D404 Privacy Policy softgarden frontends

The protection and confidentiality of your personal data is of particular importance for us. In order to ensure the protection of your personal data, we have taken technical and organizational measures to comply with the data protection regulations. With this data privacy policy, we inform about how we collect personal data as part of your application process and for what purpose the data is processed. Your data will be processed in accordance with this Privacy Policy and the applicable data protection laws.

This privacy policy applies to the career portal and the applicant management system of [company name]

This Privacy Statement also applies to the following companies:

[child companies]

# Name and contact details of the controller

The controler in accordance with Art. 4 No. 7 of the General Data Protection Regulation (hereinafter referred to as the GDPR) is:

[company name]

[company contact]

# Data protection officer

[data protection officer contact]

[data controller contact]

# Data processor

For the efficient execution of application procedures, we use an applicant management system of softgarden e-Recruiting GmbH, Tauentzienstr.14, 10789 Berlin (contact: datenschutz@softgarden.de), which operates the applicant management as a processor in accordance with Art. 4 No. 8 GDPR. A contract for order processing in accordance with Article 28 GDPR has been concluded with the supplier, which ensures compliance with data protection regulations.

We remain your first point of contact for the exercise of your affected rights as well as for the processing of the application process. You can contact us directly or, if specified, confidentially to the Data Protection Officer under the above-mentioned information of the controller.

# Object of data protection

The object of data protection is the processing of personal data, in this case within the framework of applicant management. This includes, under Article 4 No. 1 GDPR, all information relating to an identified or identifiable natural person (“data subject”) which is necessary for the conduct of the application process and the initiation of an employment relationship, Section 26 of the German Data Protection Act or applicable national law.

In addition, in the context of the use of applicant management, data related to the use, so-called usage data, are also collected. Usage data is such data that is necessary to operate our websites, such as information about the start, end and extent of use of our website, such as login data. These processing operations are in accordance with data protection and telemedia law.

In the context of the application process and/or the use of the system, processing activities may also take place, which take place either on the basis of justified interest in accordance with Art. 6 (1) lit. f) GDPR or on the basis of your consent in accordance with Art. 6 (1) lit. a) GDPR. Also eligible are processing activities which involve a legal obligation to process or a public interest, Article 6 (1) lit.c) and (e) GDPR, such as in the context of law enforcement or the investigation of public authorities. You can determine and control the scope of the processing yourself by means of individual settings in your web browser, the configuration of the corresponding cookie settings and their user behaviour.

# Collection and use of your data

## Visit to the website

For operational and maintenance purposes and in accordance with the provisions of telemedia law, interactions ("system logs") that are necessary for the operation of the Website or processed for system security purposes are recorded for example to analyse attack patterns or unlawful usage behaviour ("evidence function").

Your Internet browser automatically transmits the following data as part of your access to the career portal:

* date and time of access,
* browser type and version,
* operating system used,
* Quantity of data sent.
* IP address of access

This data is not used for immediate assignment within the framework of applicant management and will be deleted in a timely manner in accordance with the legitimate retention periods, provided that no longer retention is required for legal or factual reasons, e.g. for evidence purposes. In individual cases, storage for the aforementioned purposes is considered. The legal basis is Art. 6 (1) lit. f) GDPR and/or the applicable tele media law.

## Session-Cookies

We store so-called "cookies" in order to offer you a comprehensive range of functions and to make the use of our websites more convenient. "Cookies" are small files that are stored on your computer with the help of your internet browser. If you do not wish to use "cookies", you can prevent the storage of "cookies" on your computer by adjusting the settings of your internet browser. Please note that the functionality and functionality of our offer may be limited as a result.

We use the cookie JSESSIONID on the career page as a technically necessary session cookie. This saves a so-called session ID, with which various requests of your browser can be assigned to the common session. This allows your computer to be recognized when you return to our website. This session cookie is deleted when you log out or close the browser.

## Data entered by the user

### Application process

As part of the application process, you can set up and manage an account in the career portal after configuring your username and password. In addition to the individual application, you can use other options in the softgarden applicant management system and make your individual settings (e.g. admission to a talent pool).

For the efficient and promising application, you can provide us with the following information as part of your application:

* Contact details (address, telephone number)
* CV data. B.
	+ school education
	+ vocational training
	+ professional experience
	+ language skills
* Social profiles (e.g. XING, LinkedIn, Facebook)
* Documents related to applications (application photos, cover letters, certificates, work certificates, work samples, etc.)

