

# **Job application privacy policy**

# Table of contents

1. Interpretations	2
2. Types of personal data collected	2
3. Purpose of processing personal data	4
4. Confidentiality	4
5. Data retention	4
6. Your rights	4
7. Automated decision-making	5
8. Changes to this privacy policy	5

We at the Deriv Group of companies are committed to protecting the privacy and security of your personal information. This privacy notice sets out the types of data that we collect from you. It also sets out how we collect and use your personal data, how long we keep it, and other relevant information about your data in accordance with the General Data Protection Regulation (EU) 2016/679 (hereafter referred to as 'GDPR') and Data Protection Act 2018.

Please note that this privacy notice only applies to you as a job applicant if you reside in the EU.

We are required under data protection legislation to notify you of the information contained in this privacy notice. As such, it is important for you to read this notice, together with any other privacy notice furnished on specific occasions when we are collecting or processing personal data about you so that you are aware of how and why we are using such information.

## 1. Interpretations

The following terms shall have the meanings set out below:

'Data Protection Act (DPA)' shall mean the Data Protection Act 2018, Chapter 440 of the Laws of Malta.

'GDPR' shall mean EU General Data Protection Regulation 2016/679.

'Personal data' shall mean any identifiable information relating to you.

'Processing' shall mean any operation which is performed on personal data or on sets of personal data, whether or not by automated means, including but not limited to collection, recording, organisation, structuring, storage, adaptation or alteration, restriction, erasure, or destruction.

## 2. Types of personal data collected

We collect, store, and process a range of information about you, including but not limited to the following:

- Your personal details, including name, address, date of birth, nationality, gender, and contact details, comprising email address and telephone number
- Your qualifications, skills, education, experience, and employment history
- Details of your current level of remuneration, including entitlement to benefits such as pensions or insurance cover, if applicable
- Information about your medical or health conditions, including whether or not you have a disability for which we need to make reasonable adjustments

We may collect this information in a variety of ways. Data is collected from CVs or resumes, cover letters, and identity documents, via Self-Assessment Topgrading Questionnaire/Interview (SATI), or through interviews or other forms of assessment, including online tests.

We may also collect personal data about you from third parties, such as further references supplied by former employers and information from criminal records checks permitted by law.

Data will be stored in a range of different places, including on your application record, in HR management systems, and on other IT systems (including email).

### 3. Purpose of processing personal data

We typically collect and process your personal data for the purposes of the legitimate interests pursued by the Deriv Group of companies. Here are some examples of such interests:

- Making decisions about who to employ and what salary and benefits to offer
- Making all reasonable adjustments for disabled employees
- Responding to and defending against legal claims

We also collect and process your data to decide whether to enter into a contract with you.

In some cases, we need to process your personal data to comply with our legal obligations, for example conducting necessary checks in relation to the right to work in a specific jurisdiction.

You are under no statutory or contractual obligation to provide data to the Deriv Group of companies during the recruitment process. However, if you choose not to provide any necessary information, we may not be able to proceed with your application.

### 4. Confidentiality

We shall ensure the confidentiality of all the personal data you provide at all times, protecting it against any accidental loss or disclosure, destruction, and abuse. We shall also ensure that such personal data is only processed and stored as necessary for the purposes specified in this privacy policy and all applicable Data Protection Laws.

We shall further disclose information about you internally within the Deriv Group of companies for the purpose of the recruitment exercise. We shall ensure that a data-sharing agreement is in place and that your data is held securely and in line with GDPR requirements. We shall further disclose information about you when we are legally obligated to do so.

### 5. Data retention

Your personal data shall be stored for a maximum period of six months after the end of the relevant recruitment process if you are unsuccessful in your job application or if you have declined an offer of employment with the Deriv Group of companies. At the expiry of that period, your data is deleted or destroyed unless we are required to further retain your information to exercise or defend any legal claims.

If your application is successful and you accept an offer of employment with the Deriv Group of companies, your data will be retained until the cessation of your employment. In this case, a separate privacy policy for employees will be made available to you.

### 6. Your rights

In light of the EU General Data Protection Regulation 2016/679 and the Data Protection Act 2018, you are entitled to the following rights with regards to your personal data:

- The right to be informed of the use of your personal data, as reflected in this privacy policy
- The right to request access to your data from us
- The right to rectify your personal data if we hold any information about you that is incomplete or inaccurate
- The right to delete your personal information, subject to the data retention practice of the Deriv Group of companies You also have the right to restrict the further processing of your personal data.

In some circumstances, the applicant has the right to data portability, which is the right to request a copy of your personal data in a digital format and, where possible, ask us to transfer it to another company.

You have the right to lodge a complaint to the Information and Data Protection Commissioner in Malta if you believe that we

have failed to comply with the requirements of EU General Data Protection Regulation 2016/679 or the Data Protection Act 2018 with regards to your personal data.

## **7. Automated decision-making**

You will not be subject to any recruitment decisions based solely on automated decision-making that will have a significant impact on you.

## **8. Changes to this privacy policy**

We reserve the right to update this privacy policy at any time and will provide you with a new privacy policy when substantial amendments and updates are made. 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 privacy policy or if you would like to exercise any of your rights, please contact our Data Protection Officer (DPO) by emailing [dpo@deriv.com](mailto:dpo@deriv.com).

***deriv***