

## **Data protection information for applicants (m/f/d)**

The following data protection information informs you about the processing of your personal data within the application process at the SayWay GmbH, its group companies, departments and groups in accordance with the Data Protection Regulation (GDPR) and the Federal Data Protection Act (BDSG). This data protection information applies to both specific advertisements and unsolicited applications.

Pursuant to Art. 4 No. 1 GDPR, your personal data includes all information that relates or can be related to your person, in particular by means of assignment to an identifier such as a name, with which your person can be identified. This also includes personal data that you provide to us during the entire application process, such as your curriculum vitae, certificates, etc.

### **Responsible for the processing of your personal data**

The competent and responsible body for the collection, processing and use of your personal data is, unless otherwise contractually agreed:

SayWay GmbH  
5073 Köln  
Holbeinstr. 6

### **Personal information and personal data**

The SayWay GmbH collects and processes the following personal data (both in paper format and in digital form) provided by you through your application (hereinafter collectively, "**applicant data**"):

- **Contact details**, such as your name, address, telephone number, email address;
- **Information on your professional experience and skills**, as well as previous employment, language skills, performance appraisals, evaluations and quotas;
- **Preferred field of activity**;
- **Bank details** (if applicable for the purpose of reimbursement of travel expenses);
- **Correspondence data** (e.g. correspondence);
- **Voluntary information that you provide to us in your application** (e.g. photo);

It is not intended that special types of personal data, such as health data, are processed pursuant to Article 9 (1) of the GDPR. However, should you provide us with these, these data will also be processed.

### **Data processing purposes, legal basis and consequences:**

The purpose of collecting and processing the applicant data is to conduct an application procedure for recruitment, hiring purposes and to determine the skills and suitability of the applicants who have applied for a position (hereinafter collectively, "processing purposes").

The SayWay GmbH relies on the following legal bases with regard to data processing:

- Decision on the establishment of an employment relationship (Art. 88 para. 1 GDPR in conjunction with §26 para. 1 BDSG);
- Legitimate interest SayWay GmbH, SayWay GmbH subsidiaries or third parties where the legitimate interest exists in application management (Art. 6 para. 1 lit. f GDPR);
- Consent, if express consent has been given by you voluntarily, the legal basis for this is Art. 6 para. 1 lit. a GDPR and Art. 88 para. 1 GDPR in conjunction with §26 para. 2 BDSG;
- Compliance with legal requirements (Art. 6 para. 1 lit. c GDPR).

The applicant data is provided on a voluntary basis. The data is required for the implementation and administration of the application process, unless we explicitly state otherwise when collecting the data. However, if you do not provide this data, it could prevent the recruitment process, so that the SayWay GmbH unfortunately cannot consider your application.

### **Recipient categories**

SayWay GmbH will disclose your personal data in the course of the application process within the company exclusively to the departments and persons relevant to the application who need the data to fulfil the contractual and legal obligations or to implement our legitimate interest. In this context, service providers acting as processors may also be used to provide IT and other administrative support (e.g. service providers offering IT hosting or maintenance support). These service providers may have access to your personal data to the extent necessary to provide such services.

Access to your personal data is limited to the group of persons who need the information for the performance of their duties.

### **Retention period**

The application data will be kept for as long as necessary by SayWay GmbH.

and, where applicable, their service providers, to the extent necessary to fulfil their obligation and stored in accordance with applicable data protection law for the time necessary to achieve the purposes.

The SayWay GmbH will delete your application data upon expiry of a maximum of six months after we have informed you that your application will not be considered. This does not apply if you expressly consent to longer retention at our request because we want to keep you in a talent pool (Art. 6 para. 1 lit. a GDPR); in this case, deletion will take place after the expiry of the time specified in the consent or after your revocation of consent. Deletion takes place subject to a right to retention pursuant to Art. 17 (3) GDPR or in accordance with applicable provisions in the BDSG.

If the decision is positive for you, the application will be assigned to your personnel file, which was created when the employment relationship came into being, and will be considered part of it from a data protection point of view.

### **Your data subject rights**

You have the following rights vis-à-vis us if the legal requirements are met:

- Right to information, Art. 15 GDPR  
You have the right to information about the personal data stored about you.

- **Right to rectification, Art. 16 GDPR**  
If you find that inaccurate data relating to you is being processed, you may request rectification. Incomplete data must be completed taking into account the purpose of the processing.
- **Right to erasure, Art. 17 GDPR**  
You have the right to request the erasure of your data if certain grounds for erasure exist, unless our legitimate interest or a legal obligation to process the data conflicts with this.
- **Right to restrict processing, Art. 18 GDPR**  
You have the right to restrict the processing of your data. This means that your data will not be deleted, but will be marked to restrict its further processing or use.
- **Right to data portability, Art. 20 GDPR**  
You have the right to receive the personal data you have provided to SayWay GmbH in a structured, common and machine-readable format. Furthermore, you have the right to transfer this data to another controller without hindrance by the SayWay GmbH.

#### RIGHT OF OBJECTION, ART. 21 GDPR

YOU HAVE THE RIGHT TO OBJECT AT ANY TIME, ON GROUNDS RELATING TO YOUR PARTICULAR SITUATION, TO THE PROCESSING OF PERSONAL DATA CONCERNING YOU WHICH IS CARRIED OUT ON THE BASIS OF ART. 6(1)(E) OR (F) OF THE GDPR.

YOUR PERSONAL DATA WILL THEREAFTER NO LONGER BE PROCESSED UNLESS WE CAN DEMONSTRATE COMPELLING LEGITIMATE GROUNDS FOR THE PROCESSING WHICH OVERRIDE YOUR INTERESTS, RIGHTS AND FREEDOMS, OR THE PROCESSING SERVES THE PURPOSE OF ASSERTING, EXERCISING OR DEFENDING LEGAL CLAIMS. IF YOU HAVE ANY QUESTIONS ABOUT YOUR RIGHTS AND HOW TO EXERCISE YOUR RIGHTS, PLEASE CONTACT SayWay GmbH OR THEIR COMPANY DATA PROTECTION OFFICER.

If you have given your consent with regard to certain processing activities, your data will only be processed to the extent agreed in the consent. Your consent in these cases is voluntary and can be revoked by you at any time with effect for the future. This revocation will not affect the previous processing of data. You will not suffer any disadvantages from non-consent or a later revocation of consent.

In addition, if you believe that the processing of personal data concerning you violates the GDPR, you have the right to lodge a complaint with any competent data protection supervisory authority (Art. 77 GDPR in conjunction with §19 BDSG). You can assert this right at a supervisory authority in the member state of your place of residence, your place of work or the place of the alleged infringement.

Note that the above rights may be limited by national law.

#### **Automated decision making / profiling**

The SayWay GmbH does not use automated decision-making, including profiling within the meaning of Article 22 of the GDPR, in connection with the application.

You can reach the data protection officer of the SayWay GmbH at the following contact details:

E-mail: [dataprotection@sayway.com](mailto:dataprotection@sayway.com)