The legal basis for processing for the purpose of carrying out the application procedure and the initiation of an employment relationship is Section 26 (1) of the German Data Code (BDSG) or the applicable national law. In addition, the use of the applicant management system by the controller is in the legitimate interest in accordance with Art. 6 (1) lit. f) GDPR. If consent is required for a particular processing activity, in accordance with Art. 6 (1) lit. a), this is obtained separately and transparently by the controller from you, provided that this does not result from a conclusive and voluntary behaviour on your part, such as the voluntary participation in a video interview, in accordance with the requirement of transparency.

### Disclosure of data

Your data will not be passed on to unauthorized third parties as part of the applicant management and will be processed for the purposes specified in this data privacy policy. Thus, the inspection by internal authorities and experts of the controller is in the legitimate interest, insofar as the knowledge of the information from the application process is necessary and permissible for the selection of candidates or internal administrative purposes of the company. For this purpose, your information can be forwarded to third parties in the company by e-mail or within the management system. The legal basis may be Section 26 (1) of the German Social Protection Act (BDSG)/th applicable national law, Art. 6 (1) lit. f) and (a) GDPR.

The transfer to third parties also takes place in the context of order processing in accordance with Article 28 GDPR, i.e. in the context of processing activities in which the controller has a legitimate interest in outsourcing processing activities which he is otherwise entitled to carry out himself. To this end, the controller shall take the measures to ensure compliance with data protection regulations.

Disclosure to external third parties may also be made in the defence of legal claims based on legitimate interest or in the context of the investigation of or disclosure to public authorities, insofar as a law requires this or there is an obligation to disclose. The information obligations to data subjects in the terms of Art. 13, 14 GDPR are guaranteed in advance of the relevant disclosure, insofar as these are to be fulfilled separately.

### Google Analytics

We use Google Analytics, a web analytics service provided by Google Inc. ("Google"). Google Analytics uses so-called "cookies", text files that are stored on your computer and which enable an analysis of your use of the website. The information generated by the cookie about your use of this website is usually transmitted to a Google server in the USA and stored there. However, if IP anonymisation is activated on this website, your IP address will be truncated by Google within Member States of the European Union or in other contracting states of the Agreement on the European Economic Area. Only in exceptional cases will the full IP address be transmitted to a Google server in the USA and truncated there. On behalf of the operator of this website, Google will use this information for the purpose of evaluating your use of the website, comcompile reports on website activity and provide other services relating to website activity and internet usage to the website operator.

According to Google, the IP address transmitted by your browser within the scope of Google Analytics will not be merged with other data from Google. We use Google Analytics to analyze and regularly improve the use of the website and softgarden products. Through the statistics obtained, we can improve our offer and make it more interesting for you as a user. In cases where personal data are transferred to the USA, we have concluded a contract with Google for order processing, including the general standard contractual clauses approved by the EU Commission (appropriate guarantee in accordance with Art. 46 (2) lit.c GDPR). The legal basis for the use of Google Analytics is your consent in accordance with Art. 6 (1) lit. a) GDPR. You can change your cookie settings at any time and revoke your consent without giving reasons. Further information can be found here [Datenschutzerklärung – Datenschutzerklärung & Nutzungsbedingungen – Google](https://policies.google.com/privacy?hl=de).

### Feedback Module

In addition to your application, we can ask you to provide your feedback after an interview and 3 months after your appointment. We will send you an invitation link that will guide you into the rating system to provide feedback. The purpose of the processing is the further development and optimization of our recruiting and application processes as well as the company image.

For this purpose, the following data is processed automatically:

• Contact details (name, e-mail)

• Position title of the job you applied for

• Location of the position

• Jobkategorie

• Applicant ID

The feedback itself is stored anonymously in the database. A personal reference is not produced. In addition to a star rating of individual questions, you have the opportunity to leave comments here. We expressly ask you not to leave any personal data in the commentary. The information collected in this way can be displayed on our evaluation page together with your feedback or transmitted to external partners such as kununu.

Participation is purely voluntary and only with your consent, without which the feedback is not possible. The legal basis is Art. 6 (1) lit. a) GDPR.

### Job subscription

In order to be informed about new job vacancies, you can subscribe to the job newsletter or have suitable jobs displayed on our career board (RSS feed). You can define the subscription by specifying the desired activity and the location.

Your e-mail address is also required for the subscription. The legal basis for this is your consent to the receipt of the newsletter in accordance with Art. 6 (1) lit. a GDPR. You can revoke your consent to receive the newsletter at any time via the unsubscribe link in the newsletter(Opt-Out).

