

# **Job application privacy policy**

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# Job application privacy policy

At the Deriv group of companies, we are committed to protecting the privacy and security of your personal information. This policy is addressed to applicants for jobs to Deriv Investments (Europe) Ltd (a limited liability company in Malta, with its registered address at W Business Centre, Level 3, Triq Dun Karm, Birkirkara BKR 9033, Malta) or any of its group companies established in the European Union or the United Kingdom (collectively, “**we**”, “**us**” or “**our**”).

This privacy notice describes our privacy practices as required by the EU General Data Protection Regulation (GDPR) and the UK General Data Protection Regulation. It sets out how we collect and use your personal data, how we secure the data, how long we keep it, and other relevant information about your data. It is important for you to read this privacy policy, together with any other privacy notice we may provide to you from time to time so that you are aware of how and why we are using information about you.

## 1. Definitions

The following terms shall have the meanings set out below:

- “**Personal Data**” means any information relating to an identified or identifiable natural person;
- “**Process**” or “**Processing**” means any operation or set of operations which is performed on Personal Data or on sets of Personal Data, such as collection, recording, organisation, structuring, storage, adaption or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

## 2. Types of personal data collected

We may collect, store, and Process the following Personal Data about you that we receive from you:

- Your personal details, including name, address, date of birth, nationality and gender;
- Your contact details, for example, your 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);
- Video recordings of interviews;
- Information about your medical or health conditions, including whether or not you have a disability for which we need to make reasonable adjustments; or
- Other information collected as part of the recruitment process.

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

We may also obtain Personal Data about you from third parties, for example:

- References supplied by former employers or agencies; or
- Information from criminal records checks (as permitted by law).

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

### 3. Purpose of processing personal data

We Process your Personal Data for the following purposes:

- Reviewing applications and carrying out interviews;
- Making decisions about who to employ and what salary and benefits to offer;
- Contacting and communicating with applicants;
- Making reasonable adjustments for disabled employees; and
- Responding to and defending against legal claims.

This Processing is necessary for:

- Compliance with legal obligations (especially in respect of applicable employment law, for example conducting necessary checks in relation to the right to work in a specific jurisdiction);
- Taking steps prior to entering into a contract (an employment agreement); or
- Protecting our interests and enforcing our rights where we have a legitimate interest in doing so.

We will obtain your consent to Process your Personal Data where required by applicable laws.

### 4. Disclosure of personal data to third parties

We may share your Personal Data with the following recipients or categories of recipients:

- Our affiliates and subsidiaries;
- Independent contractors and external consultants engaged by us;
- Third-party service providers (for example, lawyers or professional advisors);
- A third party where obligated to do so by law or where necessary for the establishment, exercise or defence of legal rights; or
- Data hosting companies (such as Google Cloud) and other IT services providers (such as talent management system providers).

## 5. Where we store and transfer your data

For the purposes of Processing your Personal Data as set out in this policy, the Personal Data that we collect from you may be transferred to, and stored in, a country outside of the European Economic Area (“EEA”) or the UK. It may also be Processed by staff operating outside of the EEA and the UK who either work for us or for one of the recipients of Personal Data listed in section 4 above. Countries outside the EEA and the UK may not have laws which provide the same level of protection to your Personal Data as laws within the EEA and the UK. Where this is the case, we will put in place appropriate safeguards to ensure that such transfers comply with applicable data protection laws. This may be done in one of the following ways, for example:

- The country that we send the Personal Data to might be approved as offering an adequate level of protection for Personal Data;
- The recipient might have signed up to a contract based on “standard contractual clauses” obliging them to protect your Personal Data; or
- In other circumstances the law may permit us to otherwise transfer your Personal Data.

## 6. Data security

We have implemented technical measures and organisational security measures designed to protect your Personal Data against accidental or unlawful destruction, loss, alteration, unauthorised disclosure, unauthorised access, and other unlawful or unauthorised forms of Processing, in accordance with applicable law. Unfortunately, the transmission of information via the internet is not completely secure, so any transmission of data is at your own risk, but we use strict procedures and security features to try to prevent unauthorised access.

## 7. 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 Personal Data will be retained until the cessation of your employment. In this case, a separate privacy notice for employees will be made available to you.

## 8. Your rights

You may be entitled to exercise the following rights with regard 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 Personal Data from us;
- The right to ask us to rectify your Personal Data if we hold any information about you that is incomplete or inaccurate;

- The right to require us to restrict how we Process your Personal Data in certain circumstances (for example, if you dispute its accuracy, we may restrict its Processing until your complaint is resolved);
- The right to require us to delete your Personal Data in certain circumstances. There will be instances where this right is restricted, such as where it is necessary to continue to Process your Personal Data for the establishment, exercise or defence of legal claims;
- The right to require us to transfer your Personal Data to another organisation, or to you, in certain circumstances;
- Where we Process your Personal Data on the basis of consent, the right to withdraw your consent at any time (although please note this will not affect the lawfulness of Processing based on consent before its withdrawal); and/or
- Where we Process your Personal Data on the basis of legitimate interest, the right to object to the Processing in certain circumstances.

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).

You may have the right to lodge a complaint with a supervisory body in the country where you reside, where you work or where the potential infringement took place. For example, the supervisory body is the Information Commissioner's Office in the UK and the Data Protection Commissioner in Malta.

This privacy policy does not create, extend or modify any EU or UK data subject rights except as provided by applicable laws.

## 9. 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.

## 10. Changes to this privacy policy

We reserve the right to update this privacy policy at any time. The most recent version is always available on this webpage. The date on which the current version was published is included at the top of the document. Please check on a regular basis whether a new version has been published, as any changes will apply to your Personal Data from the date of their publication. We may also notify you in other ways from time to time about the processing of your Personal Data.

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