

**Proferens Headhunting & HR  
Solutions S.À R.L.  
PRIVACY POLICY**

At Proferens Headhunting & HR Solutions, we take privacy and confidentiality matters very seriously. We have developed this Privacy Policy (the “**Privacy Policy**”) to clearly define our ongoing commitment to protecting privacy rights and to explain how we collect, use and disclose personal data when interacting with Proferens Headhunting & HR Solutions.

The Privacy Policy is issued by Proferens Headhunting & HR Solutions S.à r.l. (hereinafter “**Proferens**”, “**us**” or “**our**”), a limited liability company (*société à responsabilité limitée*) formed under the laws of Luxembourg with registered offices at 6, op der Heed, L-1709 Senningerberg, Grand Duchy of Luxembourg, registered within the *Registre de Commerce et des Sociétés* in Luxembourg under the number **BXX**.

Proferens Headhunting & HR Solutions S.à r.l. acts as data controller (i.e. the organisation which determines why and how to process personal data), within the meaning of applicable data protection laws.

In this Privacy Policy we use the terms:

“**personal data**” which means any information allowing the direct or indirect identification of an individual;

“**processing**” which means any act made in relation to such data (e.g. collecting, storing, and transferring data);

“**data subjects**”, “**you**” and “**your**” refer to our candidates, clients (being individuals), individuals associated with our clients when such clients are entities (e.g their employees, persons of contacts), suppliers (being individuals), individuals associated with our suppliers when such suppliers are entities, business contacts and prospects, users of our website and any other third party (being individuals) on whom we may collect personal data;

“**candidate**” which means any individual contacted by Proferens in the course of the recruitment services provided by Proferens to its clients, contacting directly Proferens in the course of a job search or other related question, introduced by Proferens to one of its clients in the course of the recruitment services provided by Proferens;

“**client**” which means any individual or entity that has mandated Proferens to provide recruitment services (e.g information on the market, finding a candidate, etc.) and has signed the Standard Terms and Conditions of Business of Proferens.

Candidates applying to work for Proferens are not concerned by this Privacy Policy and have been provided with the internal Human Resources Privacy Policy of Proferens.

## **1. Collection of personal data**

We collect, store and otherwise process personal data relating to individuals having interactions with Proferens, including when:

- we provide you with a service;
- you provide services to us as a supplier;
- you navigate on and/or contact us through our website [www.proferens.lu](http://www.proferens.lu) ;
- we interact with you in any way (e.g during events, when you make requests of information by contacting us by phone, post mail, when we contact you for a potential engagement with one of our clients, etc.).

Any processing performed by Proferens is made in accordance with applicable data protection laws, including but not limited to, the European General Data Protection Regulation 2016/679 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 (“GDPR”).

**Where do we obtain your personal data?**

- we collect information directly from you as part of our recruitment services and as necessary in the course of providing recruitment services to a candidate or a client;
- we gather information about you when you provide it to us, or interact with us directly, for instance when navigating through our website and filing a contact form or registering a CV, when requesting a call back, contacting us; etc.
- we may collect or receive information about you from other sources, such as in order to keep the contact details we already hold for you accurate and up to date using publically available sources. Such sources may notably include public platforms such as LinkedIn, individuals we call to obtain references about a candidate to confirm prior positions or experience, etc.

When we receive personal data of a third party individual indirectly, the persons providing Proferens with such personal data undertake to do so in compliance with the applicable data protection laws and in particular to inform such party of the processing performed by Proferens and as the case may be, to provide them with this Privacy Policy.

**Update of personal data.** We will endeavor to keep the personal data in our possession or control accurate. Data subjects providing personal data are however responsible for promptly informing us of any change to their personal data.

**Refusal to provide your personal data.** You have the right to refuse to provide us with your personal data but you are aware that not providing us with some of the above personal data (e.g. data requested at the time of your job search) would unfortunately prevent Proferens from providing its services or from interacting with you or entering into an agreement or maintaining any ongoing agreement with you.

**2. Types of personal data processed and purposes of the processing**

We aim to be transparent about what we process and why. For further information on our processing activities please review the relevant section below:

• **Candidates:**

- **Collection:** We expect candidates to only provide us with personal data that is necessary for us to carry out our services.

We notably collect personal data:

- when a candidate logs in or registers his/her CV or for job alerts on our website;
- when a candidate sends us an application via post mail, email or provides it to one of our consultants;
- when a candidate has any interaction with us.