The RSS feed itself does not process any personal data for information on new job advertisements.

### Softgarden Network

To make your applications easier and more efficient, softgarden offers the possibility to register for the softgarden network and create an account for this purpose. The softgarden network is a cross-customer talent pool of softgarden.

You can configure your network account individually and also view the status of your applications. You can enter the following information:

• Salutation, name, first name, date of birth

• Profile picture

• Contact details (e.g. e-mail address and telephone number)

• Application documents (e.B. CV, education, professional experience, language skills)

• Areas of interest (job category, career level and desired location)

The legal basis for the creation of the softgarden-NetworkAccount is your consent, Art. 6 (1) lit. a) GDPR. More information about the softgarden Network can be found here: <https://softgarden.de/unternehmen/datenschutz-network/>.

### Referral Manager

Through the Referral Manager tool, recruiters and employees have the opportunity to share vacancies in our company on social networks or by email to acquaintances and friends in order to reach potential applicants or make direct recommendations.

If you decide to apply for a position directly or indirectly, your personal information will be processed in accordance with a regular application process. Your data is regularly displayed to responsible users and processed in applicant management. However, before submitting your application, you will be given the opportunity to view your application anonymously in the Referral Manager. The recommender can therefore only understand that a person has applied for a recommendation. Otherwise, the name, job and application photo can also be viewed by the recommended person in the Referral Manager.

The legal basis for the processing of your data for the purposes of recommendation and application is Art. 6 (1) lit. a) and f) GDPR as well as Section 26 (1) BDSG or the applicable national law. The data will be processed and deleted in the same way as the regular application procedure.

### Salary statistics module

softgarden will give you the opportunity to provide feedback on your salary expectations and salaries offered to you in various steps of the application process. The information transmitted will be anonymised and processed without linking to your name and contact details. softgarden processes this data anonymously for its own purposes (statistics, analysis, studies) and is responsible for this processing in the form of Art. 4 No. 7 GDPR.

The processing takes place only with your consent by participation and on a purely voluntary basis. The legal basis is Art. 6 (1) lit. a) GDPR.

### Social Share Buttons

It is possible to share the job ads on different social networks. Different buttons are offered per network. After clicking on one of these buttons, you will be directed to the respective networks and will be taken to their login pages. These buttons do not represent plug-ins and do not transmit personal data directly to the operators of the social networks.

Currently, job ads can be shared on the following social networks:

• Facebook ( https://de-de.facebook.com/privacy/explanation )

• Twitter ( https://twitter.com/de/privacy )

• LinkedIn (https://www.linkedin.com/legal/privacy-policy?trk=uno-reg-join-privacy-policy)

• Xing ( https://privacy.xing.com/de/datenschutzerklaerung )

The legal basis is Article 6 (1) lit. f) GDPR for statistical analysis and range measurement of job advertisements. A personal reference is not produced.

You can also find out how the aforementioned social networks process your personal data by using the links provided. We have no influence on the processing of your personal data by the social networks.

### Online surveys "Surveys"

At the end of the application process, softgarden can send you an invitation to a survey via a link. The survey takes place via a service of easyfeedback GmbH in order to check the application experience. softgarden conducts this survey as controller, Article 4 No. 7 GDPR and processes the collected data anonymously for its own purposes (statistics, analysis, studies) as well as for the further development of softgarden products.

The collection of the survey data is secured by default via the SSL encryption method and softgarden does not establish a personal reference within the scope of processing. The survey can be cancelled at any time. The data processed up to the time of termination can be used for these purposes.

Your participation in the survey is purely voluntary and you agree to participate, without which your participation is not possible, Art. 6 (1) lit. a) GDPR. The processing of the data is carried out anonymously. Anonymised data is not subsequently subject to the substantive scope of the GDPR.

Further information on the data protection of easyfeedback can be found in the following notes: <https://easy-feedback.de/privacy/datenschutzerklaerung>.

### Talentpool

As part of your application or via the "Stay in touch" button, you have the opportunity to recommend yourself for our talent pool. Processing is necessary in order to be automatically considered for further vacancies, i.e. for similar or otherwise suitable positions.

When you register for the talent pool using the Get In Contact button, the following information is queried:

• Salutation, academic title (optional)

• First, last name, e-mail address

• Job fields in interest

• Current career level

• Preferred location(s)

• XING profile or CV

The inclusion in the talent pool takes place on a purely voluntary basis with your consent as well as by using an opt-in link. The legal basis is Art. 6 (1) lit. 1 GDPR. Furthermore, after [reminder interval talent pool] months we will write to you to see if you still want to be part of the talent pool.

