

## PRIVACY NOTICE FOR PROSPECTIVE EMPLOYEES

The purpose of this privacy notice ("**Notice**") is to provide information on how Evocon OÜ ("**we**" or "**us**") processes your personal data in the recruitment process with regard to your role as a job applicant, prospective candidate for employment, contract for services or authorisation agreement ("**you**") and your rights under data protection legislation, in particular under the European Union's General Data Protection Regulation ("**GDPR**").

### 1 GENERAL

- 1.1 If you disclose us personal data of third parties (e.g. contact details of the referee), you undertake to provide them with the relevant notices and if necessary, this Notice, and to ensure that you have an appropriate legal basis for disclosing such personal data to us.
- 1.2 You have the right to withdraw from the recruitment process at any stage of the recruitment. In case you withdraw, this Notice will be applicable to the extent that it is appropriate, for example regarding personal data retention periods.

### 2 CONTROLLER

- 2.1 The personal data controller responsible for designating the purposes and means of data processing as described in this Notice is:

**Evocon OÜ**

Registry code: 12977378

Address: Kompanii tn 2, Tartu 51007, Estonia

E-mail: [info@evocon.com](mailto:info@evocon.com)

- 2.2 In case of personal data protection related inquiries, please contact us by writing to: [privacy@evocon.com](mailto:privacy@evocon.com).

### 3 CATEGORIES AND SOURCES OF PERSONAL DATA

- 3.1 Personal data is information that can be used to directly or indirectly uniquely identify you as a private individual ("**Personal Data**"). The categories of Personal Data that we may process within the recruitment process include in particular:

- 3.1.1 **Basic data:** given name and surname, personal address, e-mail address, mobile phone number, data regarding background and criminal record checks ("**Basic Data**").

Source: Personal Data that you disclose to us during the recruitment process.

- 3.1.2 **Application data:** data submitted during the recruitment process regarding experience, education, qualifications, language and other skills (including data in the CV, cover letter, certificates and training), job preferences, type of employment sought and willingness to relocate, salary preferences, introductory video, personality test results, names and contact details of referees, information disclosed during interview, candidate status, notes about the candidate created by us, communication between us during the recruitment process. Additionally, we may supplement the Personal Data that you have disclosed to us directly with information that has been obtained from publicly available resources and registrars ("**Application Data**").

Source: Personal Data that you disclose to us during the recruitment process or that we create during the recruitment process.

**3.1.3 Data regarding the use of surveillance equipment:** data collected as a result of the use of video surveillance equipment („**Security Data**“).

Source: Personal Data collected via surveillance equipment.

- 3.2** The processing of the above-mentioned Personal Data categories is necessary for organising the recruitment process, therefore if you do not provide the respective data, we may not be able to consider your application fully or partially for the desired position.

**4 LEGAL BASES AND PURPOSES FOR PROCESSING PERSONAL DATA**

- 4.1** We process your Personal Data in compliance with the provisions of the GDPR and other applicable legal acts regulating Personal Data processing in the recruitment process. In order to process your Personal Data, we must have a legal basis which depends on the specific processing operation and its purpose. The following depicts a descriptive list of processing purposes that are linked to the specific data categories and legal basis for processing:

| Processing purpose                                                                                                                                                                          | Legal basis                                                                                                                                                                                                                                                                           | Categories of Personal Data            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| Organising the recruitment process (including identifying, contacting and interviewing prospective employees, informing prospective employees about the outcome of the recruitment process) | Our legitimate interest in recruiting new employees to ensure the sustainability and growth of our business activities; taking and implementing pre-contractual measures of the contract, including assessing if the prospective employee is a right fit for the position in question | Basic Data, Application Data           |
| Reaching the recruitment decision (including assessing qualification and suitability, analysing personality test results, verifying the data submitted through referees)                    |                                                                                                                                                                                                                                                                                       | Application Data                       |
| Handling pre-contractual negotiations and communications, concluding of the contract                                                                                                        | Taking and implementing pre-contractual measures of the contract                                                                                                                                                                                                                      | Basic Data, Application Data           |
| Carrying out background and criminal records checks                                                                                                                                         | Our legitimate interest in eliminating potential risks related to providing access to our business activities to persons with existing criminal record in order to exclude any potential fraud                                                                                        | Basic Data                             |
| Conducting personality tests                                                                                                                                                                | Our legitimate interest in assessing human motives and strengths to evaluate whether the prospective employee is a right fit for the position in question                                                                                                                             | Application Data                       |
| Backing up data, storing information containing Personal Data in our backup systems                                                                                                         | Our legitimate interest in ensuring the continuity and security of data processing operations                                                                                                                                                                                         | All data categories named in Section 3 |

