

Data protection information for applicant

Information relating to data protection regarding our processing of applicant data according to Article (Art.) 13, 14 and 21 of the General Data Protection Regulation (EU-DSGVO)

1. Responsible position, body for data processing and contact data

Responsible body in the sense of data protection law
Siewert & Kau Service GmbH
Personalabteilung
Walter-Gropius-Str. 12a
50126 Bergheim
02271-763-0
datenschutz-intern@siewert-kau.de

Contact Data for our Data Protection Officer:
HEC Harald Eiu Consulting GmbH
Datenschutzbeauftragter
Auf der Höhe 34
50321 Brühl
datenschutz-siewert-kau@he-c.de

2. Purpose and on which legal basis we process your personal data

We process personal data in accordance with the provisions of the General Data Protection Regulation (EU-DSGVO), the Federal Data Protection Act (BDSG) and other applicable data protection regulations. Details in the following. Additional details or supplements to the purposes of data processing can be found in the respective contractual documentation, forms, a declaration of consent and other information which will be provided to you.

2.1 Purposes for fulfilling a contract or contractual measures (Article 6(1) b GDPR)

Your personal data will be processed for the purpose of processing your application in response to a specific job advertisement, job vacancy or as an initial, speculative application, and in this context in particular for the following purposes: Reviewing and evaluating your suitability for the vacant position, assess the performance and conduct evaluation to the extent permitted by law, if applicable for registration and authentication for the application via our website, if applicable. for the preparation of the contract of employment, verifiability of transactions, orders and other agreements as well as for quality control through appropriate documentation, measures for the fulfilment of general due diligence obligations, statistical evaluations for corporate management, travel management and event management, travel booking and travel expense accounting, authorisation and personal identification management, cost recording and controlling, reporting, internal and external communication, accounting and fiscal evaluation of company services (e.g. canteen meals), billing and invoicing via company credit card, occupational health and safety, contract-related communication (including making appointments) with you, assertion of legal claims and defence in legal disputes; ensuring IT security (including system and plausibility tests) and general security, e.g. Building and facility security, safeguarding and exercising domiciliary rights through appropriate measures as well as, if necessary, through video surveillance for the protection of third parties and our employees as well as for the prevention and safeguarding of evidence in the event of criminal offences; guaranteeing the integrity, prevention and clarification of criminal offences; authenticity and availability of data, control by supervisory bodies or control authorities (e.g. audit).

2.2 Purpose within the scope of a justified interest from us or third parties (Article 6(1) f GDPR)

Over and beyond the actual fulfilment of the (preliminary) contract, we can process your data when it is considered to be a requirement in order to protect the legitimate interests of us or third parties. Processing your data will only take place if and insofar as there are no overriding interests on your part that speak against corresponding processing, such as in particular for the following purposes: Measures for the additional, ongoing development of existing systems, processes and services; comparison with European and international anti-terrorism lists, insofar as this exceeds the legal obligations; enrichment of our data, including by utilising or researching publicly available data, insofar as this is required; benchmarking; development of scoring systems or automated decision-making processes; building security and facility security (e.g. through access control and video surveillance), insofar as this goes beyond the general duties of care; internal and external investigations, security inspections;

2.3 Purpose within the scope of your consent (Article 6(1) a GDPR)

Your personal data can also be processed for certain purposes (e.g., obtaining references from previous employers or using your data for subsequent vacancies) when processing is based on your consent. You can generally revoke this consent at any time. You will be informed separately about the purposes and consequences of revoking or refusing consent in the relevant text which is contained in the consent form. Revoking the consent will only be generally effective for the future. Processing which took place before the revocation will not be affected by this and remains lawful.

2.4 Purpose for the fulfilment of legal regulations or provisions (Article 6(1) c GDPR) or in the public interest (Article 6(1) e GDPR)

We are subjected to a variety of legal obligations like every other company or person involved in business and commercial operations. These obligations are primarily legal requirements (e.g., Works Constitution Act, Social Code, Commercial Law and Tax Law), although also regulatory or other official requirements, regulations or provisions (e.g. Employers' Liability Insurance Association). The purposes of processing can also include identity verification and age verification, fraud and money laundering prevention (e.g. comparison with European and international anti-terrorist lists), company health management, ensuring occupational safety, fulfilling tax control obligations and reporting obligations as well as archiving data for data protection and data security purposes, as well as for the purposes of audits by tax advisers/auditors, tax authorities and other local authorities. Moreover, the disclosure of personal data can be necessary in the context of local authority, official measures/court measures for the purpose of collecting evidence, criminal prosecution or when it entails the enforcement of civil claims.

3. The categories of data processed which are implemented by us, insofar as we do not receive data directly from you, and their origin

Insofar as this is required for the contractual relationship with you and the job application which you have submitted, we can process data which has been permissibly received from other agencies or other third parties. In addition, we process personal data which we have permissibly obtained, received or acquired from publicly accessible sources (such as e.g. Trade directories, trade registers trade and association registers, civil registers, the press, the Internet and other media), insofar as this is necessary and we are permitted to process this data in accordance with the statutory provisions which are currently in force.

