



# Job Applicant Privacy Notice

2019

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# 1 – Introduction

The entity responsible for data processing is:

RCB Bank Ltd

Registration No.: HE 72376

2, Amathountos Street., P.O. Box 56868, 3310, Limassol, Cyprus

Tel.: +35725355722

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Email: [careers@rcbcy.com](mailto:careers@rcbcy.com)

You can also contact our Data Protection Officer at: 2, Amathountos Str., P.O. Box 56868, 3310, Limassol, Cyprus

Email: [dpo@rcbcy.com](mailto:dpo@rcbcy.com)

## About this Job Applicant Privacy Notice

RCB Bank Ltd (“RCB” or the “Bank”) is dedicated to protecting the confidentiality and privacy of information entrusted to it. As part of this fundamental obligation, RCB is committed to the appropriate protection and use of personal information (sometimes referred to as “personal data”). In this document, ‘we’, ‘us’ and ‘our’ refer to RCB. Any reference to “you”, “your”, “Data Subject” and “job applicant” refers to any individual applying for a job at RCB.

According to the General Data Protection Regulation ((EU 2016/679), (GDPR)), the Bank provides an overview on how we have implemented this privacy notice to inform you, as prospective employees of our Bank and of the types of data we process about you. The Bank is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

## What information is collected

We collect several categories of personal data on our prospective employees in order to carry out effective and efficient recruitment process. We keep this data in recruitment files relating to each vacancy and we also hold the data within our computer systems, for example, recruitment logs.

The below types of data may be collected:

- Information such as name, address, phone numbers, email, nationality, place and date of birth;
- Your photograph;
- Your gender, marital/ family status;
- Information about your entitlement to work in Cyprus;
- Information you have provided to us in your curriculum vitae and cover letter;
- Any information you provide to us during an interview;
- Details of referees and references from former employers provided by you at any time;
- Details on your education, qualifications, skills, experience and employment history, (including copies of your educational degrees, job titles, working hours, professional memberships etc.);
- Details of military service;
- Information on your current level of remuneration including benefit entitlements.

We may also collect and process personal data relating to criminal convictions and offences where so required by EU or local laws and regulations.

## How we collect your data

You provide personal data to us directly during the recruitment process by submitting your personal information through our website/ email/ interview. In some cases, we will collect data about you from third parties namely recruitment agencies and

referees to enable the Bank to fulfil its legal and contractual obligations in its capacity as a recruiter and in order to take steps at the request of the data subject prior to entering into an employment agreement. We may also view publicly accessible sources and public profile information on social media such as LinkedIn. If you are successful in your job application, we will gather further information on you, once your employment begins.

## 2 – Purposes of Processing

### Why we collect your data

We will use the personal information we collect about you to:

- Assess your skills, qualifications, and suitability for the work or role;
- Carry out background and reference checks, where applicable;
- Communicate with you about the recruitment process;
- Keep records related to our hiring processes; and
- Comply with legal or regulatory requirements.

We also need to process your personal information to decide whether to enter into a contract of employment with you.

Having received your CV and cover letter and any additional information collected (such as results from the tests which you may potentially undertake), we will then process that information to decide whether you meet the basic requirements to be shortlisted for the role. We will use the information you provide to us at the interview together with your application data to assess your suitability for the role. If you are the successful candidate, we will be collecting references, ask for a clean criminal record where so required by EU or local law and regulations and verify the data submitted before confirming your appointment.

Processing of personal data is partly required by law (regulatory requirements) and partly a result from contractual provisions. More specifically, processing is necessary for the entry into an employment contract with the data subject or in order to take steps at his or her request prior to the entry into a contract.

### What if you do not provide personal data

Your failure to provide us with data when requested, which is necessary for us to consider your application (such as evidence of qualifications or work history), may result in us not being able to assess your application appropriately. For example, if we require references for this role and you fail to provide us with relevant details, we may not be able to understand whether you qualify for the role.

### What we ensure according to data protection principles

We comply with data protection law and principles, which means that:

- Processing is fair, lawful and transparent;
- Data is collected for specific, explicit, and legitimate purposes;
- Data collected is adequate, relevant and limited to what is necessary for the purposes of processing;
- Data are kept accurate and up to date. Every reasonable step is taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay.
- Data is not kept for longer than necessary for its given purpose;
- Data are processed in a manner that ensures appropriate security of personal data including protection against unauthorized or unlawful processing, accidental loss, destruction or damage by using appropriate technical and organization measures.
- We comply with the relevant GDPR procedures for transferring of personal data outside the European Union.

