

## Privacy and Data Protection Notice to Job Applicants

**Trading Point Holdings Ltd** (the “Company”) **on behalf of itself and its Affiliated Entities**, is committed to protecting your privacy and making sure that any personal data it collects are processed in accordance with the EU General Data Protection Regulation (the “GDPR”) and applicable Cyprus laws and regulations.

For the purposes of this Agreement, “Affiliated Entity” means a company which, is from time to time, a subsidiary or a holding company or a subsidiary (other than the Company) of a holding company of the Company.

This Privacy and Data Protection Notice (the “Notice”) describes how the Company may collect, use, store and /or otherwise process personal data of applicants for employment with the Company and/or with its Affiliated Entities.

We may amend or update this Notice from time to time. All amendments or updates will be posted on our website at: <https://www.xm.com/careers> (the “Website”) and/or any other appropriate communication or document exchanged between us.

### 1. When and How we Collect Personal Data

Personal data may be collected on any of the following circumstances:

- when you apply for employment via the Website;
- when you contact us by email for the purpose of applying for employment;
- through recruiting agencies and public sources such as LinkedIn;
- throughout the recruitment process, including during interviews or any other form of assessment.

We collect personal data about candidates from the following sources:

- Directly from you, the candidate;
- Your named referees (i.e., third-party sources), who we may contact; in case we do, we shall inform you prior to any such communication;
- From publicly accessible sources, such as LinkedIn, etc., where we collect your full name, email, work history, and other data included on your profile.

If you choose to withhold, or fail to provide, any personal data requested by us on any of the above-mentioned circumstances, which is necessary for us to consider your application, it may not be possible for us to process your application for employment further (i.e., your application may be rejected).

### 2. Types of Personal Data We Collect

We may collect the following personal data:

- **Personal Details**, such as your name, title, date of birth, gender, contact details (postal address, email address, telephone number, fax), nationality,. In other words, any data that you have provided to us in your Curriculum Vitae (“CV”) and/or in your covering letter;
- **Identification Information**, such as ID number and/or passport number as well as copies of your identify verification documents (e.g., ID card, passport, driver’s license, etc.);

- **Recruitment Data**, such as academic and/or professional qualifications, professional background and employment history, job title/profession and/or job description, professional memberships, diplomas, transcripts, portfolio of work and/or any other information contained in your CV, your application form, record of interview or interview notes and/or any other assessment material.

#### Special Categories of Personal Data (“Sensitive Data”):

We will use your sensitive personal data only in so far as we are permitted by applicable law to do so. For example:

- We will use data about your disability status (if any) to consider whether we need to provide appropriate adjustments during the recruitment process, for example whether adjustments need to be made during a test or interview;
- We will use data about your nationality or ethnicity, to assess whether a work permit and a visa will be necessary for the role.

### 3. Purpose and Legal Basis for the Processing of Personal Data

The Company uses your personal data for the following purposes:

- to process your application for employment;
- to assess your skills, qualifications and suitability for the role;
- to carry out background and reference checks. We note that the hiring offer will only be valid if the interviewee successfully passes the background and reference checks; Additional background checks will be performed the first few weeks of the employment.
- to communicate with you regarding the recruitment process and progress;
- to keep records related to the hiring process, as required;
- to comply with legal and regulatory requirements.

The processing is carried out on the following legal bases:

- **Consent** – Before submitting your application for a job position opening, you provide us with your consent in relation to the processing of your personal data for the purpose of assessing your suitability for the relevant job position and of contacting you accordingly in connection with such job position (e.g., to arrange for an interview, request more information or clarification, etc).
- It is in our **legitimate interests** to process your data as it enables us to manage the recruitment process, and it is beneficial to our business to ensure we make a final decision to appoint a suitable candidate to the role/job position. In addition, the processing of data might be necessary and based on our legitimate interests in the event where we need to respond to and/or defend ourselves against any legal claims;

Once we have received and reviewed your CV and covering letter and the results from any other relevant tests you might have taken, we will then process that data to decide whether you meet the basic criteria to be shortlisted for the role. If you do, we will decide whether your application is suitable to invite you for an interview. If we decide to call you for an interview, we will use the data you provide to us at the interview to decide whether to offer you the role. If we decide to offer you the role, we may then take up references and/or any other check before confirming your appointment.

In the case of unsuccessful candidates and where you have provided your explicit prior consent, your personal data will be retained in our records in order to be considered for possible future employment opportunities that may be relevant to you.

