

PRIVACY POLICY

REGARDING CANDIDATES' PERSONAL DATA

1. Personal Data Controller

1.1 The controller of your personal data will be MOTIFE Sp. z o.o. based in Krakow (hereinafter "we" or "us"). You can contact us in the following manner:

- (a) by post at the address: al. 3 Maja 9, 30-062 Kraków, Poland,
- (b) by e-mail: gdpr@motife.com,
- (c) by phone: +48 12 311 03 93.

2. Purposes of Processing

2.1 Your personal data will be processed in order to:

- (a) carry out the current recruitment, including to evaluate your qualifications, skills and abilities needed for work on the position you are applying for and to choose the right person to work for us or for our client;

2.2 If the recruitment relates to a position in MOTIFE, your personal data is also processed for the purpose of:

- (a) preparing the documentation necessary for concluding an employment contract with you if you are chosen to work for us;
- (b) archiving your data for ensuring accountability (proving the fulfilment of obligations arising out of the provisions of law) and defence of potential claims.

2.3 If the recruitment process concerns a position in our client's company, your personal data may be transferred to the Client if you are qualified to a subsequent stage of recruitment.

2.4 Your data will also be processed for the purposes of future recruitment processes if you have given a separate consent.

2.5 If the recruitment process is initiated by us, we commence processing your personal data when we find the appropriate candidates, for example on LinkedIn. At the time, you are not aware yet that your data is processed but we do so to check if you could be interested in a particular job offer and to contact you. Thus, processing is necessary for purposes arising out of legitimate interests pursued by the controller of personal data, i.e. by us (Article 6(1f) 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, hereinafter "GDPR"). We hope that you do not find that our actions infringe upon your rights and freedoms. We take every effort to make the first stage of our work as short as possible.

- 2.6 By contacting us (using a contact form or any of our contact details), you provide your personal data to us, including data contained in the correspondence, in particular e-mail address, telephone number, first and last name. This data is given voluntarily but it is necessary to contact us. The legal basis of such processing of your personal data that is provided when you contact us is Article 6(1f) of GDPR (processing is necessary for purposes arising out of legitimate interests of the controller or a third party). This legitimate interest is the intention to establish contact with persons interested in our services.
- 2.7 The content of our correspondence with you may be archived and we are unable to define when it will be removed. You have a right to request that the history of correspondence with us be presented (if archived) and to request that it be deleted unless its archiving is justified by our overriding interests. The legal basis of the processing of your personal data after the termination of contact with us will also be our legitimate interest taking the form of archiving correspondence for the purposes of ensuring the possibility of proving certain facts in the future. Therefore, your personal data may be processed for the purpose of exercise and defence of legal claims pursuant to Article 6(1f) of GDPR (processing is necessary for purposes arising out of legitimate interests of the controller or a third party).
- 2.8 In accordance with applicable provisions, the information provided by you can be used for direct marketing using means of electronic communication (sending of advertising addressed to a specific user via social media platforms or third party websites). Therefore, you may receive advertising (including marketing materials or suggestions and recommendations regarding our services and products) via such communication channels as Facebook, LinkedIn, Google Ads and e-mail. In this case, your data will be processed pursuant to Article 6(1f) of GDPR (processing is necessary for purposes arising out of legitimate interests of the controller or a third party). The legitimate interest is direct marketing and advertising of MOTIFE's own services (in accordance with recital 47 of GDPR: personal data processing for the purposes of direct marketing can be interpreted as acting in pursuance of legitimate interests).
- 2.9 Details concerning the sending of personalised advertising can be found on the relevant internal pages of social media.

3. Legal Basis of Processing

- 3.1 If the recruitment process concerns a position with MOTIFE, the legal basis of your personal data processing is:
 - (a) The provision of law (Article 221 § 1 of the Polish Labour Code); processing is necessary for the conclusion of the employment contract – the following scope of data: given

name(s) and last name; date of birth; contact details; education; professional qualifications; employment history.

