

Job Applicant Privacy Policy

Introduction

At The Hotel we care about your personal information. It is of the utmost importance for us that all processing of personal data respects the privacy of the individual. This is why we aim to ensure that all processing of personal data happens in accordance with the General Data Protection Regulation (the “GDPR”) and other applicable legislation. This privacy policy (the “Policy”) applies to personal data of job applicants that is processed during the application and recruitment processes.

Who is the controller?

Elba Leasehold SRL (The Hotel)

BE 0889.633.520

Boulevard de Waterloo 38, 1000 Brussels, Belgium

E-mail: recrutement@thehotel.be

Tel.: +32 2 504 11 11

How we collect personal data

When you contact us regarding a specific job vacancy or in a general interest, either via mail, e-mail or online (incl. through career sites), we will collect and process the information that you provide us with. This could include sensitive personal data, if you provide us with such data.

Under certain circumstances we process personal data about you that originates from publicly available sources like social media. This is for example the case when you include on your cv a link to a profile on LinkedIn or a similar professional social network.

Different types of processing activities

General

The Hotel processes your personal data based on the contractual obligation, as the processing is necessary to enter into contract.

In connection with an open statement of interest/spontaneous application, The Hotel will process your application for the purpose of seeing which positions fit your profile and whether your profile matches any needs that The Hotel has.

In case there is no current vacancy, The Hotel may keep your application for future vacancies if you sent your application in connection with an open statement of interest or if you consent to this, if the application was sent in response to a specific vacancy.

The purpose for the processing is to hire new employees and facilitate future applications (in case of spontaneous application).

Below you can find an overview of the personal data processed in the recruitment process. You are not obligated to provide us with any information and personal data about you. However, in some cases, we will not be able to handle your job application if we are not allowed to process your personal data.

Job application

The information we process may include but is not limited to your name, telephone number, e-mail address, education, skills and previous professional experiences, photographs, certificates, transcripts and other information which you provide to us from a former or current employer, data which is provided by the persons who you offer as references, any salary demands and notes from interviews. In addition, other personal data that you chose to provide in your CV, cover letter, or other documents will be processed.

In a number of cases, the hotel also receives data from third parties, such as social networks through which you use, e.g. LinkedIn, selection and recruitment agencies, your previous employer, but only if you have given your consent to do so.

To the extent possible, The Hotel will avoid processing sensitive personal data about you. In the event sensitive personal data will be processed, consent is obtained before such processing begins.

Reference persons

In connection with a recruitment process, The Hotel may process personal data relating to reference persons. Such processing takes place with the aim of obtaining information about the applicant's previous work and other information that may be relevant to the recruitment process.

Camera Surveillance

The Hotel uses camera surveillance. Camera surveillance is deemed to be particularly sensitive from a privacy perspective and it is of great importance that all camera surveillance take place in accordance with the relevant legislation in effect from time to time.

The camera images are processed on the basis of our legitimate interest to secure and protect our hotel and our guests.

The camera images are processed in accordance with the GDPR and applicable national laws. The hotel has, where necessary, indicated the camera surveillance by means of a pictogram.

If you would like more information, please contact us by using the contact details provided below under 'Contact Details'.

Who are the recipients or the categories of recipients which will receive the personal data?

We may share your personal and anonymous data with:

- *Third parties that are data processors that perform services to us (e.g. The Hotel's suppliers and recruiting firms that assist The Hotel in the recruitment process): Their use of information is limited to these purposes and subject to agreements that require them to keep the information confidential. Our vendors provide assurance that they take reasonable steps to safeguard the data they hold on our behalf.*
- *Lawyers and advisors of Pandex Group.*
- *Relevant authorities.*
- *Potential acquirers of the company: in case (a part of) our business is sold to a third party, your data may be shared with the acquirer.*
- *When collecting input from reference persons, such persons will be informed that you have applied for a position with The Hotel.*

Will transfers be made to any third country?

Your personal data may be transferred to countries outside the European Union (EU) / the European Economic Area (EEA) that offer an adequate level of data protection, as established by specific decisions of the European Commission (https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/adequacy-decisions_en).

The transfer of your personal data to countries that do not belong to the EU/EEA and that do not ensure adequate level of protection will be performed only after conclusion between the hotel and the recipient of the data of specific agreements, containing safeguard clauses and appropriate safeguards for the protection of your personal data which are so-called "standard contractual clauses", also approved by the European Commission, or otherwise in compliance with Chapter V of the GDPR.

