

# **RECRUITMENT PRIVACY NOTICE FOR LUMMUS TECHNOLOGY LLC ENTITIES**

## **1. INTRODUCTION**

Like most businesses, Lummus Technology holds and processes a wide range of information, some of which relates to individuals who apply to work for us. This notice explains the type of information we process, why we are processing it and how that processing may affect you.

## **2. SCOPE OF PRIVACY NOTICE**

The notice focuses on individuals who are applying to work for us and the data we process as part of that process. We have a separate notice that applies to our current and former employees.

This notice is set out in this document (the Core Notice) and the Supplementary Information in Annex 1. For those applying for positions in the EU/EEA, we may also provide local information, which makes clear any differences in your particular jurisdiction in Annex 2.

In the Supplementary Information, we explain what we mean by “personal data,” “processing,” “sensitive personal data” and other terms used in the notice.

In brief, this notice explains:

- what personal data we hold and why we process it;
- the legal grounds which allow us to process your personal data;
- where the personal data comes from, who gets to see it and how long we keep it;
- how to access your personal data and other rights; and
- how to contact us.

## **3. PERSONAL DATA – WHAT WE HOLD AND WHY WE PROCESS IT**

We process data for the purposes of business administration including recruitment, management, employment and legal purposes. The Supplementary Information provides more specific information on these purposes, on the type of personal data that may be processed and the grounds for which we process personal data.

*See Legal grounds for processing personal data and further information on the personal data we process and our purposes.*

## **4. WHERE THE DATA COMES FROM AND WHO GETS TO SEE IT**

Some of the personal data that we process about you comes from you. For example, you tell us your contact details and work history. If you are joining us, you may provide your banking details.

Other personal data may come from third parties such as recruiters acting on your behalf or from your references.

Your personal data will be seen internally by managers, HR and, in some circumstances (if you join us) colleagues. We may, where necessary and as set out in this privacy notice, also pass your personal data outside the organization, for example to payroll agencies.

See further information on this topic provided in the Supplemental Information under the topic *Where the data comes from and Who gets to see your personal data?*

## **5. HOW LONG DO WE KEEP YOUR PERSONAL DATA?**

We do not keep your personal data for any specific period and will not keep it for longer than is necessary for our purposes. In general, if you become employed by us, we will keep your personal data for the duration of your employment and for a reasonable period afterwards. If you are unsuccessful in gaining employment with us, we will likely keep your personal data for a short period after informing you that you were unsuccessful. In each instance, we will also follow applicable data protection laws in regard to how long we keep your personal data.

See *Retaining your personal data – more information* in the Supplementary Information.

## **6. TRANSFERS OF PERSONAL DATA OUTSIDE THE EU/EEA [FOR THOSE APPLICANTS APPLYING FROM EU/EEA]**

We may, where necessary and as set out in this privacy notice, transfer your personal data outside the EU/EEA to members of our group and processors in other jurisdictions in which we are established.

Further information on these transfers and the measures taken to safeguard your personal data are set out in the Supplementary Information under *Transfers of personal data outside the EU/EEA – more information*.

## **7. YOUR PERSONAL DATA RIGHTS**

You have a right to make an access request to receive information about the personal data that we process about you. Further information on this and on other rights is in the Supplementary Information under *Access to your personal data and other rights*. We also explain how to make a complaint about our processing of your personal data.

## **8. CONTACT DETAILS**

In processing your personal data, the Lummus Technology entity that you are applying to work for will act as a data controller.

Please note that generally the data controller of your personal data will be your employing/engaging entity (or the employing/engaging entity that you apply to work for) but also entities within Lummus Technology and its group companies with which we share data for business administration purposes. Contact details specific to your jurisdiction are set out in Annex 1.

**9. STATUS OF THIS NOTICE**

This notice does not form part of any contract of employment you might enter into and does not create contractual rights or obligations. It may be amended by us at any time. Nothing in this notice is intended to create an employment relationship between Lummus Technology and any non-employee.

## ANNEX 1: SUPPLEMENTARY INFORMATION

### 1. WHAT DO WE MEAN BY “PERSONAL DATA” AND “PROCESSING”?

“Personal data” is information relating to you (or from which you may be identified) which is processed by any means including automatic means or which is (or is intended to be) part of a structured manual or electronic filing system. It includes not only facts about you, but also intentions and opinions about you in relation to the potential employer-employee relationship.