- (b) The processing of this data is necessary for the conclusion of an employment contract.
- (c) Your consent to the processing of the personal data given in your CV and cover letter: if you provide your data other than given name(s) and last name; date of birth; contact details; education; professional qualifications; employment history. Additional data includes, in particular, your physical likeness (photograph in your CV), public data posted on social media of business or professional profile (LinkedIn, GitHub, Facebook groups, etc.), financial expectations as to remuneration from a new employer, command of foreign languages, termination notice term with your current employer.
- (d) Our legitimate interest – in the scope of data collected during a job interview. Our legitimate interest lies in testing your skills and abilities - this is needed for evaluating if you are the right person for the position for which we are recruiting.
- (e) Your consent to data processing for the purposes of future recruitment processes.

3.2 If the recruitment process concerns a position with our Client's company, the legal basis of your personal data processing is:

- (a) the legitimate interest of MOTIFE and of our Client - potential employer involving a preliminary job interview conducted by MOTIFE, and subsequent sending of your personal data to our Client if you are listed for the next stage of recruitment.
- (b) Your consent to data processing for the purposes of future recruitment processes.

4. Data Collected from Third Party Sources

4.1 As part of recruitment, your data is collected from publicly available profiles on social media of business or professional profile, e.g. LinkedIn. This is information regarding your employment history, positions, education, publications, and command of foreign languages posted by you on these social media.

4.2 We can also receive your application from a third party who has submitted your candidature to a position as part of a referral programme. In such case, your data is processed for the purposes of the recruitment process pursuant to Article 6(1a) of GDPR (a data subject has given their consent to personal data processing for one or more specified purposes). More details of our referral programme can be found in the rules available at [\[link\]](#)

5. Term of Personal Data Storage

5.1 Your personal data will be stored until the completion of recruitment to the position you are applying for.

- 5.2 If you have given a separate consent to data processing for the purposes of future recruitment, your data will be stored until the withdrawal of your consent or for 2 years of the date of collection (whichever falls earlier).

6. Transfer of Data Outside the European Economic Area

- 6.1 Your personal data may be transferred to third countries, including the United States of America and Canada (i.e. countries which do not belong to the European Economic Area) based on standard data protection clauses adopted or approved by the European Commission. Everything depends on the client we are recruiting for. We are unable to name the entity in advance in our Privacy Policy. However, we can guarantee that you will be asked for consent each time we intend to disclose your personal data to any employer.
- 6.2 External service providers who participate in the processing of your personal data also include:
- (a) hosting providers which keep data on a server,
 - (b) provider of the mailing system in which your data is stored.
- 6.3 We provide appropriate security measures for data transfer. You have a right to obtain information on the transferred personal data. Contact us if you would like to receive this information.

7. Your Rights in Relation to Personal Data Processing

- 7.1 You have the following rights in relation to personal data processing:
- (a) the right to withdraw your consent to data processing,
 - (b) the right to access your personal data,
 - (c) the right to request that your personal data be rectified,
 - (d) the right to request that your personal data be deleted,
 - (e) the right to request that the processing of your personal data be restricted,
 - (f) the right to object to the processing of your personal data due to your specific situation - in cases your data is processed based on our legitimate interest,
 - (g) the right to transfer your personal data, i.e. the right to receive your personal data from us in a structured, commonly used machine-readable format. You can send the data to another data controller or you can request that we send your data to another controller. However, we will only do so if this is technically feasible. The right to transfer personal data relates only to the data processed based on your consent.
- 7.2 In order to exercise these rights, please contact us (contact details are given in item 1 above).

- 7.3 **The right to withdraw the consent.** In the scope in which your data is processed based on the consent (i.e. data is provided in your CV and cover letter other than your given name(s) and last name, date of birth, contact details, education, professional qualifications, employment history – you have a right to withdraw your consent to data processing at any time. The withdrawal of your consent does not affect the lawfulness of processing done based on your consent prior to its withdrawal. The consent may be withdrawn by sending a declaration to gdpr@motife.com or by post to the address: ul. Krupnicza 3, 31-123 Kraków or via telephone at +48 12 311 03 93.
- 7.4 **The right to object.** In the scope in which your data is processed based on our legitimate interest - you have a right to object to data processing due to your specific situation.
- 7.5 **The right to complain to a supervisory authority.** You also have a right to complain to a supervisory authority responsible for personal data protection, i.e. the President of the Personal Data Protection Office.

Kraków, 13 December 2022