

INFORMATION CLAUSE FOR JOB CANDIDATES

This information clause, which was prepared by KRK Kieszowska Rutkowska Kolasiński Kancelaria Prawna sp.j., with its registered office in Warsaw, at ul. Emilii Plater 25 suite 8, 00-688 Warsaw (“**Controller**” or “**KRK**”), is addressed to KRK’s job candidates or associate candidates, who are submitting their applications through our recruitment systems (“**Candidates**”, “**You**”).

The submission of an application (especially by sending a CV, cover letter and references) results in your participation in the recruitment process to a given position, which gives KRK legal grounds for processing your personal data for purposes related to a specific recruitment process and, if you give separate consent, also for future recruitment processes conducted by KRK.

1. Personal data controller

The controller of your personal data is KRK Kieszowska Rutkowska Kolasiński Kancelaria Prawna sp.j., with its registered office in Warsaw, at ul. Emilii Plater 25 suite 8, 00-688 Warsaw, which is entered into the register of entrepreneurs of the National Court Register kept by the District Court for the Capital City of Warsaw, XIII Commercial Division of the National Court Register under the registration number: 0000499898, TIN 7010414793, REGON No. 147128364.

2. The Controller’s contact details

You can contact the Controller on all matters regarding personal data protection, in order to exercise your rights, by sending an e-mail to: daneosobowe@krklegal.pl.

Please contact us at cv@krklegal.pl in other recruitment matters.

3. Objectives of and grounds for processing personal data

The Controller will process your personal data to the extent necessary for handling the recruitment process, i.e. for assessing your qualifications, as well as your skills and abilities, which are required for working in the position for which you are applying, as well as for selecting an appropriate person to work in that position.

The Controller will process your personal data on the basis of one of the following grounds, depending on whether the work in the position for which you are applying is based on an employment contract or a civil law contract (in particular a cooperation agreement).

3.1. Employment contract

The Controller processes the personal data specified in Article 22¹ § 1 of the Labour Code and other data which you provide in the application.

The Controller expects you to provide only the personal data specified in Article 22¹ § 1 of the Labour Code. Its provision is a condition for taking part in the recruitment process. If you

provide other personal data which is not required by the Controller, it is assumed that you agree to its processing by the Controller.

Your personal data is processed by the Controller on the basis of:

- a) Article 6 (1) (b) GDPR – processing is necessary to take action at your request before entering into a contract;
- b) Article 6 (1) (c) GDPR – with regard to the following categories of personal data: forename(s), surname, academic qualifications, professional qualifications, employment history – processing is necessary for the fulfilment of a legal obligation to which the Controller is subject under the provisions of labour law (in particular Article 22¹ § 1 of the Labour Code);
- c) Article 6 (1) (a) GDPR – with regard to other personal data not included in point b) above, which you provide voluntarily in the application documents (in particular in the CV, the cover letter and the references), as well as in the case where you give your consent to the processing of personal data for the purposes of future recruitment processes conducted by the Controller – you give your consent to the processing of your personal data;
- d) Article 6 (1) (f) GDPR – processing is necessary for purposes arising from the Controller’s legitimate interests, which are:
 - i. the ability to contact you, even after the end of the recruitment process, in a situation where the person who originally qualified for employment does not take up employment or the employment relationship concluded with him/her is terminated within 12 months of the end of the recruitment;
 - ii. the establishment or assertion of the Controller’s claims or the defence against possible third party claims.

3.2. Civil law contract

If the recruitment is heading towards the conclusion of a cooperation agreement, a service agreement, a personal service contract or another civil law contract, the Controller processes the personal data on the basis of:

- a) Article 6 (1) (b) GDPR – with regard to the forename(s), surname, telephone number, e-mail address, academic qualifications and employment history – processing is necessary to take action at your request before entering into the contract;
- b) Article 6 (1) (a) GDPR – with regard to personal data other than that included in point a), which is you provide voluntarily in the application documents (in particular in the CV, the cover letter and the references), as well as in the case where you give consent to the processing of your personal data for the purposes of future recruitment

processes conducted by the Controller – you give your consent to the processing of your personal data;

- c) Article 6 (1) (f) GDPR – processing is necessary for purposes arising from the Controller’s legitimate interests, which are:
 - i. the ability to contact you, even after the end of the recruitment process, in a situation where the person who originally qualified for employment does not take up employment or the employment relationship concluded with him/her is terminated within 12 months of the end of the recruitment;
 - ii. the establishment or assertion of the Controller’s claims or the defence against possible third party claims.