|                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                     |                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| Disclosing data to our service providers and professional advisors                                                                                                                                                         | Our legitimate interests in ensuring our proper economic activity and protection of rights                                                                                                                                                                          |                              |
| Disclosing data to legal successors and/or potential acquirers of the company; arranging the sale or merger of our company and providing information for conducting the legal or other audit and the data exchange thereof | Our legitimate interest in facilitating proper due diligence process and business continuity by ensuring a successful merger, acquisition or restructuring of the company                                                                                           |                              |
| Analysing Security Data; if necessary establishing, exercising, or defending legal claims, whether in court proceedings or in an administrative or out-of-court procedure in relation to our or employees' rights          | Our legitimate interest in ensuring the safety of you, our employees, clients, property and premises, including protecting our intellectual property and business secrets; if necessary, facilitating effective establishment, exercise, or defence of legal claims |                              |
| Retaining data for the purposes of communicating new opportunities for applying to a position and proposing job offers in the future                                                                                       | Consent given upon taking part of the recruitment process                                                                                                                                                                                                           | Basic Data, Application Data |
| Disclosing your Personal Data to Syspro group companies for group-level recruitment administration, recruitment statistics, consideration for roles at other group companies, and IT and information security purposes     | Our and the Syspro group's legitimate interest in effective and consistent recruitment administration across the group                                                                                                                                              | Basic Data, Application Data |

- 4.2** We may process your Personal Data for other purposes than those provided above. In such a case, we will notify you of the new processing purposes and provide other relevant information before commencing the processing.

## **5 PROFILING**

- 5.1** In the course of the recruitment process we may conduct personality tests on the basis of our legitimate interest in assessing your motives and strengths, in order to evaluate your suitability for the position in question. The results of such tests may affect the outcome of the recruitment process.
- 5.2** Personality test results are considered alongside other factors, including your application materials, interviews, and references. Decisions are not made solely by automated means.
- 5.3** You have the right to obtain human intervention, to express your point of view, and to contest any decision that significantly affects you. You may exercise these rights by writing to [privacy@evocon.com](mailto:privacy@evocon.com).

- 5.4** Where assessment tools are provided or administered by Syspro group companies, the safeguards described in this Notice apply equally.

## **6** RECIPIENTS OF PERSONAL DATA AND DATA TRANSFERS

- 6.1** We disclose your Personal Data to third parties only in accordance with this Notice and who have undertaken to observe confidentiality or are subject to statutory confidentiality. Your Personal Data will be disclosed to our employees who due to their tasks must process your Personal Data.
- 6.2** Evocon is part of the Syspro group of companies. We may disclose your Personal Data to other Syspro group companies for the purposes set out below. Depending on the purpose, a group company acts either as a processor on our documented instructions, or as a separate controller determining its own purposes.

The Syspro group companies that may receive your Personal Data are established in Estonia, Ireland, the United Kingdom, South Africa, Canada, and the United States. Further group companies may join this arrangement in future; an up-to-date list is available on request from [privacy@evocon.com](mailto:privacy@evocon.com).

| Role                                                | Purpose of disclosure                                                                                                                                                                                                                                      |
|-----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Group company as processor (on our instructions)    | Provision of shared IT systems, recruitment and applicant tracking tools, identity and access management, and administrative services used in the recruitment process.                                                                                     |
| Group company as separate controller (own purposes) | Group-level recruitment administration and coordination; recruitment statistics and workforce planning; consideration of your application for roles at other group companies; information security and IT management; and legal and regulatory compliance. |

Disclosures to group companies are governed by an intragroup data transfer agreement which incorporates the European Commission's Standard Contractual Clauses. Not all purposes listed above are active at any given time. This Notice describes the full scope of what may be disclosed under our group arrangements.

Syspro group companies acting as processors on our behalf may engage sub-processors. We are notified in advance of any new sub-processor and may object.

