

PRIVACY NOTICE FOR JOB APPLICANTS (CANDIDATES)

Effective Date: April 29, 2025

1. Introduction

Persistent Systems (“we”, “our”, “us”) is committed to protect the privacy and security of your personal information. It is important that you read this Privacy Notice (“Notice”), together with our Privacy Policy (“Policy”), so that you are aware of how and why we are using such personal information.

1.1. Purpose:

This Notice describes how we process your personal data, during and after your job application with us, in accordance with General Data Protection Regulation (GDPR), California Consumer Protection Act (CCPA), under the guidance of ISO 27701 Privacy Information Management System (PIMS) and other applicable data protection regulations

1.2. Applicability:

It is applicable to all job applicants. This Notice does not form a part of any contract of employment or other contract to provide services. We may update this Notice at any time, after which, a copy of the updated Notice will be provided to each job applicant at the earliest.

1.3. Relationship:

We are the "Data Controller" under the privacy requirements. This means that we are responsible for deciding how we process personal information about you. As your prospective employer, we need to process information about you for normal employment purposes including recruitment and on-boarding. Processing will include collection, recording, organisation, structuring, storage, adaptation, alteration, retrieval, consultation, use, disclosure by transmission, erasure, or destruction of your personal information. The information we hold, and process will be used for management and administrative purposes only. We will keep and use it to enable us to run the business and manage our relationship with you effectively, lawfully, and appropriately, whilst you are a job applicant, or/ and are working for us, at the time when your employment ends and after you have left us. This includes using information to enable us to comply with the employment contract, to comply with any legal requirements, pursue our legitimate interest and protect our legal position in the event of legal proceedings. If you do not provide this data or request for the deletion of data shared, we may be unable in some circumstances to comply with our legal obligations and we will tell you about the implications of that decision.

2. Your Information That We Will Process:

We may process the following categories of personal information about you:

- a. “Personal Details”, including your name, address, and contact details, including email address and telephone number
- b. “National ID Details”, including driver’s license details, passport number
- c. “Current Employment Details” including information about your current level of remuneration, including benefit entitlements

- d. "Recruitment Information", including copies of right to work documentation, details of your qualifications, skills, experience and employment history
- e. "Background check report" including previous employment references and feedback
- f. "Image/video" via closed-circuit television (CCTV) system (if applicable)
- g. Video recordings of interviews
- h. Interview feedback from the interviewer about the discussion he/ she had with you about specific job application

We may also process the following "special categories" of more sensitive personal information:

- a. Information about your health, including blood group, disability details, any medical condition, health, and sickness records/certificates
- b. Biometric data (if applicable)
- c. Criminal records
- d. Details of trade union membership
- e. Ethnic origin, sexual orientation, religion, or beliefs

3. How Is Your Personal Information Collected?

We collect your personal information through the job application, CVs or resumes, interviews, identification documents, assessments either directly from you, or sometimes indirectly through third party service providers. We may sometimes collect additional information from a third party, like medical clinics, job recruitment agencies, former employers, background check providers. We will collect additional personal information during the recruitment activity. All data collected during the recruitment process or additional data collected will be used and stored for performance of employment agreement as well as for complying with the legal obligations.

4. How We Will Use Information About You?

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- a. Where we need to perform a contract that we will be entering into with you. (For example, we need to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer [benefit, pension, and insurance entitlements])
- b. Where we need to comply with a legal obligation. (For example, it is required to check your entitlement to work, to deduct tax, to comply with health and safety laws and to enable employees to take periods of leave to which you are entitled.)
- c. Where it is necessary for our legitimate interests (or those of a third party), and your interests and fundamental rights do not override those interests. (e.g., we need to process your data to carry out administrative activities like issuing of laptop, access, id creation etc.)
- d. Where we need to protect your interests (or someone else's interests)
- e. Where it is needed in the public interest [or for official purposes]
- f. Where we have sought your explicit consent

5. If You Fail to Provide Personal Information:

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

6. Change of Purpose:

We will only use your personal information for the purposes for which we collected it. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so without undue delay. Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

7. Special Categories or Sensitive Personal Information:

Special categories or sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing, and using this type of personal information in accordance with Articles 6 and 9 of the GDPR. We have in place an appropriate policy document and safeguards which are required by law to be maintain when processing such data. We may process special categories of personal information in the following circumstances:

