

**PRIVACY POLICY**  
**FOR CANDIDATES FOR JOBS IN 4soft SA**

This Privacy Policy explains how 4soft SA., a limited liability company with its registered office at the following address: ul. Szewska 3A, 50 – 053 Wrocław (“**4soft**”) processes personal data of candidates for jobs in 4soft (“**the Candidates**”). For the purposes of this Privacy Policy, the term “Candidate” shall mean a candidate for an employee as interpreted in the Labour Code and a candidate for a person employed based on a civil-law agreement (e.g. service provision agreement).

**1. WHO IS THE PERSONAL DATA CONTROLLER?**

- 1.1 4soft is **the controller of the personal data** of the Candidates processed under the recruitment procedures of 4soft, as interpreted in the provisions of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (“**the GDPR**”).

**2. WHICH CATEGORIES OF THE CANDIDATES’ PERSONAL DATA ARE PROCESSED BY 4SOFT?**

- 2.1 4soft processes the following personal data of the Candidates:
- 2.1.1 first name(s) and surname;
  - 2.1.2 date of birth;
  - 2.1.3 contact data specified by the Candidate (e.g. telephone number, e-mail address);
  - 2.1.4 information concerning education and course of previous employment (if it is necessary to perform the work of a specific type or at a specific position);
  - 2.1.5 other personal data provided by the Candidate in the documents submitted during the recruitment procedure;
  - 2.1.6 data of special categories (e.g. health data) only if it is made available to 4soft on the Candidate’s own initiative and if the Candidate consents to its processing by 4soft.

**3. PURPOSES AND LEGAL BASIS OF THE PROCESSING OF THE CANDIDATES’ DATA**

- 3.1 4soft processes the Candidates’ personal data for the following purposes with the following corresponding legal grounds for processing:

PURPOSES OF PROCESSING	LEGAL GROUNDS FOR PROCESSING
<ul style="list-style-type: none"> <li>● <b>Data processing for recruitment purposes for a specific position in 4soft</b></li> </ul>	<ul style="list-style-type: none"> <li>● Performing the obligations arising from the regulations of the law (Article 6 (1) (c) of the GDPR in connection with Article 22<sup>1</sup> and the following of the Labour Code) – it refers to the data including but not limited to the following: <i>first name(s) and surname(s), date of birth, contact details indicated by the candidate, education, professional qualifications and the course of previous employment.</i></li> <li>● The processing is necessary to undertake the activities at the request of the data subject, i.e. the Candidate, prior to the conclusion of the contract (Article 6 (1) (b) of the GDPR) – <i>the data beyond the scope of the above mentioned data, provided by the candidate voluntarily.</i></li> <li>● The Candidate’s consent (Article 6 (1) (a) of the GDPR) in the scope permitted by the regulations of the law - <i>the data exceeding the scope of the aforementioned data, provided by the candidate voluntarily (e.g. when the Candidate transfers the particularly protected data to 4soft on their own initiative<sup>1</sup> and giving the express consent to its processing by 4soft)</i></li> </ul>
<ul style="list-style-type: none"> <li>● <b>Storage of personal data for the purposes of future recruitment</b></li> </ul>	<ul style="list-style-type: none"> <li>● The Candidate’s consent to the processing of data contained in recruitment documents for the purpose of future recruitments.</li> </ul>

#### 4. HOW DO WE OBTAIN THE CANDIDATES’ DATA?

4.1 4soft obtains personal information about the Candidates **directly from the Candidates:**

4.1.1 **during the recruitment process** (of which the personal data included in CV/recruitment documents, e.g. job applications),

4.1.2 **from the third parties** – e.g. the entities providing services connected with the recruitment (e.g. recruitment agencies/headhunters);

#### 5. WHERE THE CANDIDATES’ DATA IS MADE AVAILABLE?

Your personal data is made available to the following entities by us:

5.1 **business partners of 4soft** (e.g. those providing accounting services 4soft, outsourcing services and other services necessary for the correct performance of the recruitment by 4soft).

#### 6. IS THE PROVISION OF DATA TO 4SOFT OBLIGATORY OR VOLUNTARY?

6.1 4soft, acting as an employer, has the right to request the following personal data from the Candidates applying for the job:

- (a) first name(s) and surname,
- (b) date of birth;
- (c) contact data specified by the Candidate (e.g. telephone number, e-mail address);
- (d) education,

<sup>1</sup> The particularly protected sensitive data includes the data concerning racial and ethnic origin, political opinions, religious beliefs, world views, trade union membership, genetic data, biometric data, data concerning health, sexuality and sexual orientation of a person.

- (e) professional qualifications;
- (f) existing work experience.

6.2 4soft may also request other data if 4soft is obliged to be provided with it by the Candidates under the relevant regulations of the law or when it is necessary to exercise the rights of 4soft to which 4soft is entitled as the employer.

6.3 The provision of other personal data to 4soft by the Candidate is, in principle, voluntary and the processing of such data is based on the legal grounds indicated in point 3.1. above.

