

## **Information of the data subjects (applicants) in case of direct collection (Art. 13 GDPR) in the context of the application procedure**

### **Controller:**

Paul Henke GmbH & Co. KG, Brückenstraße 94, 32584 Löhne, Phone +49 57 31 / 74 07-0, Fax +49 57 31 / 74 07-515, [info@henke-beschlaege.de](mailto:info@henke-beschlaege.de)

### **Data Protection Officer:**

[datenschutz-paul-henke@audatis.de](mailto:datenschutz-paul-henke@audatis.de)

### **Information on the processing activity:**

#### **Purposes of the processing activity:**

Selection of suitable applicants to fill a vacancy.

#### **Legal basis of the processing activity:**

We process your personal data for the purpose of the application process, to the extent necessary for the decision on the establishment of an employment relationship with us. The legal basis for this is Section 26 (1) sentence 1 Federal Data Protection Act (BDSG).

Furthermore, we may store and process your personal data to the extent necessary to defend any legal claims that may be asserted against us from the application process. The legal basis for this is Art. 6 (1) lit. f) GDPR; the legitimate interest is in particular a duty to provide evidence in proceedings under the General Equal Treatment Act (AGG).

If you enter into an employment relationship, we may further process the personal data already received from you for the purpose of implementing this employment relationship in accordance with Section 26 (1) sentence 1 Federal Data Protection Act (BDSG).

If you give your consent to this, we will include you in our pool of applicants on the basis of Art. 6 (1) lit. a) GDPR.

#### **Categories of recipients:**

Internal recipients of your personal data disclosed in the context of the application are as a general rule the HR employees of the Controller, as well as your manager and possibly other interview participants of the department seeking to fill the vacancy and the management of the Controller.

The receipt of your personal data provided as part of your application by third parties outside the Paul Henke GmbH & Co. KG is strictly regulated. Due to the IT-supported processing of

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your application, our processors are external recipients of your data. All processors have been obligated by us to maintain confidentiality and to comply with data protection law.

In addition, as a general rule we do not transmit any data to third parties outside of legal disputes without prior consent.

### **Data transfer to a third country:**

We do not intend to transfer your personal data to a third country. Should such a transfer nevertheless occur in exceptional cases, this will take place on the basis of an adequacy decision of the European Commission or the standard contractual clauses of the European Commission.

Both the existing adequacy decisions and the standard contractual clauses can be accessed via the European Commission's pages:

Adequacy resolutions: [https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/adequacy-decisions\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/adequacy-decisions_en)

Standard Contractual Clauses: [https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/standard-contractual-clauses-scc/standard-contractual-clauses-international-transfers\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/standard-contractual-clauses-scc/standard-contractual-clauses-international-transfers_en)

### **Storage period of personal data:**

We store your personal data for as long as is necessary to decide on your application. If an employment relationship between you and us is not entered into, we may continue to store your personal data insofar as this is necessary to defend against possible legal claims. In this case, the application documents will be deleted no later than six months after notification of the rejection decision, unless longer storage is required due to legal disputes.

If you give your consent to be included in our applicant pool, the data will be stored for a maximum period of two years or until you revoke your consent, whichever comes first.

### **Rights of the data subject:**

Under the conditions specified in the respective provision, you have the following rights: You have a right to access (Art. 15 GDPR), to rectification (Art. 16 GDPR), to erasure (Art. 17 GDPR), to restriction of processing (Art. 18 GDPR) and data portability (Art. 20 GDPR).

Insofar as the processing of your personal data is based on Art. 6 (1) lit. e) or f) GDPR, you have the right to object to the processing of this data pursuant to Art. 21 GDPR.

You have a right to revoke your consent at any time with effect for the future.

If you wish to exercise your rights, please contact the data protection officer named above. You are also entitled to file a complaint with the competent supervisory authority.

### **Obligation to provide the personal data:**

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The provision of personal data is neither legally nor contractually required, nor are you obliged to provide the personal data. However, the provision of personal data is necessary for the execution of the application process. This means that if you do not provide us with personal data when applying, it will not be possible for us to carry out the application process and thus enter into an employment agreement with you.

**Automated decision making:**

There is no automated decision making or profiling.

**More information**

Further information on the processing of your personal data can be obtained from our headquarters as well as our data protection officer.