

PERSONAL DATA PROCESSING POLICY (TRANSPARENCY POLICY) IN SE16N CAPITAL GROUP

1. DEFINITIONS

- 1.1. **Administrator** – the entity determining the purpose and means of the processing of personal data. Depending on the matter you contact us for, the Administrator is SE16N Sp. z o. o. with its registered office in Warsaw, Al. KEN 55/64, 02-797 Warsaw (**SE16N**) or SE16 Consulting Sp. z o. o. with its registered office in Warsaw, Al. KEN 55/64, 02-797 Warsaw (**SE16 Consulting**).
- 1.2. **Personal data** – all information on a natural person, or a person identified or identifiable by one or more specific factors determining physical, physiological, genetic, psychological, economic, cultural, or social identity, including device IP, location data, internet identifier, and information collected through cookies or other similar technology.
- 1.3. **Policy** – this Personal Data Processing Policy.
- 1.4. **GDPR** – Regulation of the European Parliament and of the Council (EU) 2016/679 of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and the repeal of Directive 95/46/EC.
- 1.5. **Data subject** – any natural person whose personal data is processed by the Administrator.

2. PROCESSING OF DATA BY THE ADMINISTRATOR

- 2.1. Due to the conducted business activity, the Administrator collects and processes personal data in accordance with the appropriate regulations, especially with the GDPR, and the data processing rules included in them.
- 2.2. The Administrator ensures transparency of data processing, particularly always informs about the processing of data at the moment of its collection, including about the purpose and legal basis for such processing (e.g. during the conclusion of a contract for the sale of goods or services). The Administrator makes sure that the data is collected only to the extent necessary for the indicated purpose and processed only for as long as it is necessary.
- 2.3. In the course of processing data, the Administrator ensures its security and confidentiality, as well as access for data subjects to their information. In the case of breach of personal data protection (e.g. “leak” of data or its loss) despite the used security measures, the Administrator shall inform the data subjects about such events in a manner compliant with the regulations.

3. CONTACT WITH THE ADMINISTRATOR

- 3.1. Contact with the Administrator is possible via the email address: rodo@se16n.com or via the mailing address: Al. KEN 55/64, 02-797 Warsaw.

4. SECURITY OF PERSONAL DATA

- 4.1. In order to ensure the integrity and confidentiality of data, the Administrator implemented procedures that allow only authorized persons to access the personal data and only to the extent to which it is necessary due to the tasks performed by them. The Administrator uses organizational and technical solutions in order to ensure that all operations on personal data are recorded and carried out only by authorized persons.
- 4.2. The Administrator undertakes all necessary actions to ensure that his/her subcontractors and other cooperating entities provide a guarantee of using appropriate security measures in every case when they process personal data at the request of the Administrator.
- 4.3. The Administrator conducts risk analysis related to the processing of personal data on an on-going basis and monitors the adequacy of used data security measures in regard to the identified threats. If necessary, the Administrator shall implement additional measures aimed at increasing data security.

5. PURPOSES AND LEGAL BASIS FOR THE PROCESSING

EMAIL AND TRADITIONAL CORRESPONDENCE

- 5.1. In the case of sending to the Administrator email or traditional correspondence unrelated to services provided to or contract concluded with a sender, or unrelated in any other way with any relationship with the Administrator, the personal data contained in such correspondence is processed only for the purpose of communication and resolving the matter associated with such correspondence.
- 5.2. The legal basis for processing is the justified interest of the Administrator (Art. 6, para. 1 (f) of the GDPR), consisting in the implementation of the correspondence addressed to the Administrator in connection with his/her business activity.
- 5.3. The Administrator processes only personal data relevant to the matter associated with the given correspondence. All correspondence is stored in a manner ensuring the security of personal data (and other information) contained in it and it is disclosed only to authorized persons.