If you have any questions about the transfer of your personal data outside the EEA, please contact us by using the contact details provided below under 'Contact Details'.

How long is the personal data saved?

We will not save personal data longer than necessary for the purpose of the relevant processing. Data may be kept longer where this would be necessary to fulfil other legal retention duties or for the establishment, exercise or defence of legal claims.

Personal data which is collected during the recruitment process is erased (unless otherwise provided under domestic law) after ending the job application procedure, when it is clear that the applicant will not be offered employment or if an applicant declines an offer of employment. With applicant's written consent, we may keep their application for future recruitment for similar positions — maximum for 1 year from the date when such consent was provided.

Application documents that lead to employment are further processed throughout the employment relationship, which is documented in the employee privacy policy.

Camera images are saved for 30 days.

What rights do you have as a data subject?

At The Hotel we respect your rights.

You have the right of access to your data, to have your personal data corrected, in certain cases to object to the processing and to require the personal data to be erased, to be restricted, and to be turned over to you in a format that is machine-readable.

Please note that to not share your data with unidentified third parties, we cannot process your request without proof of your identity.

If you wish to exercise your rights under the GDPR, please contact the hotel or the DPO using the contact details set out at the end of this policy. You will receive an answer to your request within one month.

A. Right of access

You are entitled to obtain access to your personal data we process and information about what personal data is registered about you in our filing systems.

B. Right to correction

You can request that we correct any incorrect personal data we hold about you. You can also supplement incomplete personal data, among other things by providing a supplemental statement of the missing personal data, as it relates to the processing we do.

C. Right to erasure

Under certain circumstances, you have the right to have your personal data removed from our files. Please note that this right is not absolute and in some cases, we will not be able to execute your request, such as when we are legally obliged to keep certain data for a specific period.

D. Right to restrict processing

In certain cases, you have the right to require that we restrict the processing of your personal data. In certain cases the processing of the personal data is necessary to comply with legal obligations or to be able to execute contractual obligations. In those cases, compliance with those obligations will prevail over your right to restriction.

E. The right to data portability

You have the right to receive the personal data we hold regarding you, that you yourself have provided us, in a structured, commonly used and machine-readable format and to transfer this data to another controller. This right applies to automated processing where the processing of personal data is based on your consent or on an agreement with you.

F. Right to make objections

You are entitled to object to our processing of your personal data where it involves personal data which is being processed based on a legitimate interest. In such case, we will reassess our legitimate interest against your interests, rights and freedoms and stop the processing unless we can demonstrate a compelling legitimate reason for the processing.

Where the personal data is processed for direct marketing, you as a data subject are entitled at any time whatsoever to object to the processing of personal data involving you for such marketing, including profiling to

the extent this is connected to such direct marketing. We will not however, process your personal data, supplied during the application process for direct marketing.

Right to withdraw consent

In certain cases we ask for your consent to process your personal data. Following your consent, we will only process your personal data for that or compatible purposes. In the application process, this may be done to add your application to our hiring reserve, if you applied to a specific vacancy.

When the processing of your personal data is based on consent, you are entitled to withdraw your consent at any time. Please note that this does not affect the lawfulness of the processing carried out on the basis of your consent before it was withdrawn. If you would like to withdraw your consent, please contact us using the contact details below.

The supervisory authority.

You are always entitled to file a complaint with the data protection authority.

For The Hotel, the supervision is exercised by the Belgian Data Protection Authority (Autorité de protection des données / Gegevensbeschermingsautoriteit). You can find more information and contact details of the Belgian Data Protection Authority here: <https://www.dataprotectionauthority.be/citizen>.

Security measures

We have implemented appropriate technical and organizational measures to ensure a level of security appropriate to the risk with relevant processing activity (including reasonable steps to secure your personally identifiable information against unauthorized access or disclosure).

Contact details

To exercise your rights under the GDPR or if you have any questions or concerns about your privacy or our processing of your personal data, you can contact The Hotel (Elba Leasehold SRL) at recrutement@thehotel.be.

The Hotel (Elba Leasehold SRL) has appointed a data protection officer (DPO) who can be reached at privacy@thehotel.be.

Updates of the policy

This privacy statement last changed on the 17/01/2023.