- 6.3** In some cases, to fulfil our statutory or contractual obligations, or to safeguard our legitimate interests we may disclose your Personal Data to the recipients in the following categories, who process your Personal Data as separate controllers:

| Category                                                              | Purpose of disclosure                                                                                                                                                                                                                                                         |
|-----------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Public sector authorities, supervisory or law enforcement authorities | We may disclose your Personal Data to public sector authorities, supervisory or law enforcement authorities to fulfil our statutory obligation, a court order or in other cases where this is necessary to prevent and deter unlawful acts. For example: Labour Inspectorate. |

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| Professional advisors (bound to confidentiality; to the extent that they do not act as processors) | If necessary, we may disclose your Personal Data to professional advisors to ensure our proper economic activity. For example: legal advisors.                                                                                                                                        |
| Service providers and co-operation partners (to the extent that they do not act as processors)     | If necessary, we may disclose your Personal Data to service providers and co-operation partners to ensure the fulfilment of contractual obligations and communication with service providers and co-operation partners. For example: IT service providers, security service provider. |
| Our legal successors and/or potential acquirers of the company                                     | If necessary and required for successfully transferring our business or for the purposes of merger and acquisition, your Personal Data may be disclosed to the specified acquirers or legal successors and their representatives and/or financial and legal advisors.                 |

- 6.4** In the processing of Personal Data, we may disclose Personal Data to third party service providers who act as processors only for the performance of a contract entered into with us and who apply the required level of safeguarding measures while processing the Personal Data. These processors belong to the following categories:

| Category                                                                                     | Purpose of disclosure                                                                                                                                                                                                                                                                                                                                                         |
|----------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| IT-service providers                                                                         | Your Personal Data may be accessed by IT-service providers (e.g., our back-up and storage service providers) who operate the technical infrastructure which we need to host, store, manage and maintain the daily business functions. For example: Microsoft Corporation (Office 365) and others. The respective services are provided within the European Union and the USA. |
| Recruitment service providers (to the extent that they do not act as individual controllers) | Your Personal Data may be accessed by recruitment service providers to ensure the effective recruitment process. For example (list not exhaustive): DOMINATE SALES OÜ, MeetFrank OÜ, Mercuri Urval, CV-Online Estonia OÜ, CV Keskus OÜ, STFF Stafferty OÜ, TalentHub OÜ, Asavio Labs Pte Ltd. The respective services are provided worldwide.                                 |
| Security service providers (to the extent that they do not act as individual controllers)    | Your Personal Data may be accessed by security service providers to ensure safety. For example: Close Circuit Camera captured footage may be accessed by the respective landlords of the Evocon offices in Tallinn and in Tartu. The respective service is provided within the European Union.                                                                                |

- 6.5** To ensure that our service providers adhere to adequate data protection standards, we have concluded written data processing agreements with all service providers engaged in the processing of Personal Data on our behalf. We monitor the compliance of our service providers with the above requirements. Transfers outside the EU/EEA are addressed in Section 6.6 below.

- 6.6** Some Syspro group companies and service providers are established outside the European Economic Area, including in the United Kingdom, South Africa, Canada, and the United States. The European Commission has not adopted an adequacy decision in respect of South Africa. Canada benefits from a partial adequacy decision, and transfers to the United States rely on adequacy only where the recipient participates in the EU-US Data Privacy Framework.

Where your Personal Data is transferred to a country without an applicable adequacy decision, we rely on the European Commission's Standard Contractual Clauses together with supplementary technical and organisational safeguards. We have carried out a transfer impact assessment in respect of these transfers and review it at least annually.

We have concluded written data processing agreements with all service providers and group companies engaged in processing Personal Data on our behalf, and we monitor their compliance. You may request further information on the safeguards applied by writing to [privacy@evocon.com](mailto:privacy@evocon.com).

## **7 RETENTION OF PERSONAL DATA**

- 7.1** We will retain your Personal Data as long as reasonably necessary to attain the objectives stated in Section 4 of this Notice, or until the legal obligation stipulates that we do so. In determining the appropriate retention period for Personal Data, we consider the amount, nature, and sensitivity of the Personal Data, the potential risk of harm from unauthorised use or disclosure of your Personal Data, the processing purposes and whether we can achieve these purposes through other means, and applicable statutory obligations. Whilst retaining the Personal Data, we take into account the need to resolve disputes and enforce the contract between us or anonymize your Personal Data and retain this anonymized information indefinitely.