We may sometimes process personal data on candidates received from a third party, as detailed above in section 1.

- **Types of personal data processed:** Such personal data may include, but is not limited to:

- Identification data (such as surname, first name, date and place of birth, gender, picture);
- Private contact information (such as phone and fax numbers, home and email address, country of residence);
- Professional contact information (such as phone number and address of current position);
- Government issued identification numbers (such as social security number, tax number, copy of ID card and passport);
- Other relevant personal details (such as nationality, marital status, preferred language);
- Other relevant application details (such as any information contained in your CV, your application letter, your reference letters, your certificate of good conduct, your

evaluations and test results; your work permit, your skills, your education, your professional experiences, information resulting from background checks, your current job status and role, your current salary or salary expectations, your current or required benefits, your sector of activity, your preferred location of work);

- Login information (such as email address and password) for access to our website;
- Criminal records when required and in accordance with applicable laws;
- Any other personal data related to the conduct of YYY RECRUITMENT's services.

We undertake to make sure that any personal data provided by candidates or third parties to Proferens and that may be considered as falling within a specific category of data known as sensitive data under applicable data protection laws (such as personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, data concerning health or data concerning a natural person's sex life or sexual orientation) will be immediately deleted by our consultants. When we are required to collect such personal data to meet any legal or regulatory requirements, we undertake to process it in accordance with applicable laws, including with the GDPR and to apply appropriate technical and organizational security measures.

- **Use:** We may use the above listed personal data:

- To provide you with our services (such as to enable you to submit your CV for general applications, to apply for specific job offers or to subscribe to our job alerts, to retain your details and notify you about future job opportunities other than the specific role for which you have contacted us);
- To manage our relationship with candidates;
- For the provision of services to our clients (such as when your application meets the job offers of our clients, or to send your personal information to clients that may be interested by your profile);
- For administration purposes (such as for the management of your application);
- For marketing purposes in accordance with applicable law.

- ***Clients and individuals associated with clients:***

- **Collection:** We request that our clients provide us with personal data that is only necessary for us to manage our client relationship (including processing payments, accounting, auditing, billing and cash collection) and to carry out our services.

In the course of our services we may notably collect personal data on clients being individuals or on individuals related to clients (such as their employees being persons of contact, their managers, etc.) in the course of the client's interaction with us, including through our website.

- **Types of personal data:** Such personal data may include, but is not limited to:

- Identification data (such as surname, first name, gender, picture, job title);
- Contact information (such as phone and fax numbers, postal address, email address, country of residence);
- Government issued identification numbers (such as social security numbers, tax number, copy of ID card or passport);
- Any other personal data related to the conduct of Proferens's services to its clients.

- **Use:** We may use such personal data:

- To provide our services;
- For administration purposes (such as for invoicing);
- To manage client relationships (such as to provide you with information or updates on our services that we consider to be relevant to you and to make improvements to our service delivery);
- For marketing purposes in accordance with applicable law.

- ***Business contacts, prospects and other contacts:***

- **Collection:** Proferens may collect personal data of business contacts, prospects or any other third party having interactions with us.

Most of the personal data we process in respect to business contacts, prospects and other contacts is information that is knowingly provided to us by such data subjects (such as when they provide one of our consultants with a business card or when a contact asks us to call him/her to provide some information on our services). However, in some instances, we may process personal data received from a third party or accessed from public sources.

- **Types of personal data:** Such personal data may include, but is not limited to:
  - Identification data (such as surname, first name);
  - Business contact information (such as phone and fax numbers, email address);
  - Other relevant professional details (such as nationality, preferred language, job title, function within a company);
  - Any other personal data related to the conduct of Proferens's business.
- **Use:** We may use such personal data:
  - To send you offers, on your demand, for our services;
  - For contact and communication purposes (such as to send you, in accordance with applicable laws, updates or news about Proferens and our services and prices or about the events we may organise).

- **Suppliers including individual contractors:**

- **Collection:** We may collect personal data from our suppliers and individual related to our suppliers (e.g their employees, persons of contact) and from individual contractors.

Most of the personal data we process in respect to suppliers and contractors is information that is knowingly provided to us by them. However, in some instances, we may process personal data of individuals related to suppliers and provided by this latter (such as when a supplier being an entity provides us with the contact details of one of its employees).

