

# Information about data processing within the Jobcluster applicant tracking system

## Subject matter and purpose of this information

With this data protection information, we, Jobcluster Deutschland GmbH, Fuldaer Strasse 13, 36124 Eichenzell (hereinafter "JCD"), as the provider of the „Jobcluster applicant tracking system“ (hereinafter "JCD-ATS"), would like to inform you about all aspects of the processing of personal data within the JCD-ATS; in particular the scope, purpose and duration of the processing as well as the type and categories of personal data processed. This data protection information applies to any use of the JCD-ATS, regardless of whether the JCD-ATS is used directly or integrated into other systems, platforms and online services.

This information is primarily intended for our customers who use the JCD-ATS as part of their recruitment processes. For these customers, we act as a processor on the basis of a data processing agreement in accordance with Art. 28 GDPR. Data subjects who are not customers of JCD (such as applicants or employees of our customers) should refer to the relevant JCD-customer to exercise their rights under the GDPR. As the controller responsible for processing the personal data of its employees and applicants, this customer is the correct point of contact for all specific questions regarding the processing of personal data, unless these are already answered in our general information.

## Responsibilities

We, Jobcluster Deutschland GmbH, Fuldaer Strasse 13, 36124 Eichenzell, represented by the managing directors Alexander, Otmar and Sven Baumann, are the providers of the JCD applicant tracking system.

Our data protection officer is Mr Andreas Mundanjohl, Zeller Straße 30, 73101 Aichelberg, [datenschutz@jobcluster.de](mailto:datenschutz@jobcluster.de).

## Data processing for the purposes of our customers (applicant data)

Insofar as we process personal data in our JCD-ATS for the purposes of our customers (e.g. the processing of applicant data), this processing is carried out by us as a processor within the meaning of Art. 28 GDPR. We always process personal data on behalf of our customers in accordance with the provisions of the GDPR, in particular only after concluding an order processing agreement. The controller responsible for the process-

ing of such personal data is the respective customer of JCD to whom you have applied. This customer is able to provide you with information about the details of the data processing (type of data processed , legal basis and purpose of the data processing, duration of the processing).

## Data processing for the purposes of Jobcluster Deutschland GmbH (operation of the applicant tracking system)

Data from customers and users is processed by JCD for its own purposes. "Users" within the meaning of this section are all persons affected by data processing who are directly involved in the operation of the JCD-ATS and who interact directly with the system for this reason or are stored in the system as authorised to interact. We would like to inform this group of data subjects about the processing of their data below.

### Types of personal data

The personal data of users processed within the framework of the JCD-ATS includes the following types of data:

#### Inventory data

This includes, for example, names and data relating to customers and the customer's employees.

#### Contract data

This includes services used and names of users.

#### Usage data

This includes the functionalities of the JCD-ATS that have been used.

#### Content data

This includes, for example, entries in forms

#### Access data

When accessing the JCD-ATS via the user's web browser, we also collect access data, i.e. data about each access to the server on which our services are located (so-called server log files)

### Purposes of processing

We process personal data for the purpose of providing a state-of-the-art software solution for applicant management, in particular in compliance with data protection and data security requirements.

## Legal basis

User data is only processed with the appropriate permission. Such permission may arise from legal grounds for permission, in particular if data processing is necessary for the performance of our contractual services (e.g. processing of orders) (Art. 6(1)(b) GDPR). On this legal basis, we process inventory data, contract data, usage data and content data.

We process data on the basis of our legitimate interest (e.g. in the analysis, optimisation and security of our offering within the meaning of Art. 6(1)(f) GDPR).

In individual cases, we obtain consent from the data subject in accordance with Art. 6(1)(a) GDPR.

## Place of data processing / transfer to third countries

Personal data is not transferred to third countries outside the EU and there are no plans to do so. Data processing takes place exclusively on servers within the European Union.

## Duration of processing

The data stored by us will be deleted as soon as it is no longer required for its intended purpose and there are no legal retention obligations preventing its deletion. If the user's data is not deleted because it is required for other, legally permissible purposes, its processing will be restricted. This means that the data will be blocked and not processed for other purposes. This applies, for example, to user data that must be retained for commercial or tax reasons.

In accordance with legal requirements, data is stored for 6 years in accordance with Section 257 (1) of the German Commercial Code (HGB) (trading books, inventories, opening balance sheets, annual financial statements, commercial letters, accounting documents, etc.) and for 10 years in accordance with Section 147 (1) of the German Fiscal Code (AO) (books, records, management reports, accounting documents, commercial and business letters, documents relevant for taxation, etc.).

Notwithstanding this, the following applies to access data: for security reasons (e.g. to investigate misuse or fraud), it is stored for a maximum of seven days and then deleted. Data that needs to be retained for evidentiary purposes is exempt from deletion until the respective incident has been finally clarified.