Data “processed automatically” includes information held on, or relating to use of, a computer, laptop, mobile phone or similar device. It covers personal data derived from equipment such as access passes within a building, data on use of vehicles and sound and image data such as Closed Circuit TV or photographs.

"Process(ing)" means a series of operations pertaining to the collection and use of information to retrieve, transform or classify data including without limitation collecting it, storing it, disclosing it and deleting it.

Personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, health, trade union membership and genetic and biometric data are subject to special protection and considered by EU privacy law to be “sensitive personal data.”

References in this notice to employment, work (and similar expressions) include any arrangement we may have under which an individual provides us with work or services or applies for such work or services. By way of example, when we mention an “employment contract,” that includes a contract under which you provide us with services; when we refer to ending your potential employment that includes terminating a contract for services. We use the word “you” to refer to anyone within the scope of the notice.

### 2. LEGAL GROUNDS FOR PROCESSING PERSONAL DATA

#### ***WHAT ARE THE GROUNDS FOR PROCESSING?***

Under data protection law, there are various grounds on which we can rely when processing your personal data. In some contexts more than one ground applies. We have summarized these grounds as Contract, Legal obligation, Legitimate Interests and Consent and outline what those terms mean in the following table.

<i>Term</i>	<i>Ground for processing</i>	<i>Explanation</i>
Contract	Processing necessary for performance of a contract with you or to take steps at your request to enter a contract	This covers carrying out our contractual duties and exercising our contractual rights directly or via a collective agreement, if applicable.
Legal obligation	Processing necessary to comply with our legal obligations	Ensuring we perform our legal and regulatory obligations. For example, providing a safe place of work and avoiding unlawful discrimination.

Legitimate Interests	Processing necessary for our or a third party's legitimate interests	We or a third party have legitimate interests in carrying on, managing and administering our respective businesses effectively and properly and in connection with those interests Processing your personal data.  Your personal data will not be Processed on this basis if our or a third party's interests are overridden by your own interests, rights and freedoms.
Consent	You have given specific consent to Processing your personal data	In general Processing of your personal data in connection with employment is not conditional on your consent. But there may be occasions where we do specific things such as provide a reference and rely on your consent to our doing so.

**PROCESSING SENSITIVE PERSONAL DATA**

If we Process sensitive personal data about you (for example (but without limitation), storing your health records to assist us in ensuring that we provide you with a healthy and safe workplace or Processing personal data relating to diversity monitoring), as well as ensuring that one of the grounds for Processing mentioned above applies, we will make sure that one or more of the grounds for Processing sensitive personal data applies. In outline, these include:

- Processing being necessary for the purposes of your or our obligations and rights in relation to employment in so far as it is authorized by law or collective agreement;
- Processing relating to personal data about you that you have made public;
- Processing being necessary for the purpose of establishing, making or defending legal claims;
- Processing being necessary for provision of health care or treatment, medical diagnosis, and assessment of your working capacity; and
- Processing for equality and diversity purposes to the extent permitted by law.

**FURTHER INFORMATION ON THE DATA WE PROCESS AND OUR PURPOSES**

The Core Notice outlines the purposes for which we Process your personal data. More specific information on these, examples of the personal data and the grounds on which we Process data are in the table below.

The examples in the table cannot, of course, be exhaustive. For example, although the table does not mention personal data relating to criminal offences, if we were to find out that someone applying to work for us was suspected of committing a criminal offence, we might

Process that information if relevant for our purposes. If necessary we will also require criminal background checks for certain roles – for example those working in financial roles or with minors, subject to applicable law.