### Video-Interview "Cammio"

We use a platform of Cammio GmbH, Philipp-Franck-Weg 19, 14109 Berlin to conduct time-delayed video interviews. The applicant receives the invitation to a video interview via a link to the Cammio platform. Here, the name, first name and e-mail address of the applicant are transmitted to Cammio GmbH and processed there. The interview as well as the processing of the video data is also carried out on the servers of Cammio GmbH.

The duration of the storage of your data is linked to the duration of the storage of your other applicant data within the recruiting software.

Participation is voluntary and with your consent, which is given by the participation. The legal basis for consent is Art. 6 (1) lit. a GDPR. The processing is carried out for the purpose of efficient and clear handling of the application process as well as the provision of a digital interview opportunity.

Cammio GmbH operates as our processor, is controlled by us and is subject to our instructions. A contract has been concluded with the supplier for the processing of orders, which ensures the lawful processing by Cammio.

If you are not interested in conducting a video interview, you will not suffer any disadvantages. Please contact us in this case so that we can find an adequate alternative.

### Video-Interview "Jitsi"

We use a videoconferencing service "Jitsi" integrated into the system to conduct conferences and interviews. A direct peer-to-peer connection is established between the participants, so that no video interviews or personal data are recorded or stored on the system. The softgarden server serves only as a switchboard. Participation in a video interview is voluntary and takes place on the basis of your consent, Art. 6 (1) lit.a GDPR, unless this is necessary for the execution of the application, Section 26 BDSG or applicable national law.

### Scheduling/Calendar Integration "Cronofy"

We use an integrated service of Cronofy Limited, 9a Beck Street, Nottingham, NG1 1EQ, UK for scheduling and invitation.

If we invite you to a conversation via this function, you will receive an appointment invitation created via Cronofy via e-mail. This will send your e-mail address as well as the title of the appointment, a description and a location where the appointment will take place. In addition, no other personal data will be transferred from you to Cronofy.

The legal basis for processing is Art. 6 (1) lit. f GDPR in order to integrate scheduling into our applicant management system as well as to plan and manage job interviews and other appointments more efficiently.

Data processing takes place encrypted in an isolated environment on a server in Germany. A transfer of data to third countries (USA) cannot be excluded in general. Adequate security standards for data processing have been agreed with the provider and proven by the provider. Further information can also be found at the following link: [Scheduling Platform for Business | Cronofy the scheduling experts](https://www.cronofy.com/)

If you do not wish to receive any data processing by Cronofy or any further information, please provide this in advance of the appointment coordination.

### CV-Parsing "Textkernel"

We process and analyze documents uploaded by you using AI in order to extract CV data and convert them into a structured form (so-called "CV-Parsing").

In order to ensure affected parties' rights and security standards, a contract for order processing has been concluded with the providing service provider. Processor is the ISO27001-certified provider Textkernel B.V. Nieuwendammerkade 26 A 5, (1022AB) Amsterdam, The Netherlands. The data processing takes place on a server in Germany in a secure environment.

The legal basis for processing is Section 26 (1) of the German Data Protection Act (BDSG)(applicable national law and Article 6 (1) lit. f) GDPR in order to initiate an employment relationship and to make the application process efficient for you. Personal data will not be transferred to unsafe third countries. Your data is routinely deleted from the cache once a week.

### Online reviews "e3 Skillware"

We use a service of e3 skillware GmbH, Am Borsigturm 31, 13507 Berlin, integrated in applicant management, for the purpose of carrying out assessments within the framework of personnel recruiting as well as for efficient processing via the recruiting platform.

If we invite you to an assessment via this function, you will receive an e-mail with a link through which you can start the assessment. For this purpose, we process your first and last name as well as your e-mail address. In addition, your participation in the assessment will collect further personal data (assessment questions, response times, click backs, response correction).

The legal basis for the processing is your consent, Art. 6 (1) lit. a) GDPR or, if necessary for the body, Section 26 BDSG/applicable national law. Consent and participation in the assessment are based on a purely voluntary basis and are only possible through your participation. If you do not agree with the data processing by e3 skillware GmbH or participation in the assessment, please contact us.

A contract for order processing has been concluded with e3 skillware GmbH in order to ensure an adequate level of data protection. Further information on data protection at e3 skillware GmbH can be found at the following link: https://www.ehochdrei-skillware.de/dataprotection.