## Recipients of data

Data is only passed on to third parties within the framework of legal requirements. We only pass on customer and user data to third parties if this is necessary, e.g. for billing purposes or for other purposes if this is necessary to fulfil our contractual obligations towards customers.

If we use subcontractors to provide our services, we take appropriate legal precautions and technical and organisational measures to ensure the protection of personal data in accordance with the relevant legal provisions. Subcontractors are engaged on the basis of data processing agreements.

The following subcontractors are used in the context of processing personal data:

#### Hosting:

Our websites and software are hosted by Hetzer Online GmbH, Sigmundstraße 135, 90431 Nuremberg. Processing takes place exclusively on servers in German locations (in Nuremberg/Bavaria and Falkenstein/Saxony).

#### Protection against malicious website attacks:

- Deutsche Telekom GmbH, Landgrabenweg 151, 53227 Bonn
  - Akamai Technologies GmbH ("Akamai"), Parkring 22, 85748 Garching near Munich
- Deutsche Telekom GmbH uses Akamai Technologies GmbH as its own subcontractor for this purpose. Data processing takes place exclusively on servers in the European Union. For more information, please refer to the "Cookies" section.

#### Cookies

As part of the solutions provided by Jobcluster and integrated into our websites – including the JCD-ATS – Jobcluster uses technologies to protect the Jobcluster solutions (and thus also our websites) from unauthorised access and malicious website attacks (e.g. DDoS attacks) from the provider Deutsche Telekom GmbH ("Telekom") and its subcontractor, Akamai Technologies GmbH ("Akamai"). These technologies use cookies that are stored on the user's device. The information generated by the cookies about your use of this website is limited to the use of the specific Jobcluster solutions integrated. Neither Jobcluster nor Telekom nor Akamai will use this information to identify individuals or for any purpose other than those described above.

The cookies mentioned collect data from the categories of network, browser and behavioural data; specifically: TCP session, TLS session, session ID, user agent, request header, visited URLs, timestamp, end user's IP address, browser settings and geolocation data from edge servers, as well as screen touches, mouse movements and keystrokes.

The purpose of collecting and analysing this data is to detect malicious bots and scripts that mimic human behaviour on your websites and to prevent data exfiltration and misuse by these malicious third-party bots and scripts. To achieve this purpose, the cookies track how a device is used when accessing the web content we provide. Neither the identity of the end user is identified nor are end user profiles created. The behavioural data mentioned is also never used to uniquely identify a person.

These are necessary cookies in order to provide basic services. The legal basis for the use of cookies is Art. 6 (1) (f) GDPR; our legitimate interest lies in the secure operation of our websites and the functionalities used there.

The information collected by the cookies is processed exclusively within the European Union; it is not transferred to third countries. You can prevent the storage of cookies by adjusting your browser software settings accordingly; however, we would like to point out that in this case you may not be able to use all the functions of this website to their full extent.

## Rights of data subjects

As a natural person ("data subject", e.g. as a user of JCD-ATS), you have various rights under the GDPR with regard to the processing of your personal data, which are explained in more detail below:

### Right of access (Article 15 GDPR)

You have the right to obtain information from us or the respective data controller about whether and how your personal data is being processed. This also includes the right to access your data and to obtain a copy of the processed data.

### Right to rectification (Article 16 GDPR)

If your data is inaccurate or incomplete, you have the right to request that it be corrected or supplemented.

### Right to erasure (Article 17 GDPR)

Under certain circumstances, you have the right to request the erasure of your personal data. This applies, for example, if the data is no longer needed for the purposes for which it was collected or if you have withdrawn your consent to its processing.

### Right to restriction of processing (Article 18 GDPR)

You may request the restriction of the processing of your data if you dispute the accuracy of the data or if the processing is unlawful. While processing is restricted, the data may only be processed under certain conditions.

### Right to data portability (Article 20 GDPR)

Under certain conditions, you have the right to receive your personal data in a structured, commonly used and machine-readable format and to transfer it to another controller.

### Right to object (Article 21 GDPR)

You may object to the processing of your personal data on grounds relating to your particular situation, where the processing is based on legitimate interests or the exercise of official authority.

Right not to be subject to a decision based solely on automated processing, including profiling (Article 22 GDPR)

In certain cases, you have the right not to be subject to a decision based solely on automated processing which produces legal effects or similarly significantly affects you.

### Reservation of changes

We reserve the right to change this privacy policy in order to adapt it to changed legal situations or in the event of changes to the service and data processing. However, this only applies to statements on data processing. If the consent of users is required or if parts of the privacy policy contain provisions of the contractual relationship with users, changes will only be made with the consent of the users.