### Special categories of data

According to the GDPR, special categories of data are data relating to your:

- Health;
- Sexual orientation;
- Race;
- Ethnic origin;
- Political opinion;
- Religion;
- Trade union membership;

We will only process special categories of data when any of the following applies:

- You have given explicit consent to the processing;
- We must process the data in order to carry out the obligations and exercise your specific rights or of the controller in the field of employment and social security and social protection law in so far as it is authorised by EU or Cyprus law or a collective agreement pursuant to Cyprus providing for appropriate safeguards for your fundamental rights and the interests of the data subject;
- You have already made the data public.

### Process and Conditions

The law allows the Bank to process personal data, as long as RCB has a basis or “ground” to do so. It also requires us to inform the applicants what those grounds are. As a result, the Bank process applicants’ personal data under the following processing conditions:

1. Performance of a contract: this is when the processing of applicants’ personal information is necessary to perform Bank’s obligations under a contract, including any employment agreement as may be agreed or to take steps for entering into a contract at the request of the data subject;
2. Legal obligation: this is when RCB is required to process applicants’ personal information to comply with a legal obligation, such as reporting to Central Bank of Cyprus a directors appointment or providing information to a public body or law enforcement agency;
3. Legitimate interests: RCB will process information about job applicant that is in the legitimate interests of the Bank to do so. The processing will be lawful and where it is necessary for the purposes of the legitimate interests pursued by the Bank or by any third party affiliated with the Bank. RCB must ensure that the fundamental rights and freedoms of the job applicants are not overriding, taking into consideration the reasonable expectations of the applicants on their relationship with the Bank.

The processing activities for which personal data are being collected are described below:

No	Process Activity	Personal Information collected	Legal Ground
1	Application / Collection of Data (for a specific vacancy)	Name Surname Mobile Number Personal E-Mail Address CV Residential Address Synopsis of the Job Applicant’s Background (Education / Previous Experience) Military Obligation (where applicable)	Legitimate Interest (To make the best possible selection between the job applicants)

2	Keeping the CV for future vacancies	Name Surname Mobile Number Personal E-Mail Address CV Residential Address Synopsis of their Background (Education/Previous Experience) Military Obligation (where applicable)	Consent
3	Screening / Shortlisting of Candidates from recruitment agencies	Name, Surname, Age, CV, Social Network, Residential, Address, Synopsis of their background	Legitimate Interest (to engage expert third parties for selecting the most suited candidates)
4	Candidate Evaluation and Clearance of Candidate / Background Check	Copy of ID card, Copies of Passport internal and international (Minors Information Dependents may be included on passports), Copy of pension ID, Labour book, Copies of Diplomas, Army Leaving Certificate, Application Form, Details for the background of the Candidate, Professional qualifications, Personal references, Residence permit/Residence card/Pink slip	Legitimate Interest (in order to make an offer to the selected candidate/ to identify potential hiring risks for safety and security reasons)
5	Fit and proper Assessment for Directors, Head of control function and Senior Executive Management	Name, Surname, ID/Passport, CV, Details for the background of the Candidate, Clear Criminal Record, Reference letters, Professional degrees/qualifications, relevant persons, positions in other organisations	Legal Obligation <sup>1</sup>
6	On-Site Interview & Skype	Name, Surname, CV, Details for the background of the Candidate, Skype ID	Legitimate Interest (To make the best possible selection for recruitment. The Data Subject is given the opportunity to make enquiries regarding the position)

## 3 – Sharing of Information

### Who we share your data with

Employees within the Bank who have responsibility for recruitment will have access to your data which is relevant to their function. All employees with such responsibility have been trained in ensuring data is processed in line with GDPR.

Data is shared with third parties like Recruitment Companies, Referees. We have a data processing agreement in place with such recruitment companies to ensure data is not compromised. Third parties implement appropriate technical and organizational measures to ensure the security of your data.

### Transfer outside of the EU

Data submitted to RCB via its website may be transferred to a country outside of the EU, Russia, to our website provider, “Articul Media”, for the purposes of submitting online your CV and/ or collecting some initial basic information in relation to your interest to apply for work at RCB as described in this Privacy Notice. The legitimate interest pursued by RCB is to engage the necessary service provider in order to allow the job applicant to contact us via the preferred means of communication. The permitting mechanism allowing for this transfer is the use of standard contractual clauses approved by the European Commission, in accordance with article 46.2 of the GDPR.