- a. Where we need to carry out our legal obligations or exercise rights in connection with employment
- b. Where processing is necessary for the performance of contract to which you are a party
- c. Where processing is necessary for the purpose of legitimate interest pursued by us or third party with appropriate safeguards
- d. Where processing is necessary for the purpose of carrying out the obligations and exercising our specific rights and the specific rights of the employees in fields of employment, social security, and social protection law, in so far as is authorised by the Union or Member State law or a collective agreement providing appropriate safeguards for your fundamental rights and interests
- e. Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public

8. Data Sharing:

We will be sharing your personal data with the following recipients:

- a. Third parties, including medical vendor, interviews management platform/tool vendor, background check vendor, legal vendors (law firms), data shredding agency. We require third parties to respect the security of your data and to treat it in accordance with the law
- b. Our other entities for performance of employment contract. We may transfer your personal information outside the EU for processing in accordance with the Standard Contractual Clauses executed between us and our service provider/s
- c. Internal departments, including with interviewers, recruitment team, hiring managers

9. Cross Border Data Transfer:

We will transfer the personal information we collect about you for processing in accordance with the Standard Contractual Clauses executed between us and our subsidiaries, which is outside the EEA for the purpose of recruitment. There does not exist an adequacy decision by the European Commission in respect of this/ these country/ countries.

However, to ensure that your personal information does receive an adequate level of protection we have executed Standard Contractual Clauses with our service provider/s to ensure that your personal information is treated by those third parties in a way that is consistent with and which respects the local laws of the land for data protection.

10. Data Security:

We have put in place adequate measures to protect the security of your information.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure. We do enter into specific agreements with such third parties to ensure compliance.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

11. Data Governance Policy:

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. To determine 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 purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further Notice to you. Once your data is no longer required, we will securely destroy your personal information in accordance with our Data Governance Policy OR applicable laws and regulations.

12. Data Protection Officer:

We have appointed a Data Protection Officer to oversee compliance with this notice. If you have any questions about this notice or how we handle your personal data, please contact Persistent's DPO Office via email at Privacyofficer@persistent.com.

13. Your Duty to Inform Us of Changes:

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

14. Rights Available to You:

Your rights in connection with personal data: Under certain circumstances, by law, you have the:

- **Right of access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you.

- **Right to rectification** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected.
- **Right to be informed** about the collection and use of personal data.
- **Right to object** to Processing of your personal data where we rely on a legitimate interest (or those of a third party), and there is something about your situation which makes you want to object to processing on this ground. You also have the right to object to where we are processing your personal data for direct marketing purposes.
- **Right to request the restriction of processing** of your personal data. This enables you to ask us to suspend the processing of personal data about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Right of data portability/ transfer** to another party.
- **Right to withdraw consent** for processing of personal data where explicit consent has been sought. In the limited circumstances where you may have provided your consent to the collection, processing, and transfer of your personal data for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the Data Protection Officer. Once we have received notification that you have withdrawn your consent, we will no longer process your data for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.
- **Right to be forgotten** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data, however this right shall be available to you only for the data where we have sought your explicit consent for processing.
- **Right related to automated decision-making including profiling:** You will have a right not to be subjected to a decision based solely on automated processing including profiling. Such decisions can be made only if they are necessary for the entry into or performance of a contract or authorized by law applicable to us or based on your explicit consent.
- **Right to grievance addressal:** You have right to grievance redressal in respect of any act or omission regarding the performance of obligations in relation to your personal data
- **Right to nominate:** You have right to nominate, any individual who shall, in the event of death or incapacity, exercise the rights on your behalf.
- **Right to contact your local data protection authority:** If you have concerns with our protection of your personal data, you can register a complaint with your local data protection authority, subject to the applicable laws of your country of residence.

All the above-mentioned rights can be exercised by contacting the Data Protection Officer and will be evaluated based on the legal requirements, as applicable on the date of receipt of request from you. These data subject access rights will be applicable to data subjects as per applicable law of land.

15. No Fee Usually Required:

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

16. Changes to this Notice:

We reserve the right to update this notice at any time, and we will provide you with a new Notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this Notice, please contact to DPO Office at the email id privacyofficer@persistent.com