

## Privacy Notice

### Data protection information in accordance with the EU General Data Protection Regulation (GDPR) for natural and legal persons

With the following information, we would like to give you an overview of the processing of your personal and company-related data by us and your rights under data protection law. Which data is processed in detail and how it is used depends largely on the commissioned or agreed services. The following data protection information applies in particular to customers, applicants, interested parties, cooperation partners and authorised representatives.

#### 1. Who is responsible for data processing and whom can you contact?

The responsible body in terms of data protection is:

##### **Hibernian Recruitment GmbH**

Pestalozzistrasse 21, 80469 Munich

Phone: +49 89 21538020

E-mail: [info@hibernian.de](mailto:info@hibernian.de)

You can reach our data protection officer Stephan Krischke at [datenschutz@hibernian.de](mailto:datenschutz@hibernian.de).

#### 2. What sources and data do we use?

We process personal data that we receive in the course of our business relationship. This enables us to offer our advisory and placement services to interested parties, applicants and freelancers and to process the following data:

- Personal data (title, name, contact details, e-mail, salary requirements, motivation to change, interest in changing, notice period, experience, skills, etc.)
- Contact and communication data (e-mail communication, telephone notes, minutes of briefings and telephone calls)
- Application documents, in particular curriculum vitae, qualifications and references, if provided.
- Links to the applicant's social network accounts (XING, LinkedIn, etc.)
- Assignments to any customer processes (ideas, customer feedback, etc.)

In addition, we process - insofar as necessary for the provision of our services - personal data which we obtain from publicly accessible sources (trade and association registers, press, Internet) and which are transmitted to us by other companies or other third parties.

Furthermore, we collect personal data of our customers when collecting master data, in the course of an assignment or a mediation. This can be personal data (surname, address, telephone, e-mail and other contact data). Furthermore, these can also be offers, data from the fulfilment of our contractual obligations, advertising and sales data and invoices.

### **3. What do we process the data for (purpose of processing) and on what legal basis?**

We process personal/company data in accordance with the provisions of the European General Data Protection Regulation (GDPR) and the Federal Data Protection Act (BDSG):

- a) For the fulfilment of contractual obligations (Art. 6 para. 1 lit. b GDPR): Data is processed for the provision of services in the context of the implementation of our services with our applicants and customers or for the implementation of pre-contractual measures that take place upon request (e.g. from interested parties). The purposes of the data processing primarily depend on the specific counselling and placement service and may include, among other things, the creation of anonymised applicant profiles, needs analyses, counselling as well as the performance of contractual obligations. Further details on the data processing purposes can also be found in the relevant terms and conditions.
- b) Based on your consent (Art. 6 para. 1 lit. a GDPR): Insofar as you have given us consent to process personal data for specific purposes, the lawfulness of this processing is based on your consent. Consent given can be revoked at any time.
- c) Within the framework of the balancing of interests (Art. 6 para. 1 lit. f GDPR): As far as necessary, we process your data beyond the actual fulfilment of the contract in order to protect legitimate interests of us or third parties. Examples: Contacting you about interesting job offers, insofar as you have not objected to the use of your data. This also includes the assertion of legal claims and defence in legal disputes, as well as ensuring the data security of our company for the prevention and investigation of criminal offences.
- d) Due to legal requirements (Art. 6 para. 1 lit. c GDPR): In addition, as a company we are subject to various legal obligations, i.e. legal requirements as well as commercial and tax law requirements. The purposes of the processing include, among others, identity and age verification and the fulfilment of tax law obligations.

### **4. Who gets the data?**

Within our company, those departments and employees who need your data to fulfil our contractual and legal obligations will receive access to it. Service providers and vicarious agents employed by us may also receive data for this purpose if they maintain the appropriate secrecy.

With regard to the transfer of data to recipients outside our company, it should first be noted that we as a company are committed to maintaining confidentiality about all customer-related facts and evaluations of which we become aware. We may only pass on information about you if this is required by law, if you have given your consent or if we are obliged to provide information by law.

### **5. Is data transferred to a third country or to an international organisation?**

Data is transferred to bodies in countries outside the European Economic Area (so-called third countries) insofar as

- it is necessary for the execution of the order
- it is required by law or

- you have given us your consent.

Furthermore, we do not transfer any personal data to bodies in third countries or international organisations.

## **6. How long will the data be stored?**

We process and store your personal data as long as it is necessary for the fulfilment of our contractual and legal obligations. It should be noted that our business relationship may also store your data for a longer period of time if you have given us your consent to do so.

If the data are no longer required for the fulfilment of contractual or legal obligations, they are regularly deleted, unless their - temporary - further processing is necessary for the following purposes:

- Fulfilment of retention obligations under commercial and tax law: the German Commercial Code (HGB), the German Fiscal Code (AO), the German Money Laundering Act (GwG) should be mentioned. The periods specified there for storage and documentation are two to ten years.
- Preservation of evidence within the framework of the statutory limitation provisions. According to §§ 195 et seq. of the German Civil Code (BGB), these limitation periods can be up to 30 years, with the regular limitation period being 3 years.

## **7. What data protection rights do you have?**

Each data subject shall

- a) the right to information according to Art. 15 GDPR,
- b) the right to rectification in accordance with Art. 16 GDPR,
- c) the right to erasure in accordance with Art. 17 GDPR,
- d) the right to restrict processing in accordance with Art. 18 GDPR,
- e) the right to object under Article 21 of the GDPR and
- f) the right to data portability from Art. 20 GDPR.

The restrictions according to §§ 34 and 35 BDSG apply to the right of information and the right of deletion. Furthermore, you have the right to lodge a complaint with a competent data protection supervisory authority (Art. 77 GDPR in conjunction with § 19 BDSG). You may revoke your consent to the processing of personal data at any time.

## **8. Is there an obligation for me to provide data?**

Within the scope of our business relationship or its initiation, you must provide those personal data that are necessary for the commencement and performance of an advisory or mediation service and the fulfilment of the associated contractual obligations. Without this data, we will generally not be able to perform our services.

## **9. To what extent is there automated decision-making?**

As a matter of principle, we do not use automated decision-making pursuant to Art. 22 GDPR for the establishment and implementation of the business relationship.

## **10. Does profiling take place?**

We partly process your data with the aim of evaluating certain personal aspects and to be able to inform and advise you about job offers in a targeted manner. For this purpose, we use evaluation tools within our IT systems.

