

## PERSONAL DATA PROTECTION POLICY FOR CANDIDATES

This document informs the candidates about the use of their personal data, the purpose of their data being processed, the legal basis for this processing, the potential disclosure of the data to third parties, the storage periods of the data, in addition to the rights to which they have recourse pursuant to the General Data Protection Regulation (hereinafter, the “GDPR”) and Organic Law 3/2018, of 5 December, on Personal Data Protection and the safeguard of digital rights (hereinafter, “LOPDD”).

### I. BASIC INFORMATION

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| <b>Data controller</b>        | SOCIAL BIGDATA COMUNICACIÓN, S.L.U.  |
| <b>Purpose</b>                | Handling selection processes and executing employment contracts.   |
| <b>Legitimate basis</b>       | Mainly performance of a contract and the application of pre-contractual terms at the candidates’ request.  |
| <b>Recipients</b>             | Other companies of the Schwarz Group, provided that the candidates’ consent has been obtained. Otherwise, the candidates’ personal data shall not be disclosed to third parties unless there is a legal obligation to do so. |
| <b>Rights</b>                 | To access, rectify or erase personal data, in addition to other rights, as explained in the additional information section.  |
| <b>Additional information</b> | Further information is provided below.   |

### II. WHO IS THE DATA CONTROLLER OF THE CANDIDATES’ PERSONAL DATA?

The data controller of the candidates’ personal data is **SOCIAL BIGDATA COMUNICACIÓN, S.L.U.** (the “Company” or “SCRM”), holder of tax number B-66588278. The data controller’s contact details are as follows: calle Bergara, 13, 4ª, 08002 Barcelona, telephone number: +34 937076017. Furthermore, the candidates are hereby informed that the Company has appointed a Data Protection Officer to whom they may address any questions related to the processing of their personal data. The candidates may contact the Data Protection Officer via email at [dataprotection@scrm.lidl](mailto:dataprotection@scrm.lidl).

### III. WHAT CATEGORIES OF DATA DOES SCRM PROCESS AND WHAT IS THEIR SOURCE?

The categories of personal data processed include, amongst others:

- identification details (e.g., forename, surname(s), nationality, gender);
- contact details (e.g., telephone number, email address, place of residency, and public profile on social media);
- academic details (e.g., academic qualifications obtained, training records and membership of professional associations);
- work experience (e.g., previous job titles, name of the previous employer, place of work and salary grade);
- work/job references;
- information obtained from personal interviews conducted (e.g., interests, performance appraisals, and personal, work and social skills);
- other information resulting from the selection process (e.g., results of level, skills and aptitude tests conducted in the framework of the selection process and the details of contact persons that the candidate has provided);
- **only when being selected a final candidate:** relevant information for executing the employment contract (e.g., your identity document number and/or Spanish identity number for foreigners “NIE”,

copies of the same, postal address, place and date of birth, marital status, if applicable: date of your entry in Spain and supportive documents, copies of your work permit, bank account details, social security number, General Treasury of the Social Security membership document, the job offer and the salary conditions agreed upon signed by the candidate, if applicable, information about ascendent and descendent family members dependent on the future employee. Also special categories of personal data could be included such as health details, if applicable e.g., information about disability for the purpose of workplace integration).

SCRM obtains this information directly from the candidate from the curriculum vitae directly submitted to SCRM, through external staff recruitment companies or through other third parties such as LinkedIn, InfoJobs and other career platforms, as well as from additional updates, interviews or information that the candidates may have provided to SCRM during the selection process.

#### **IV. ARE THE CANDIDATES OBLIGED TO PROVIDE THEIR PERSONAL DATA?**

In the framework of a selection process, the candidates interested in taking part in it must provide their personal data in order to do so. If these personal data are not provided, an application may not be submitted, nor shall anyone be allowed to take part in a selection process. The candidates must disclose any changes to their personal data that have been submitted so that SCRM is able to update them, otherwise it shall be understood that the data are right and up to date.

#### **V. FOR WHAT PURPOSE AND ON WHAT LEGITIMATE BASIS ARE THE CANDIDATES' PERSONAL DATA PROCESSED?**

##### **1) Performance of a contract and the application of pre-contractual terms at the candidates' request**

The legal basis for the following processing activities is art. 6.1 b) of the GDPR:

- Evaluating applications received;
- Contacting candidates so that they may take part in the selection process;
- Organisation, invitation and participation of the candidates in the job interviews in-person, via phone or video conference;
- Keeping records, handling and following up on the Company's selection and hiring process;
- Handling and executing the employment contracts of successful candidates.