TELEPHONE CONTACT

- 5.4. In the case of contacting the Administrator via telephone in matters unrelated to the contract concluded or services provided, the Administrator may request the provision of personal data only when it will be necessary to handle the matter associated with the given contact. In such a case, the legal basis for the processing is the justified interest of the Administrator (Art. 6, para. 1 (f) of the GDPR) consisting in the necessity of resolving the reported matter related to his/her economic activity.
- 5.5. Telephone calls also may be recorded – in such a case, appropriate information is provided to a natural person at the beginning of the call. Calls are recorded in order to monitor the quality of provided services and to verify the work of consultants, as well as for statistical purposes. The recordings are available only to the Administrator's employees and persons servicing the Administrator's helpline.
- 5.6. Personal data in the form of conversation recording is processed:

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- 5.6.1. for purposes related to customer service via helpline, if the Administrator provides such service – the legal basis for the processing is the necessity of processing to provide services (Art. 6 para. 1 (b) of the GDPR);
- 5.6.2. to monitor the quality of service and verify the work of consultants working at the helpline, as well as for analytical and statistical purposes – the legal basis for the processing is the legitimate interest of the Administrator (Art. 6 para. 1 (f) of the GDPR) consisting in taking care of the highest quality of customer service and consultants work as well as carrying out statistical analyses concerning telephone communication.

VIDEO MONITORING AND ACCESS CONTROL

- 5.7. In order to ensure the safety of persons and property, the Administrator uses video monitoring and controls access to premises and the area under his/her management. Data collected in such a manner is not used for any other purposes described below.
- 5.8. Personal data in the form of recordings from the monitoring and data collected in the register of entries and exits are processed in order to ensure the security of persons and property and order on the premises, and possibly in order to defend against claims made against the Administrator, or to establish and enforce claims by the Administrator. The legal basis for personal data processing is the justified interest of the Administrator (Art. 6, para. 1 (f) of the GDPR), consisting in ensuring the security of persons and property on the premises managed by the Administrator and protecting his/her rights.
- 5.9. The area monitored by the Administrator is marked with appropriate graphic signs.

RECRUITMENT

- 5.10. Within the recruitment processes, the Administrator expects the transfer of personal data (e.g. in a CV or resume) only in the scope determined in applicable legislation or essential to the assessment of the application (information on educational background, professional success, etc. as well as contact details). Thus, the information should not be passed in a wider scope. In the case when the applications sent will contain additional data, such data will be processed based on a candidate's consent (Art. 6 para. 1 (a) of the GDPR) given by an explicit confirmation activity, that is by sending application documentation by a candidate. If sent applications contain data inadequate for recruitment purposes, such data will not be used nor taken into account in the recruitment process.
- 5.11. Personal data is processed:
 - 5.11.1. when a preferred employment form is an employment contract – in order to comply with obligations resulting from provisions of the law, associated with the employment process, including particularly the Labor Code – the legal basis for the processing is the legal obligation of the Administrator (Art. 6, para. 1 (c) of the GDPR in connection with provisions of the Labor Code);
 - 5.11.2. when a preferred employment form is a civil-law contract – in order to carry out the recruitment process – the legal basis for the processing of data contained in application documentation is to take up activities before concluding the contract at the request of the person whom the data concerns (Art. 6 para. 1 (b) of the GDPR);

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- 5.11.3.** in order to carry out a recruitment process in the scope of data not required by provisions of the law nor by the Administrator, as well as for the purposes of future recruitment processes – the legal basis for the processing is the consent given (Art. 6, para. 1 (a) of the GDPR);
- 5.11.4.** in order to verify qualifications and knowledge of a candidate and establish the conditions for the cooperation – the legal basis for the processing is the legitimate interest of the Administrator (Art. 6 para. 1 (f) of the GDPR). The legitimate interest of the Administrator is the verification of job candidates and establishment of the conditions of possible cooperation;
- 5.11.5.** in order to establish or enforce any possible claims by the Administrator or to defend against claims made against the Administrator – the legal basis for data processing is the legally justified interest of the Administrator (Art. 6, para. 1 (f) of the GDPR).
- 5.12.** To the extent that personal data is processed based on consent given, the consent can be withdrawn at any time without affecting the lawfulness of processing performed before the withdrawal. In a case when consent is given for the purpose of future recruitment, personal data is deleted after the two-year period – unless the consent is withdrawn before the expiration of that period.
- 5.13.** Providing data falling under the scope of Article 22(1) of the Labor Code is required – when a candidate prefers to be employed under a contract of employment – by law, including in particular provisions of the Labor Code, and when a candidate prefers to be employed under a civil-law contract – such data is required by the Administrator. Failure to provide the data is the inability to assess the application in the recruitment process. The provision of other data is voluntary.