External service providers acting as data processors are contractually obliged to maintain strict confidentiality as per Article 28 of the GDPR.

- **Types of personal data:** Such personal data may include, but is not limited to:
    - Identification data (such as surname, first name);
    - Business contact information (such as phone and fax numbers, email address);
    - Other relevant professional details (such as job title, function within a company);
    - Any other personal data related to the management by Proferens of its suppliers.
  - **Use:** We may use such personal data:
    - To receive services from suppliers;
    - To manage the relationship with the supplier;
    - For the provision of services to our clients (such as when a supplier is assisting us in delivering services to our clients);
    - For administration purposes (such as to agree on payment arrangements with our suppliers and to make payments to them);
    - For marketing purposes in accordance with applicable law.

- **Users of our website [www.proferens.lu](http://www.proferens.lu) :**

- **Collection:** When navigating through our website, we may process some personal data related to you. Such data may be provided directly by data subjects when registering their CV, when logging on the website or when filling in the contact form or it can be collected directly by our IT systems, as described below.

- **Types of personal data:** Such personal data may include, but is not limited to:
    - IT-related information, such as your IP address, the name of your internet service provider, the operating system and the browser you use, the date and duration of your visit, the name(s) of the visited page(s) collected via session cookies;
    - Identification data (such as surname, first name, date and place of birth, gender, picture);

- Private and business contact information (such as phone and fax numbers, home and email address, country of residence);
- Other relevant personal details (such as your CV, nationality, marital status country of residence or company name);
- Other relevant application details (such as personal data contained in your CV, your skills information, your hobbies, etc);
- Other relevant professional details (such as job title, function within a company);
- Login information (such as email address and password);
- Any other personal data reasonably related to the operation of our website;
- Any other personal data related to the conduct of Proferens's business.

- **Types of cookies used:** Cookies are small text files that are stored on your computer, tablet or smart phone by your browser when you visit a website.

Cookies provide useful information to companies, which helps in a variety of ways. Cookies, for instance, help us to analyse how you interact with our website so we can make improvements. For you, it means you can use the website more efficiently.

We only use “**session cookies**” on our website which allow website operators to link your actions during a browser session. A browser session starts when you open the browser window and finishes when you close the browser window. “Session cookies” are created temporarily. Once you close the browser, all “session cookies” are deleted and we do not retain any identifiable personal data from your session.

- **Consent to cookies:** While most Internet browsers are configured to allow cookies automatically, accepting them isn't compulsory. You can choose to adjust your Internet browser parameters to refuse cookies.

- **Use:** We may use the above listed personal data:

- To identify you once you have logged in, for the duration of the session;
- To keep track of your input when filing online forms for the duration of a session;
- To analyse website visits;
- To enhance the performance of the website;
- To provide and perform our services.

### 3. Legal basis for the processing of personal data

We will only collect and process personal data where we have a lawful reason to do so. The lawful basis for the processing of personal data performed by us will always be at least one of the following, depending on the concerned processing, nature of personal data and data subjects:

- It is necessary for Proferens to take measures at your request prior to entering into a contract or for the performance of any contractual obligations towards you (such as to comply with our Standard Terms and Conditions of Business);
- It is necessary for Proferens to be able to perform an obligation according to law or comply with any decision by a public authority, such as to allow us to comply with applicable commercial, tax and any regulatory obligations or to respond to requests and comply with requirements from public authorities and professional supervisory bodies;
- It is necessary for the establishment, exercise or defence of legal claims or proceedings;
- It is necessary for the purposes of the legitimate interest pursued by us or by a third party, such as, but not limited to:
  - provide and improve our services to our clients and candidates,
  - provide information requested by you;
  - promote our recruitment services;
  - manage and administer our relationship with you;
- You have given your consent when required by law, to the processing of your personal data and your consent has been obtained pursuant to applicable data protection laws, such as for us to contact you (as prospective client or contact) and send you commercial communications (invitations to events and information on our services);

No automated individual decision-making will be made in relation to the personal data processed.

#### 4. Disclosure of personal data

To achieve the purposes described above, we may disclose personal data to the following recipients:

- Any Proferens affiliated entities;
- Commercial partners;
- Clients;
- Candidates;
- Subcontractors;
- External services providers;
- Professional advisors (in particular national or foreign law firms);
- Purchasers or sellers of our assets, and entities linked to Proferens (if any);
- Members of public organisations, administrative or legal authorities and supervisory bodies.