4. Categories of recipients of personal data

- 4.1. Your personal data may be provided to the following entities: the Controller’s employees and associates, IT service providers and entities providing advisory, legal or accounting services to the Controller.
- 4.2. Your personal data may also be provided in specific situations to entities and bodies authorised by law to process this data, including the relevant state authorities – if this arises from a legal obligation imposed on the Controller.
- 4.3. The Controller does not intend to transfer your personal data to countries outside the European Economic Area (“**EEA**”) or to international organisations. However, in certain situations related to personal data processing, data may be transferred outside the EEA. If personal data is transferred outside the EU or EEA, it will be transferred either to countries that the European Commission has found guarantee an adequate level of data protection or with adequate safeguards as provided for in Article 46 GDPR, such as standard contractual clauses adopted by the Commission, binding corporate rules or an approved code of conduct. In such cases, you may request a copy of these respective safeguards, in particular the standard contractual clauses adopted by the Commission (if applicable), or the specification of where your data has been sent, by writing to: daneosobowe@krklegal.pl.

5. Period of personal data storage

5.1. Active recruitment process

Your personal data will be processed:

- a) for 12 months from the date of acceptance of your application in the particular recruitment process, or
- b) until such a time as an objection you raise against the processing of your personal data is accepted (if the processing is based on the Controller's legitimate interest), or
- c) until you withdraw your consent (if the personal data is processed on the basis of your consent)

whichever of these events takes place first.

5.2. Future recruitments

If you give your consent to the processing of your personal data for the purposes of future recruitments conducted by the Controller, your personal data will be processed:

- a) for 36 months from the date on which you give your consent to the processing of your personal data for future recruitment processes;
- b) until you withdraw your consent

whichever is the earlier.

6. Your rights related to personal data processing

You have the following rights with respect to the processing of your personal data by the Controller:

- a) the right to access to your personal data and to demand its correction, deletion or restriction of its processing;
- b) the right of data portability, i.e. to receive the personal data, which you have provided to the Controller, in a structured, commonly used and machine-readable format. You may request the Controller to send this data to another personal data controller;
- c) to the extent to which the processing of your personal data is based on your consent, you have the right to withdraw that consent. The withdrawal of consent shall be without prejudice to the lawfulness of the processing that was conducted on the basis of the consent before its withdrawal;
- d) to the extent to which the processing of your personal data is based on a legitimate interest, you are entitled to object to the processing of your personal data;
- e) if you consider that the processing of the data by the Controller is inconsistent with the regulations on personal data protection – the right to file a complaint with the supervisory authority, which, in Poland, is the President of the Personal Data Protection Office.

7. The need to provide personal data

- 7.1. If you are applying for a position where you are to work under an employment contract, the provision of the personal data to the extent specified in the provisions of labour law (in particular Article 22¹ § 1 of the Labour Code) is a condition for taking part in the given recruitment process. The failure to provide such personal data will prevent you from participating in the recruitment process.
- 7.2. To the remaining extent, the provision of the personal data is voluntary. However, the Controller encourages the provision of contact details, such as an e-mail address or telephone number, as this will enable you to be contacted.
- 7.3. If you are applying for a position where you are to work under a civil law contract, the provision of personal data is voluntary, but necessary for conducting the recruitment process. The failure to provide certain personal data (forename(s), surname, telephone number, e-mail address, qualifications and employment history) may result in the Controller not being able to consider your application.

8. Automated decision-making

The Controller does not make decisions on Candidates in an automated manner, including as a result of profiling.

9. References

- 9.1. If you provide information to the Controller about other natural persons, such as contact details of people who can provide references, you must declare that these people have been informed of this and that they agree to the provision of their details for the purpose of providing references.
- 9.2. If you are the designated contact person for providing references for a job Candidate, your personal data (contact details) will be processed for the purpose of obtaining information on the Candidate's qualifications under Article 6 (1) (f), i.e. the legitimate interest of the controller, on the terms specified in this document (with the exception of the provisions of clause 3). The Controller may also process information related on your credentials – such as the place of your employment, information about your professional relationship with or knowledge of the candidate and your opinions about the Candidate. The Controller may obtain this information directly from you, from the Candidate or from publicly available sources. If we obtain data directly from you, the provision of such data is voluntary.

10. Changes to this information clause

- 10.1. This information clause may be amended, in particular in the event of amendments to the respective provisions of the law or to the way in which KRK handles recruitment, including changes to the recipients of your personal data.

10.2. Candidates whose personal data is processed in accordance with this information clause will be informed of the changes to it.

Version no.	Date	Description of changes
1.0	21/05/2021	Start of application