COLLECTION OF DATA IN CONNECTION WITH THE PROVISION OF SERVICES OR IMPLEMENTATION OF OTHER CONTRACTS

- 5.14.** In the case of collecting data for purposes associated with the implementation of a specific contract, the Administrator provides the data subject with detailed information concerning the processing of his/her personal data at the moment of concluding the contract or collecting personal data in the case when the processing is necessary for the Administrator to take measures at the request of the data subject before concluding the contract.

PROCESSING OF PERSONAL DATA OF MEMBERS OF CONTRACTORS' OR CUSTOMERS' STAFF COOPERATING WITH THE ADMINISTRATOR

- 5.15.** In connection with the conclusion of the commercial contract within the framework of business activity, the Administrator acquires from contractors/customers the data of persons involved in the implementation of such contracts (e.g., persons authorized to contact, persons placing orders, persons performing orders, etc.). The scope of the data transmitted is, in any event, limited to what is necessary for the performance of the contract and normally does not include information other than the name and business contact details.
- 5.16.** Such personal data is processed in order to meet the legitimate interest of the Administrator and his/her business partner (Art. 6 para. 1 (f) of the GDPR) in enabling the proper and effective performance of the contract. Such data may be disclosed to third parties involved in the performance of the contract as well as to entities gaining access to data under the

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provisions of public disclosure of public information and proceedings conducted under the public procurement law, to the extent provided for by those provisions.

- 5.17.** Personal data of members of customers' or contractors' staff may be transferred outside the EEA when, in connection with project implementation, the Administrator uses IT tools, especially those using cloud computing. Data transfer is, in all circumstances, secured in compliance with relevant laws. All information on the security measures used may be obtained from the Administrator.
- 5.18.** The data is processed for the period necessary for the realization of the above interests and the performance of obligations resulting from the regulations.

COLLECTION OF DATA IN OTHER CASES

- 5.19.** In connection with the conducted business activity, the Administrator collects personal data also in other cases – e.g. through building and exploiting stable and reciprocal business relations (networking), during business meetings, industry events or through the exchange of business cards – for purposes associated with initiating and maintaining business contacts. In this case, the legal basis for the processing is the justified interest of the Administrator (Art. 6, para. 1 (f) of the GDPR), consisting in creating a network of contacts in connection with the conducted business activity.
- 5.20.** Such data may be transferred outside the EEA when the Administrator uses IT tools in relation to project implementation – especially those using cloud computing. The transfer of data is, in any event, secured in compliance with the relevant laws. All information on the security measures used may be obtained from the Administrator.
- 5.21.** Personal data collected in such cases is processed only for the purpose for which the given personal data was collected and the Administrator ensures its appropriate protection.

6. DATA RECIPIENTS

- 6.1.** In connection with conducting business activity requiring processing, personal data is disclosed to external entities, including particularly suppliers responsible for the handling of IT systems and equipment (e.g. CCTV equipment in terms of visual monitoring), entities providing legal or accounting services, couriers, marketing agencies or recruitment agencies. The data may be also disclosed to entities belonging to SE16N Capital Group if this is necessary due to the provision of particular services, or for the administrative purposes of the Group.
- 6.2.** The Administrator reserves the right to disclose selected information about the Data subject to the competent authorities or third parties who submit a request for such information, based on an appropriate legal basis and in accordance with applicable law.

7. TRANSMISSION OF DATA OUTSIDE THE EEA

- 7.1. The level of protection of personal data outside the European Economic Area (EEA) differs from that provided by European law. For this reason, the Administrator transfers personal data outside the EEA only when it is necessary and with an adequate level of protection, primarily through:
 - 7.1.1. cooperation with entities processing personal data in countries for which an appropriate decision of the European Commission concerning the adequate level of protection of personal data was made;
 - 7.1.2. use of standard contractual clauses issued by the European Commission;
 - 7.1.3. applying binding corporate rules, approved by the competent supervisory authority;
 - 7.1.4. in the event of data transfer to the USA – cooperation with entities participating in the Privacy Shield program, approved by the European Commission.
- 7.2. The Administrator may transfer data outside the EEA, especially in connection with project implementation for a customer with the use of IT tools using cloud computing.
- 7.3. The Administrator always informs about the intention to transfer personal data outside the EEA at the collection stage.