#### **4. Sharing Your Personal Data**

Your personal data may be shared internally within the Company for the purposes of the recruitment exercise, including with members of the People & Culture department, members of the recruitment team, members of training team, managers in the department which has the vacancy and IT staff, if access to your personal data is necessary for the performance of their roles.

We will not disclose your personal data with third parties during the recruitment process unless your job application is successful and we make you an offer of employment. At that stage, we may share your personal data with third parties, including:

- external organisations for the purposes of conducting pre-employment reference and employment background checks;
- former employers, to obtain references professional advisors, such as lawyers;
- traveling companies, hotels, etc (if applicable, e.g., for relocation purposes);
- taxation or other governmental authorities;
- training organizations;
- immigration authorities (where applicable);
- banks;
- payroll service providers, etc.

We may also need to share your personal data with the regulatory authorities or to otherwise comply with applicable law, or where it is necessary for the purpose of, or in connection with, legal proceedings, or in order to exercise or defend our legal rights.

We may also share your personal data with any third party to whom we assign or novate any of our rights or obligations (e.g., in case of group restructuring, etc).

#### **5. Personal data about other individuals which you provide to us**

If you provide us with personal data about another individual, for example personal data of referees in support of your application, you must ensure that you are entitled to disclose such personal data to us and that you have obtained their prior consent for such disclosure.

#### **6. Retention of Personal Data**

The Company will only retain your personal information for as long as is necessary to fulfil the purposes for which it was collected and processed.

Particularly, the Company will generally retain personal data for whole of the duration of the recruitment process and where an application has been unsuccessful the data will be retained for 24 months from completion of the recruitment process, however, their deletion thereafter is subject to: (a) any minimum statutory or other legal, tax, health and safety, reporting or accounting requirements for particular data or records, and (b) the retention of some types of personal data to protect against legal risk.

If an application for employment with the Company is successful, personal data gathered during the recruitment process will be retained for the duration of your employment. The periods for which your data will be held and all other information regarding the processing of the same will be provided to you in our Privacy and Personal Data Protection Policy to employees.

Personal data which is no longer to be retained will be securely and effectively destroyed or permanently erased from our systems and we will also require third parties to destroy or erase such personal data, where applicable.

In some circumstances we may anonymise your personal information so that it no longer permits your identification. In this case, we may retain such information for a longer period.

## **7. Security and Confidentiality of your Personal Data**

The Company has put in place measures to protect the security of your personal data. It has internal policies, procedures and controls in place to try and prevent your personal data from being accidentally lost or destroyed, altered, disclosed or used or accessed in an unauthorised way. In addition, we limit access to your personal data to those employees, agents, advisors and other third parties who have a business need-to-know in order to perform their job duties and responsibilities.

Where your personal data is shared with third parties, we require all third parties to take appropriate technical and organisational security measures to protect your personal data and to treat it subject to a duty of confidentiality and in accordance with the applicable data protection laws. We only allow them to process your personal data for specified purposes and in accordance with our written instructions and we do not allow them to use your personal data for their own purposes.

The Company also has in place procedures to handle any suspected data security breach and we will notify the applicable supervisory authority or regulator and you of a suspected breach where we are legally required to do so.

## **8. Your Rights**

You may find below a list of your legal rights insofar as your personal data are concerned. Please note that some of these rights may not be applicable to your situation.

- You have the right to gain access to the personal data that we hold about you – this enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- You have the right of rectification, that is, to request the correction, without undue delay, of any personal data that we hold about you and are either inaccurate or incomplete.
- You have the right to obtain the erasure of your personal data, without undue delay, provided, amongst others, the personal data in question are no longer necessary in relation to the purposes for which they were collected.
- You have the right to restrict our processing activities or to object to the processing of your personal data - this enables you to ask us to suspend the processing of your personal information, e.g., if you contest its accuracy and so want us to verify its accuracy.

- You have the right to data portability, that is, to request from us that we send your personal data in a structured, commonly used and machine-readable format, and to transmit those data to another controller.
- If we rely on your consent as our legal basis for the processing of your personal data, you have the right to withdraw that consent at any time.

If you wish to exercise any of your above-mentioned rights or have any questions or comments with regard to this Privacy Notice, you may contact our Data Protection Officer by email at [dpo@xm.com](mailto:dpo@xm.com). We may need to request specific information from you in order to verify your identity and check your right to access the personal data or to exercise any of your other rights. This is a security measure to ensure that your personal data is not disclosed to any person who has no right to receive it.

If you believe that the Company has not complied with your data protection rights, you also have the right to lodge a complaint to the Office of the Commissioner for Personal Data Protection in Cyprus, which is the supervisory authority for data protection issues in Cyprus.