When we provide personal data of a candidate to a client, it is then the client's responsibility, as data controller of the personal data for its own recruitment purposes, to process the personal data received in compliance with applicable data protection laws, in particular the GDPR, by providing to candidates its own Privacy Policy or any other document containing the required prior information on the processing of personal data.

**Transfer of personal data.** Data subjects are informed that certain data recipients mentioned above may be located outside the territory of the European Economic Area in countries that do not offer a level of protection equivalent to the one granted in the European Union. Any personal data transfer to such third parties will, depending on the nature of the transfer:

- be covered by appropriate safeguards such as standard contractual clauses approved by the European Commission, in which case the data subject may obtain a copy of such safeguards by contacting us; or
- be otherwise authorised under data protection laws, as the case may be, as such transfer is necessary for the performance or execution of a contract concluded in the data subject's interest or for the establishment, exercise or defense of legal claims or for the performance of a contract between the data subject and us.

#### 5. Data subjects' rights in relation to the processing of their personal data

In relation to your personal data, you have the right, to the fullest extent permitted by the GDPR, to:

- access the personal data held about you and receive additional information about how it is processed;
- rectify or complete any inaccurate or incomplete personal data;
- seek the erasure of your personal data when its processing is no longer necessary for the purposes described above, when the processing is not or no longer lawful for any reasons, when you have withdrawn your consent to the processing, when the erasure is necessary to comply with applicable law or when you object to the processing in the absence of any overriding legitimate ground for such processing;
- object, on grounds relating to your particular situation, to any processing based on Proferens's legitimate interest;
- receive your personal data and transmit them to another data controller to the extent that the legitimacy of the processing lies on contractual performance and is carried out by automated means;
- withdraw any consent given to the processing at any time to the extent that your consent justified such processing; and
- seek the restriction of the processing, for instance, when you contest the accuracy of the personal data or when the processing is not or no longer compliant with applicable law. Such restriction will result in the personal data being, with the exception of storage, only processed in specific cases (e.g. for the establishment, exercise or defence of Y Proferens's legal claims).

We will respond to individual complaints and questions relating to privacy and will investigate and attempt to resolve all complaints. Proferens will only be able to answer favorably to any of the above requests related to the right to oppose, right of erasure and right of restriction provided that it does not interfere with or contradict a legal obligation of Proferens (e.g. a legal obligation to keep the related personal data) or due to any other impediment that would justify that Proferens would not be able to grant such requests.

We undertake to handle each request free of charge and within a reasonable timeframe (in any case no longer than 1 month). However, Proferens reserves the right to charge the data subject a reasonable administrative fee for any manifestly unfounded or excessive requests concerning access to personal data, and for additional copies of the personal data requested.

You may also lodge a complaint with your local data protection authority, a list of which is available at <https://edpb.europa.eu/about-edpb/board/members>.

## **6. Data retention**

Proferens will store your personal data only for as long as necessary for the relevant processing activity to be completed and/or for the data retention period permitted under applicable law.

## **7. Technical and organizational security measures**

Ensuring that personal data is appropriately protected from data being lost or misused or data breaches is a top priority for Proferens.

Proferens implements adequate technical and organizational security measures, such as, depending on the equipment, password protection, physical locks, etc., to ensure a level of security appropriate to the risks represented by the processing and the nature of the personal data to be protected.

Access to personal data is permitted to employees for the sole purpose of performing their professional duties, such employees being subject to a confidential obligation and being notably provided with training and documentation in order to improve their practical skills and knowledge on data protection issues.

Unfortunately, the transmission of information via the Internet is not completely secure. Although we will endeavor to protect your data, we cannot guarantee the security of your data transmitted to the website; any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to endeavor to prevent unauthorized access. You acknowledge that we are not responsible for any intercepted information sent via Internet, and you hereby release us from any and all claims arising out of or related to the use of intercepted information in any unauthorized manner.

Our website may contain links to other websites that are operated by third parties. We cannot be responsible for the privacy practices or content of those other websites.

## **8. Amendment**

Proferens reserves the right to change, supplement and/or amend this Privacy Policy at any time. In such case, notification will be given to you by email, or any other methods chosen by us and allowed under applicable law.

## **9. Contact**



For any questions or queries you may have regarding to the processing of your personal data, please contact us by email at: [camelia.craciun@proferens.lu](mailto:camelia.craciun@proferens.lu)