c. the Controller no longer needs your personal data for the purposes of the processing, but it is required by you for the establishment, exercise or defence of legal claims.

5.5. Right to data portability

Under the right to data portability you are entitled to:

- a. receive your personal data in a structured, commonly used, machine-readable format;
- b. transmit that data to another controller (where technically feasible).

The right to data portability is applicable when:

- a. the processing of the data is carried out by automated means, and
- b. the data comes from you,
- c. the processing is necessary for the performance of a contract to which you are party or the implementation of pre-contractual measures taken at your request,

- d. or when the processing of personal data is carried out on the basis of your consent.

5.6. Right to lodge a complaint with a supervisory authority.

Whenever you believe that the Controller's processing of your personal data infringes the GDPR, you have the right to lodge a complaint with the supervisory authority. In Poland the President of the Personal Data Protection Office is the competent body. Complaints should be sent to the following address: ul. Stawki 2, 00-193 Warszawa. More information on the rights of persons and the manner of lodging a complaint with the President of the Personal Data Protection Office can be found at <https://uodo.gov.pl>

6. When are you entitled to withdraw your consent to the processing of your personal data?

- a. Whenever your personal data is processed by the Controller on the basis of your consent, you have the right to withdraw your consent at any time.
- b. The withdrawal of consent does not affect the lawfulness of the processing of your personal data based on consent before its withdrawal.

7. What are the reasons for the provision of your personal data and the consequences its non-provision?

In order to be considered in the recruitment process you are required to share your personal data with us, which are vital to conduct the recruitment process and conclude contract of employment with you. If you will not share your personal data with us, we will not be able to conduct the recruitment process and, in consequence, we will not conclude contract of employment with you.

8. Is your personal data processed by us based on automated decision-making?

Our decisions concerning you are not based on automated processing of your personal data, including profiling.

9. How can you contact us in matters related to the protection of your personal data or to the exercise of all your rights?

We have appointed an Information Security Officer whom you may contact in matters concerning the protection of your personal data and the exercise of your rights in connection with the processing of your personal data by us:

- a. in writing, to the following address:
VITA POLYMERS POLAND sp. z o.o. – PERSONAL DATA
ul. Henryka Sienkiewicza 31/33, 56-120 Brzeg Dolny
- b. by e-mail: gdpr@vitafoam.pl
- c. by phone: +48 713808936

The communication is provided free of charge. If your requests are manifestly unfounded or excessive, in particular because of their repetitive character, the Controller may:

- a. charge a reasonable fee, taking into account the administrative costs of providing information or communication or taking the action requested; or
- b. refuse to act on the request.

10. Amendments to this document

We recognise that transparency is a permanent obligation, which is why we regularly review and update this document.
This notice was last updated on 25 April 2019.

Vita