<sup>1</sup> Directive on the Assessment of the Fitness and Probity of Members of the Management Body and Managers of Authorised Credit Institutions of 2014

## 4 – Retention

### How long we keep your data

We keep your data for as long as needed and according to the data retention schedules defined in the Data Retention Policy of the Bank. If your application is not successful and we have not sought consent or you have not provided consent upon our request to keep your data for the purpose of future suitable job vacancies, we will keep your data for 6 months from the time of receipt. If you have provided your consent to keep your data for future job vacancies, we will keep your data for 2 years from the time of receipt. At the end of this period, we will delete or destroy your data, unless you have already withdrawn your consent to our processing of your data in which case it will be deleted or destroyed upon your withdrawal of consent.

Where you have provided consent to our use of your data, you also have the right to withdraw that consent at any time. This means that we will stop processing your data and there will be no consequences of withdrawing consent. If your application is successful, your data will be kept and transferred to the systems we administer for employees. We have a separate privacy notice for employees, which will be provided to you in case we enter into an employment agreement.

## 5 – Job Applicants’ Rights

### What are your rights in connection with personal data

The job applicant is entitled to receive information from the Bank regarding the processing of his/her personal information. The Job applicant has the right to request rectification and/or erasure of personal data or restriction of processing concerning the data subject, or to object to processing as well as the right to data portability.

The job applicant has the right to lodge a complaint with the Office of the Commissioner for Personal Data Protection. Additionally, the job applicant can also contact the Data Protection Officer at [dpo@rcbcy.com](mailto:dpo@rcbcy.com) and the HR department at [careers@rcbcy.com](mailto:careers@rcbcy.com).

In general if you have submitted personal information to RCB, you have the following rights:

- The right to access information about you and to obtain information about how it is processed;
- The right to request that your information is corrected if it is inaccurate or incomplete;
- The right to request that your information is erased (depending on the circumstances and agreements in place). We may continue to retain your information if another legitimate reason for doing so exists. You have the right to have your personal data erased if:
  - The personal data is no longer necessary for the purpose which it was originally collected or processed for;
  - RCB is relying on consent as the lawful basis for holding the data, and you withdraw your consent;
  - RCB is relying on legitimate interests as the basis for processing, you object to the processing of your data, and there is no overriding legitimate interest to continue this processing;
  - RCB is processing the personal data for direct marketing purposes and you object to that processing;
  - RCB has processed the personal data unlawfully (i.e. in breach of the lawfulness requirement);
  - Necessary to comply with a legal obligation;
  - RCB has processed the personal data to offer banking services to a child.
- The right to object to the use of your personal data in certain circumstances. However, RCB may continue to use your personal data, despite your objection, where there are compelling legitimate grounds to do so or we need to use your personal data in connection with any legal claims;
- The right to request that we restrict our processing of your information if the information provided to RCB is not accurate, the processing is unlawful and your request for erasure is opposed or when we no longer need your data for the purpose of processing but they are required by you for the establishment, exercise or defence of legal claims;
- The right to withdraw your consent to our processing of your information (depending on the circumstances and agreements in place). We may continue to process your information if another legitimate reason for doing so exists;
- The right to receive certain information you have provided to us in an electronic format and / or request that it is transmitted to a third party. This applies when:

- The lawful basis for processing this information is consent or for the performance of a contract; and
- The processing is carried out by automated means.
- The right to ask us not to process your personal data for marketing purposes. Prior to collecting data, we will usually inform you if we intend to use your data for such purposes or if we intend to disclose your information to any third party for such purposes. You can exercise your right to prevent such processing by checking certain boxes on the forms we use to collect your data;
- The right to lodge a complaint with the Data Protection Commissioner if you think that RCB has not processed your personal data in accordance with data protection legislation.

If you wish to exercise any of the rights explained above, please contact our HR department at [careers@rcbcy.com](mailto:careers@rcbcy.com).

We may need to request specific information from you to help us confirm your identity and confirm your right to access information (or exercise any other rights), as a security measure to ensure that personal data is not disclosed to any person who has no right to receive it.

### **When do you raise a complaint**

If you think your data rights have been breached, you may contact our data protection officer or you may raise a complaint at the Office of the Commissioner for Personal Data Protection. You may contact the Office of the Commissioner for Personal Data Protection by visiting [www.dataprotection.gov.cy](http://www.dataprotection.gov.cy).