6.4 4soft confirms that in the event of any amendments to the provisions of the Labour Code or other laws governing the scope of the data that may be requested by the future employer from the Candidate, 4soft shall notify the Candidate of that and the provisions of this information shall be amended accordingly.

## 7. HOW LONG DO WE STORE PERSONAL INFORMATION ABOUT THE CANDIDATES?

7.1 **The storage of the documentation if the Candidate is employed by 4soft** – 4soft stores the documentation of the employed Candidates in their employment files **for the period of 50 years or 10 years** (*depending on when the Candidate is employed, that is before or after 1 January 2019 – the periods of storage have been explained in the Privacy Policy for the Employees/Co-Employees that the Candidate receives upon concluding an employment contract or starting a B2B contract-based cooperation with 4soft*).

7.2 **The storage of the documentation if the Candidate is not employed by 4soft** – 4soft does not process the personal data of the Candidates who have not been employed, that is such data is deleted as a rule. 4soft processes the data of a Candidate who has not been employed only when the Candidate has given their consent, for the period for which the consent has been granted, i.e. 1 year.

## 8. WHAT RIGHTS DO CANDIDATES HAVE?

8.1 The Candidates whose personal data is processed by 4soft shall have the following rights:

<b>Right</b>	<b>Meaning</b>
<b>Right to be informed</b>	The Candidates have the right to receive clear, transparent and understandable information about how we use personal data and the rights the Candidates have under the GDPR. For this reason, 4soft provides this Privacy Policy.
<b>Right of access</b>	<p>The Candidates have the right to access their personal data and some other information that is processed, including but not limited to the information about the purposes of processing, as well as the categories of the Candidates' personal data. The Candidates also have the right to access their personal data in the form of a copy of their personal data.</p> <p>The right of access allows the Candidates to verify how 4soft processes their personal data and whether the processing is in compliance with the data protection law;</p>
<b>Right to rectification</b>	The Candidates have the right to request 4soft to promptly correct their personal data if such data is incorrect or incomplete (e.g. if 4soft is processing an invalid address of the Candidate), the Candidate may submit additional statement for that purpose;

<b>Right to erasure</b>	The right to erasure the data - also known as “ <i>the right to be forgotten</i> ” – enables the Candidates to request the erasure of their personal data when such data - for example - has been used in violation of the law.
<b>Right to restriction of processing</b>	<p>The right to restriction of processing is the Candidates’ right to request that 4soft stops further processing of data in the event that, for example, 4soft is in the process of evaluating a request to rectify the Candidate’s personal data.</p> <p>If the processing of the personal information is restricted, 4soft may continue to store the Candidates’ personal information but cannot actively use it (e.g. to perform a contract);</p>
<b>Right to data portability</b>	<p>The right to data portability is the right to receive and reuse certain personal data for the Candidate’s own purposes with other entities (being separate data controllers).</p> <p>This right applies only to the Candidate’s personal data that has been provided to 4soft and that 4soft processes by automated means and (i) with the Candidate’s consent or (ii) in order to perform a contract.</p> <p>In such a case, 4soft shall provide the Candidate with a copy of the Candidate’s personal data in a structured, commonly used and machine-readable format or (if technically possible) 4soft may send the Candidate the data directly to another data controller. 4soft may refuse to exercise this right where it could adversely affect the rights of another person.</p>
<b>Right to object</b>	<p>To the extent that the basis for the Candidate’s personal data processing is the pursuit of legitimate interests of 4soft, the Candidate has the right to object to the processing of such data.</p> <p>However, 4soft has the ability to continue to process the personal data if 4soft can demonstrate compelling legitimate grounds for the processing which override the Candidate’s interests, rights and freedoms, or for the establishment, exercise or defence of legal claims.</p>
<b>Right to withdraw the consent</b>	To the extent that the basis for the Candidate’s personal data processing is the Candidate’s <b>consent</b> , the Candidate shall be entitled to withdraw it at any time. The withdrawal of the consent does not have any effect on the lawfulness of the processing performed pursuant to the consent before its withdrawal.

- 1.1 The Candidate shall also have **the right to lodge a complaint** with a supervisory authority, that is the President of the Personal Data Protection Office if 4soft violates the provisions of the GDPR or other national personal data protection regulations.

**Address of the President of the Personal Data Protection Office:**  
**Biuro Prezesa Urzędu Ochrony Danych Osobowych**  
 Stawki 2, 00-193 Warszawa  
**Telephone No.:** 22 860 70 86

## **9. HOW TO CONTACT 4soft?**

- 9.1 In all matters relating to personal data processing, in particular the exercise of the Candidate's rights related to personal data processing, you can contact Izabela Karolczyk [izabela.karolczyk@4soft.co](mailto:izabela.karolczyk@4soft.co), preferably with the note "*Przetwarzanie danych osobowych przez 4soft*" [*Personal data processing by 4soft*] or "*RODO*" [*GDPR*].

## **10. AMENDMENTS TO PRIVACY POLICY**

- 10.1 4soft shall regularly update its Privacy Policy. If any amendments to this Privacy Policy would have a material effect on candidates, we shall notify you by email or any other means customary in this regard.