Relevant personal data categories can include in particular, if applicable:

- Address data and contact data, registration data and other comparable data such as e.g., email address and telephone number)
- Information about you in Internet or in social networks

4. Recipients or categories of recipients for your data

Within our company, those internal offices or organisational units which will receive your data in order for them to fulfil our contractual and legal obligations (such as executive managers and specialist managers who are looking for a new member of staff or are involved in the decision for filling a position, accounting, company doctor, occupational health and safety, employee or staff representatives, etc., if applicable) or within the scope of processing and implementing our legitimate interests. Transferring your data to external bodies will be executed **exclusively**

- for purposes where we are obliged to do so (e.g., tax authorities) or entitled to disclose, report or pass on data in order to comply with legal requirements, regulations or provisions or where the disclosure of data is in the public interest (compare with Clause 2.4);
- insofar as external service companies intend to process data on our behalf as order processors or function transferees (e.g., credit institutions, external data processing centres, travel agency/travel management, printers or companies for data disposal, courier services, postal services, logistics);
- On the basis of our legitimate interest or the legitimate interest of the third party for the purposes mentioned in Clause 2.2 (e.g., to local authorities, information agencies, lawyers, courts, expert assessors, companies belonging to the group and committees and supervisory bodies);
- When you have submitted your consent for transferring data to third parties.

We will not pass on your data to third parties when this exceeds the aforementioned points unless we inform you of this separately in advance. Insofar as we have to commission service providers within the scope of contract processing, then your data will be subjected there to the security standards which have been specified by us in order to protect your data appropriately. In all other cases, the recipients may only use the data for the purposes for which it was transmitted to them.

5. Duration for storing your data

In principle, we will only process and store your data for the duration of your application. This will also include the initiation of a contract (pre-contractual legal relationship).

Moreover, we are subjected to various storage obligations and documentation obligations, which result, among other things, from the German Commercial Code (HGB) and the German Fiscal Code (AO). The deadlines and periods which are specified therein for retaining and/or for documentation can be up to ten years beyond the end of the contractual relationship or the pre-contract legal relationship. If you are not employed by our company, then your application documents will be returned to you in the original after six months at the latest. Electronic data will be deleted accordingly after six months. Should we wish to store your data for longer than the specified period for subsequent vacancies or if you have placed your data in an applicant pool, then the data will be deleted at later dates; you will be subsequently notified regarding the details in connection with the respective process.

If the data is no longer required for the fulfilment of contractual obligations or legal obligations and rights, then the data will be deleted on a regular basis, unless its - temporary - further processing is required for the fulfilment of the purposes listed in Clause 2.2 due to an overriding legitimate interest of our company. Such an overriding

legitimate interest will be deemed to exist, for example, when deletion is not possible or only possible with a disproportionate effort due to the special nature of the storage. In these cases, we can also store your data after the end of our contractual relationship for a period which has been agreed with the purposes and, if necessary, use it to a limited extent. In principle, a restriction of processing will take the place of deletion in these cases. In other words, the data will be blocked against otherwise normal use by appropriate measures.

6. Processing of your data in a third country or by an international organisation

Data will be transferred to bodies, positions or organisations in countries located outside the European Economic Area EU/EEA (so-called third countries) when it is considered to be necessary in order to fulfil a contractual obligation towards you (e.g., application for a job abroad), or if it is in the legitimate interest of us or a third party, or if you have given us your consent.

Processing of your data in a third country can also therefore be executed in connection with the involvement of service providers as part of commissioned processing. Insofar as there is no EU Commission decision on an adequate level of data protection for the country in question in force, then we will always ensure that your rights and freedoms are adequately protected and guaranteed in accordance with EU data protection requirements or provisions by means of appropriate contracts. Information relating to the appropriate or adequate guarantees and how and where to obtain a copy of them can be obtained on request from the company data protection officer or the human resources department which is responsible for you.

7. Your data protection rights

You can exercise your data protection rights against us under certain prerequisites

Every data subject retains the right to information under Article 15 GDPR, the right to rectification under Article 16 GDPR, the right to erasure under Article 17 GDPR, the right to restriction of processing under Article 18 GDPR and the right to data transferability under Article 20 GDPR. Restrictions according to Articles 34 and 35 BDSG (Federal Data Protection Act) apply with regard to the right to information and the right to erasure. Furthermore, a right of appeal to a data protection supervisory authority (Article 77 DS-GVO in conjunction with Article 19 BDSG) also exists.

Your requests regarding exercising your rights should, whenever possible, be addressed in writing to the address provided above or directly to our data protection officer.

8. Scope of your obligations to provide us with data

You only need to provide us with the data which is required in order to process your application or for a pre-contractual relationship with us, or which we are legally obliged to collect. Without this data, we will generally not be able to continue the application process and selection process. If we request any additional data from you, then you will be informed separately about the voluntary nature of the information.

9. Existence of automated decision-making in individual cases (including profiling)

We do not implement any purely automated decision-making procedures pursuant to Article 22 GDPR. Insofar as we should utilise such a procedure in individual cases in the future, then we will inform you of this separately if this is required by law.

Information about your right to object Article 21 GDPR

1. You retain the right to object at any time to the processing of your data which has been executed on the basis of Art. 6(1) f GDPR (data processing on the basis of a balance of interests) or Art. 6(1) e GDPOR (data processing in the public interest). However, the prerequisite for your objection is that there are reasons arising from your particular personal situation. This also applies to profiling based on this provision within the meaning of Art. 4 No. 4 GDPR.

When you submit an objection, then we will no longer process your personal data concerned unless we can demonstrate compelling legitimate grounds for the processing which will override your interests, rights and freedoms, or the processing serves the purpose of asserting, exercising or defending legal claims.

You can of course withdraw your application at any time.

2. We do not currently plan to use your personal data for direct marketing purposes. Nevertheless, we must inform you that you retain the right to object to advertising at any time; this also applies to profiling, insofar as it is connected with such direct advertising. We will observe this objection for the future.

The objection can be executed without formalities and should preferably be addressed to

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Our data protection information on our data processing pursuant to Articles (Art.) 13, 14 and 21 GDPR can amend from time to time. All amendments will be published on this page. We will make older versions available to you for viewing in an archive.