

## **Data protection declaration**

Thank you for entrusting us with your personal data in the context of an application or a potential application. In the following, we explain how we process your personal data in this context retain further relevant information in connection therewith.

Fair  
Executive  
Search

### **1. Who is responsible for the processing of your personal data ?**

Fair Executive Search, represented by Mr Denis Jeanson, Rathochstrasse 85, 81247 Munich (hereinafter "we") is the responsible person in keeping with the European General Data Protection Regulation ("GDPR").

### **2. Data protection officer**

For all questions relating to the processing of your personal data and the exercising of your rights according to the GDPR, please contact our data protection officer at +49 89 81009686 or [info@fairexecutivesearch.de](mailto:info@fairexecutivesearch.de).

### **3. For which purposes and on what legal basis do we process personal data?**

We process personal data concerning you for the purposes of an application for an employment relationship with one of our clients inasmuch as this is necessary for the decision regarding the justification for an employment relationship. The legal basis is in this case § 26 paragraph (1) with § 26 paragraph (8) part 2, German Federal Data Protection Act (BDSG).

Furthermore, we can process personal data regarding yourself inasmuch as this is necessary for defence against legal claims against ourselves resulting from the application process. The legal basis is in this case article 6(1)(f) GDPR; the legitimate interest is for example a burden of proof in a process according to the General Law on Equal Treatment (AGG).

### **4. Which categories of personal data do we process?**

We process data which are related to an effective or potential application. These data can be general data with regard to yourself (such as name, address and contact details), information regarding your professional qualification and education or information regarding your professional development or other information which you pass to us in connection with your application. In addition, we can process professional information which you have made public such as for example a profile in professional social media networks.

### **5. Which categories of receivers of your data are there?**

We can pass your personal data to our clients in the context of the mandate which led to your application. In other cases, your written permission will be obtained.

### **6. How long will your data be saved?**

We save your personal data as long as is necessary to reach a decision with regards to an application. Inasmuch as an employment relationship between you and our clients does not come into being, we can continue to save your data inasmuch as this is necessary for defence against possible legal claims. To this end, the application documents will be erased two months after notification of the decision to reject your application, inasmuch as a longer retention of the data is not necessary for reasons of legal disputes or inasmuch as you have given us no explicit permission to save the data permanently for purposes of contacting you at a later date or considering you for future recruiting projects.

If you have sent us your personal data in the context of an unsolicited application, and if you would like us to save these permanently for purposes of contacting you at a later date or considering you for future recruiting projects, we require your explicit permission by email.

## 7. Which rights do you have?

As an applicant, according to the situation, you have on a case-by-case basis the following privacy rights, and may contact us or our Data Protection Officer at any time using the contact details in paragraphs 1 and 2 with regard to their exercising:

### a. Access

You have the right to receive access to your personal data which is processed by us, as well as to obtain access to your personal data and/or copies of this data. This includes disclosure regarding the purpose of the use, the category of the used data, the receivers of and those authorised to access your data, and, where possible, the planned length of time for saving your data or, in the case that this is not possible, the criteria for establishing this length of time.

### b. Rectification, deletion or restriction of processing

You have the right to obtain immediate rectification of incorrect personal data regarding yourself. Taking into consideration the purpose of the processing, you have the right to obtain the completion of incomplete personal data - also by means of a supplementary statement.

### c. Right to object

Inasmuch as the processing of personal data with regard to yourself takes place on the basis of article 6(1)(f) GDPR, you have the right at any time to object against the processing of this data for reasons which result from your a special situation. We will then no longer process this personal data unless we are able to prove compelling reasons meriting protection for the processing, which outweigh your interests, rights and liberties, or the processing serves the asserting, exercising or defending of legal claims.

### d. Right of revocation

If the processing is based on your permission, you have the right to revoke permission at any time without affecting the legality of the processing which had taken place by reason of the permission up until the revocation. To this end, you may contact us or our Data Protection Officer at any time using the above aforementioned contact details.

### e. Right of erasure

You have the right to obtain from us that personal data regarding yourself be immediately erased, and we are obliged immediately to erase personal data inasmuch as one of the following reasons applies:

- The personal data are no longer necessary for the purpose for which they were collected or otherwise processed
- You lodge an appeal in accordance with aforementioned 8.c. against the processing and there are no valid priority reasons for the processing.
- The personal data was illegally processed
- the erasure of the personal data is necessary to fulfil a legal duty according to Union law or the law of the member states to which we are subject.

This is not valid inasmuch as the processing is necessary:

- to fulfil a legal obligation which requires the processing according to the law of the union or of the member states to which we are subject.
- for the asserting, exercising or defending of legal claims.

### f. Right of restriction of the processing

You have the right to obtain from us the restriction of the processing when one of the following conditions applies:

- The accuracy of the personal data is disputed by you for a period of time which allows us to investigate the accuracy of the personal data;
- the processing is unlawful and you reject the deletion of the personal data and instead demand the restriction of the use of the personal data;

- we no longer require personal data for the purpose of processing it but you require said data nevertheless for the asserting, exercising or defending of legal claims, or
- you have lodged an appeal against the processing according to aforementioned 8.c., as long as it has not yet been determined whether our justifiable grounds outweigh your own justifiable grounds. If the processing has been restricted according to these letters, these items of personal data may be processed (apart from being stored) only with your permission or for the asserting, exercising or defending of legal claims or for the protection of the rights of an other natural or legal person or for reasons of an important public interest of the Union or a member state.

If you have obtained a restriction of the processing, we will advise you before the restriction is lifted.

#### **g. Right to appeal**

You have, without prejudice to any other administrative or judicial remedy, the right to complain to the supervisory authorities, in particular in the Member State of your place of residence, your workplace or the location of the alleged infringement, if you are of the opinion that that processing of the personal data concerning yourself violates the GDPR.