**7.1.1** Basic Data and Application Data will be retained for 1 year as of the end of the recruitment process in case you were not recruited, in case you were recruited the data are retained as a part of managing the employment relationship. In case you provide consent for retaining Application Data for the purposes of communicating new opportunities for applying to a position and proposing job offers in the future, Application Data will be retained for 3 years after the end of the recruitment process;

**7.1.2** Security Data will be retained for 30 days from the date the data was generated.

Where Personal Data is disclosed to Syspro group companies, retention by those companies is governed by the intragroup data transfer agreement and applicable local law. The retention periods applied by Evocon as set out above continue to apply to the data we hold.

- 7.2** After the expiry of the retention period determined in accordance with Section 7 of this Notice or the termination of the legal basis for processing purpose, we may retain the materials containing the Personal Data in the backup systems, from which the corresponding materials will be deleted after the end of the backup cycle. We ensure that during the backup period appropriate safeguards are applied and the backed-up materials are put beyond the use.

## **8 YOUR RIGHTS AS A DATA SUBJECT**

- 8.1** We have a legal obligation to ensure that your Personal Data is kept accurate and up to date. We kindly ask you to assist us to comply with this obligation by ensuring that you inform us of any changes that have to be made to any of your Personal Data that we are processing.
- 8.2** You may, at any time exercise the following rights with respect to our processing of your Personal Data:

- 8.2.1 **Right to access:** you have the right to request access to any data that can be considered your Personal Data. This includes the right to be informed on whether we process your Personal Data, what Personal Data categories are being processed by us, and the purpose of our data processing;
- 8.2.2 **Right to rectification:** you have the right to request that we correct any of your Personal Data if you believe that we are processing inaccurate or incomplete Personal Data;
- 8.2.3 **Right to object:** you have the right to object to processing based on our legitimate interests, including disclosure of your Personal Data to Syspro group companies. Where you object, we will cease the relevant processing unless we can demonstrate compelling legitimate grounds that override your interests, rights and freedoms;
- 8.2.4 **Right to restrict Personal Data processing:** you have the right to request that we restrict the processing of your Personal Data if: (i) you wish to dispute the accuracy of certain Personal Data we are processing, such right applies until we have had the opportunity to satisfy ourselves of the accuracy of the Personal Data; (ii) we have been processing your Personal Data unlawfully, but you only request the restriction of the use of the Personal Data in question instead of its deletion; (iii) we no longer need the Personal Data for the original purposes of processing, but you still need such Personal Data to assert, exercise or defend against legal claims; (iv) you have objected to our processing of certain of items of your Personal Data until a determination is made whether or not your concerns are outweighed by our legitimate interests in processing your Personal Data;
- 8.2.5 **Right to erasure:** you may request your Personal Data to be erased if the Personal Data is no longer necessary for the purposes for which it was collected, or if you consider that the processing is unlawful, or if you consider that the Personal Data has to be erased to enable us to comply with a legal requirement;
- 8.2.6 **Right to data portability:** if your Personal Data is being automatically processed on the basis of your consent or of a mutual contractual relationship, you may request that we provide you that Personal Data in a structured, commonly used and machine-readable format. Moreover, you may request that the Personal Data is transmitted to another controller. Bear in mind that the latter can only be done if that is technically feasible;
- 8.2.7 **Right to withdraw your consent:** in cases where the processing is based on your consent, you have the right to withdraw your consent to such processing at any time. The withdrawal of your consent does not affect the lawfulness of the processing of Personal Data prior to the withdrawal;
- 8.2.8 **Right to contact the supervisory authority:** if you are not satisfied with our response to your request in relation to Personal Data processing or you believe we are processing your Personal Data not in accordance with the law, you can submit your claim to the Estonian Data Protection Inspectorate (in Estonian *Andmekaitse Inspektsioon*) at [info@aki.ee](mailto:info@aki.ee) (<https://www.aki.ee/>).
- 8.3 To exercise the above rights, please contact us as specified in Section 2 of this Notice. Please note that you should supply us with adequate information for us to respond to your requests concerning the rights listed in Section 8.2. Prior to answering your request, we may ask you to provide additional information for the purposes of authenticating you and evaluating your request.

Where your Personal Data is processed by a Syspro group company acting as a separate controller, you may exercise your rights against that company directly. You may also contact us at [privacy@evocon.com](mailto:privacy@evocon.com) and we will forward your request to the relevant group company.

## **9        AMENDMENTS TO THIS NOTICE**

- 9.1**     This Notice may be amended or modified from time to time to reflect changes in the way we process Personal Data, and in such a case, the most recent version of the Notice will be made available to you.