##### **2) Compliance with a legal obligation**

The legal basis for the following processing activities is to comply with any legal obligations to which SCRM is subject in respect of the handling and execution of the employment contracts of candidates pursuant to arts. 6.1 c) and 88 of the GDPR and 8.1 of the LOPDD:

As a general rule, SCRM shall process the candidate's personal data to comply with any legal obligation that may arise from the laws in force on tax and social security matters.

##### **3) Legitimate interest**

SCRM may process personal data on the basis of its legitimate interest, provided this interest is not overridden by the candidate's interests, rights or freedoms pursuant to arts. 6.1 f) and 88 of the LOPDD:

Offering different work opportunities as the role the candidate applied for, always in line with the candidate's profile and interests.

#### **4) Informed consent**

The legal ground for the following processing activities is the candidate's informed consent pursuant to art. 6.1. of the GDPR:

- Reception of work/job references;
- Candidates' CVs may be sent on to other companies in the Schwarz Group whenever there are similar positions and/or that are suited to the candidate's profile;

#### **VI. EXISTENCE OF AUTOMATED DECISION-MAKING**

The candidates' data is not subject to profiling and automated decision-making does not take place in connection with its processing.

#### **VII. SECURITY MEASURES**

SCRM undertakes to protect the candidates' personal data by implementing technical and organisational measures so that the data are processed lawfully, fairly, transparently, suitably, limitedly, accurately and updated. SCRM adopts all reasonable measures so that personal data are erased or rectified without delay whenever they are inaccurate or incomplete, and it shall implement any other security measures that may become legally enforceable in the future.

#### **VIII. WHO RECEIVES CANDIDATES' PERSONAL DATA?**

SCRM only discloses the candidates' personal data to the persons and departments (e.g., Human Resources Department, Senior Management) that require them for carrying out selection processes, executing contractual documentation, as well as to perform any legal obligation or to protect legitimate interests.

Outside of SCRM, the candidates' personal data are disclosed to:

- Public administrations, authorities and bodies whenever required to do so by the laws in force, particularly with regard to tax and social security matters.
- Other companies in the Schwarz Group, provided that the candidate's consent has been obtained.
- Service providers that SCRM engages or may engage that have data processor status, such as:
  - Entities that provide staffing services.
  - Entities that provide personnel management and administrative services.

#### **IX. WILL THE CANDIDATES' PERSONAL DATA BE TRANSFERRED TO THIRD COUNTRIES?**

The candidates' personal data shall only be transferred to recipients outside of the European Economic Area (EEA) if the European Commission has granted a third country a reasonable degree of protection (by way of standard EU contractual clauses) and if the transfer is required for the candidates selection or hiring process or if the candidates have given their consent to this transfer.

#### **X. WHAT IS THE STORAGE PERIOD OF THE CANDIDATES' PERSONAL DATA?**

The candidates' personal data will be kept until the finalisation of the recruitment process, as of which time they shall be blocked until the prescription periods that apply have elapsed (e.g., obligations to store data pursuant to the labour and tax laws in force).

## **XI. DATA PROTECTION RIGHTS**

The candidates are entitled to request information about their personal data kept on record free of charge.

Provided legal requirements are complied with, the candidates shall be entitled to rectify and erase their data, and to restrict their processing.

If the candidates have directly provided the data processed, they shall be entitled to data portability pursuant to article 20 of the GDPR.

If the legal basis for the processing of data is a statement of consent pursuant to article 6. 1 a) of the GDPR, the candidates may withdraw their consent at any time that shall become effective in the future, without this affecting the lawfulness of the processing until that date.

If the processing of personal data is based on article 6.1 e) or f) of the GDPR, the candidates shall be entitled to object to this. This also applies to the processing of personal data for direct advertising purposes. If the candidates object to the processing of their personal data, they shall no longer be processed.

## **XII. WHERE CAN YOU LODGE A COMPLAINT?**

In order to exercise these rights, the candidates may address SCRM through any of the following channels:

- A letter with an indication of the right to be exercised and which data are no longer to be processed, sent to the following address: SOCIAL BIGDATA COMUNICACIÓN, S.L.U., calle Bergara, 13, 4ª, 08002 Barcelona, for the attention of the Data Protection Officer.
- An email with an indication of the right to be exercised and which data are no longer to be processed sent to the following address: [dataprotection@scrm.lidl](mailto:dataprotection@scrm.lidl).

Furthermore, the candidate shall be entitled to file a complaint with the Spanish Data Protection Agency with address at c/Jorge Juan, 6, 28001 Madrid.

## **XIII. ADDITIONAL INFORMATION**

Should this Personal Data Protection Policy be updated or if the candidates' data are processed for other purposes, they shall be duly informed of this.

5 April 2023

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