8. PERIOD OF PERSONAL DATA PROCESSING

- 8.1. The period of data processing by the Administrator depends on the type of provided service and the purpose of processing. The period of data processing may also result from the regulations in the case when they constitute the basis for processing. In the case of data processing based on the justified interest of the Administrator (e.g. due to security reasons) the data is processed for a period allowing for the implementation of this interest or until the submission of effective objection to data processing. If the processing is carried out based on consent, the data is processed until its withdrawal. When the basis for processing is the necessity to conclude or implement the contract, the data is processed until it is terminated.
- 8.2. The data processing period may be extended in the case when the processing is necessary to establish or enforce claims or defend against claims, and after this period – only in the case and to the extent that it will be required by provisions of the law.

9. RIGHTS ASSOCIATED WITH THE PERSONAL DATA PROCESSING

RIGHTS OF THE DATA SUBJECTS

- 9.1. The data subjects have the following rights:
 - 9.1.1. **right to information regarding the processing of personal data** – on this basis, the Administrator provides information regarding the processing of data to a natural person submitting the request, including primarily the purposes and legal basis for processing, the scope of possessed data, entities to which the data is disclosed, and the planned date of deletion of such data;
 - 9.1.2. **right to obtain a copy of the data** – on this basis, the Administrator provides a copy of processed data concerning the natural person submitting the request;

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- 9.1.3. **right to correct** – the Administrator is obliged to remove any possible incompatibilities or errors of processed personal data and to supplement data if it is incomplete;
- 9.1.4. **right to delete data** – on this basis, it is possible to request deletion of data, the processing of which is no longer necessary to implement any of the purposes for which such data was collected;
- 9.1.5. **right to limit processing** – in the case of submitting such a request, the Administrator ceases to perform operations on personal data – except for operations agreed by the person concerned or storage of data in accordance with adopted retention rules – or until the reasons for limiting data processing have ceased to exist (e.g. decision of the supervisory authority is issued allowing for further processing of data);
- 9.1.6. **right to data transfer** – on this basis – in the scope in which the data is processed in connection with the concluded contract or given consent – the Administrator issues data provided by the data subject in a format that allows its reading by the computer. It is also possible to request that data to be sent to another entity, however, provided that there are technical possibilities in this scope on the part of the Administrator as well as on the part of such other entity;
- 9.1.7. **right to object to the data processing for marketing purposes** – at any time, the data subject may object to the processing of personal data for marketing purposes, without the need to justify such objection;
- 9.1.8. **right to object to other purposes of data processing** – at any time, the data subject may object to the processing of personal data – for reasons related to his/her special situation – which is carried out on the basis of the justified interest of the Administrator (e.g. for analytical or statistical purposes or reasons associated with the protection of property); the objection in this scope should include a justification;
- 9.1.9. **right to withdraw consent** – if the data is processed on the basis of given consent, the data subject has the right to withdraw it at any time, however, such withdrawal does not affect the legality of the processing carried out before the withdrawal of consent.
- 9.1.10. **right to file a complaint** – if it is found that the processing of personal data violates provisions of the GDPR or other provisions regarding the protection of personal data, the data subject may file a complaint to the authority supervising the processing of personal data relevant for the place of habitual residence of the data subject, his/her place of work or alleged infringement. In Poland, the supervisory authority is the President of the Personal Data Protection Office.

SUBMISSION OF REQUESTS RELATED TO EXERCISE OF RIGHTS

- 9.2. Application regarding the exercise of the rights of the data subjects may be submitted:
 - 9.2.1. in a written form to the following address: Al. KEN 55/64, 02-797 Warsaw.
 - 9.2.2. via email to the following address: rodo@se16n.com.
- 9.3. If the Administrator will not be able to identify the natural person submitting the application on the basis of the submitted application, he/she will ask the applicant for additional

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information. The provision of such data is voluntary, however, the failure to do so will result in the refusal to serve the request.

- 9.4. Reply to the application should be given within one month from its receipt. If it is necessary to extend this deadline, the Administrator informs the applicant about the reasons for the delay.
- 9.5. The Administrator stores data relating to the request and the person who submitted the request to ensure the possibility to demonstrate the compliance, and to establish, enforce or defend against any potential claims made by the data subjects. The register of requests is kept in a manner ensuring the integrity and confidentiality of its data.

10. CHANGES IN THE POLICY OF PERSONAL DATA PROCESSING

- 10.1. The policy is verified on an ongoing basis and updated if necessary.
- 10.2. The current version of the Policy has been adopted and is valid from 05/05/2020.