Your data will be processed by e3 skillware GmbH on EU servers. Data transfers to countries outside the EU/EEA will not take place. After deletion of your applicant account, e3 skillware GmbH stores the assessment data (responses, response times, number of back clicks) in anonymized form, i.e. without any personal reference for statistical and analysis purposes.

### Sancscreen

We use your data (first, last name and possibly address) to perform comparisons against so-called sanction lists. Sanctions lists are centrally established and maintained lists of persons, associations or undertakings against which state economic or legal restrictions have been imposed. Various regulations oblige us to check our business partners, suppliers and also our (potential) employees against these lists.

For the implementation of the sanctions list comparisons we use the service "SANSCREEN" of the company BEX Components AG, Gartenstraße 97 in 73430 Aalen. For each applicant, the first and last name and (if available) the address are automatically transmitted to BEX Components AG. Our service provider for the applicant portal, softgarden e-recruiting GmbH, then receives the information in conjunction with a protocol ID to play back whether a hit was made on the sanction lists and integrates it into the respective applicant folder. Both service providers act as processors, are subject to our instructions and are obliged to ensure the confidentiality of the data by means of the necessary contracts.

legal basis for this processing (legitimate interest). We only use the data to ensure that you are not listed on any of the sanction lists. We need this information in order to fulfil our legal obligations and to avert possible sanctions. This is also our overriding legitimate interest.

If you do not want your data to be used for a sanctioning list comparison, it is unfortunately not possible to apply via this portal/ with us.

### Programming Assessments "Codility"

We use a service of Codility Ltd., 9th Floor, 107 Cheapside, London, United Kingdom, for the purpose of conducting programming assessments and video interviews with interactive whiteboard.

Via an interface in the softgarden applicant management system, we can invite you directly to an assessment appointment and present the achieved assessment result in the software.

If we invite you to an assessment via this function, you will receive a link for the assessment with which you can start the assessment. For this purpose, we process your first and last name as well as your e-mail address.

The legal basis for processing is Art. Our legitimate interest is to process the entire applicant process as efficiently as possible via the recruiting platform and to give you a quick opportunity to show us your skills.

Codility processes your data on Amazon Web Services, Inc. servers This results in a transfer of data to a so-called unsafe third country, namely the USA. In order to ensure the security of your data, we have concluded a data protection agreement with Codility. Codility is our processor, is controlled by us and is subject to our instructions. For more information on Codility's privacy policy, please visit <https://www.codility.com/data-privacy-notice/>

Assessments at Codility are cancelled for 3 months and then anonymized and each person reference removed.

If you do not want your data to be transmitted to Codility, please contact us in advance. You may object to the processing of your personal data for the purpose of programming assessment and video interviews at any time without giving reasons. Please note that a conflict may hinder or restrict the application process.

# Deletion and use of data

Your data will be stored for the duration of the application process as well as in accordance with the legitimate retention periods for a maximum of 6 months after the completion of the application process. After the retention period has expired, the data will be completely anonymized. The processing of anonymised data sets is not subject to the substantive scope of the data protection regulations, so that anonymised data can be processed for statistical and analytical purposes, for the preparation of market studies or for product development.

# Your rights as a data subject

## Rights of data subjects

Data subjects are entitled at any time to know whether their personal data have been stored and can assert a right of access to stored data (right of access), check their accuracy (right to rectification), request their addition and updating, request their deletion (right to be forgotten), request the restriction of processing (right to restriction) as well as have the data ported/ported in a common, machine-readable format (data portability). These rights shall apply insofar as there are no compelling and/or justified reasons on the part of the controller. Please contact [ company email] or by post at the address above.

In cases where we process data on the basis of your consent (Art. 6 sec. 1 lit. a) GDPR), you have the right at any time to revoke your consent without giving reasons and with effect for the future. The corresponding data processing will no longer take place in the future, but does not affect the legality of the processing carried out up to the time of revocation. In addition, you have the right to object to processing, for example if the data are or have been processed incorrectly, or if other reasons in the interest of the data subject preclude (further) processing. Affected parties also have the right to complain to the data controller.

Please note that in the event of an objection and/or revocation, certain services/processing activities cannot be performed or can be used, insofar as the processing is necessary for these purposes.

## Automated decision-making

Automated decision-making does not take place. Should this be or become necessary, we will obtain a transparent consent in advance of processing.

# Changes to this Privacy Policy

We reserve the right to change or supplement this data protection declaration at any time with regard to the constantly changing legal, technical and organisational requirements of the processing of personal data. This also applies to possible translation errors and differences with regard to national requirements of data protection law.

## Version

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