<i>Purpose</i>	<i>Examples of personal data that may be processed</i>	<i>Grounds for processing</i>
Recruitment	<p>Standard data related to your identity (e.g. your name, address, email address, ID information and documents, telephone numbers, place of birth, nationality, contact details, professional experience and education (including university degrees, academic records, professional licenses, memberships and certifications, awards and achievements, and current and previous employment details), financial information (including current salary information) language skills, and any other personal data that you present us with as part of your application related to the fulfilment of the role.</p> <p>Information concerning your application and our assessment of it, your references, any checks we may make to verify information provided or background checks and any information connected with your right to work.</p> <p>If necessary, we will also process information concerning your health, any disability and in connection with any adjustments to working arrangements.</p>	<p>Contract</p> <p>Legal obligation</p> <p>Legitimate interests</p>
Administering our recruitment process	<p>Evaluating your experience and qualifications against the requirements of the position you are applying for.</p> <p>Administering our online careers portal.</p> <p>Communicating with you in respect of any offer of employment we choose to make and providing you with information about our onboarding process.</p>	<p>Contract</p> <p>Legal obligation</p> <p>Legitimate interests</p>
Entering into a contract with you (if you are made an offer by us)	<p>Information on your terms of employment from time to time including your hours and working patterns, your pay and benefits, such as your participation in pension arrangements, life and medical insurance; and any bonus or share schemes.</p>	<p>Contract</p> <p>Legal obligation</p> <p>Legitimate interests</p>
Contacting you or others on your behalf	<p>Your address and phone number, emergency contact information and information on your next of kin.</p>	<p>Contract</p> <p>Legitimate interests</p>
Payroll administration	<p>Information on your bank account, pension contributions and on tax and national insurance</p> <p>Your national insurance number or other government issued identifier.</p>	<p>Contract</p> <p>Legal obligation</p> <p>Legitimate interests</p>
Financial planning and budgeting	<p>Information such as your proposed salary and (if applicable) envisaged bonus levels.</p>	<p>Legitimate interests</p>
Physical and system security	<p>Closed Circuit TV images upon attendance for interview at our premises.</p>	<p>Legal obligation</p>

<i>Purpose</i>	<i>Examples of personal data that may be processed</i>	<i>Grounds for processing</i>
		Legitimate interests
Providing information to third parties in connection with transactions that we contemplate or carry out	Information on any offer made to you and your proposed contract and other employment data that may be required by a party to a transaction such as a prospective purchaser, seller or outsourcer.	Legitimate interests
Monitoring of diversity and equal opportunities	Information on your nationality, racial and ethnic origin, gender, religion, disability and age as part of diversity monitoring initiatives. Such data will aggregated and used for equality of opportunity monitoring purposes. Please note we may share aggregated and anonymized diversity statistics with regulators if formally required / requested.	Legitimate interests Legal obligation
Disputes and legal proceedings	Any information relevant or potentially relevant to a dispute or legal proceeding affecting us.	Legitimate interests Legal obligation

Please note that if you accept an offer from us, the business will Process further information as part of the employment relationship. We will provide you with our full *Employee Privacy Notice for Employees in the EU/European Economic Area* as part of the on-boarding process.

### **3. WHERE THE PERSONAL DATA COMES FROM**

When you apply to work for us the initial personal data about you that we process is likely to come from you: for example, contact details, bank details and information on your immigration status and whether you can lawfully work. Where necessary and in accordance with this privacy notice, we will require references and information to carry out background checks. If you have concerns about this in a particular context, you should speak to your recruiter or our HR department.

Please note we may also receive data from third party recruiters, agents and similar organizations as a part of the recruitment process.

### **4. WHO GETS TO SEE YOUR PERSONAL DATA?**

#### ***INTERNAL USE***

Where necessary and as set out this privacy notice, your personal data will be disclosed to relevant managers, HR and administrators for the purposes of your application as mentioned in this document. We will also disclose this to other members of our group where necessary for decision making regarding your application – this will depend on the type of role you are applying for.

#### ***EXTERNAL USE***

We will only disclose your personal data outside the group if disclosure is consistent with a ground for Processing on which we rely and doing so is lawful and fair to you.

We will disclose your personal data if it is necessary for our legitimate interests as an organization or the interests of a third party (but we will not do this if these interests are overridden by your interests and rights in particular to privacy). Where necessary, we will also disclose your personal data if you consent, where we are required to do so by law and in connection with criminal or regulatory investigations.

Specific circumstances in which your personal data may be disclosed include:

- Disclosure to organizations that process data on our behalf such as our payroll service, insurers and other benefit providers, our bank and organizations that host our IT systems and data. This would normally occur if you accept an offer from us and would be carried out as part of the on-boarding process;
- To third party recruitment consultants and similar businesses (including online recruitment portals) as a part of the recruitment process; and
- Disclosure of aggregated and anonymized diversity data to relevant regulators as part of a formal request (see above).

## **5. RETAINING YOUR PERSONAL DATA – MORE INFORMATION**

Although there is no specific period for which we will keep your personal data, we will not keep it for longer than is necessary for our purposes. In general, if you are successful in becoming employed by us, we will keep your personal data for the duration of your employment and for a period afterwards. If you are unsuccessful in gaining employment with us, we will likely keep your personal data for a short period after informing you that you were unsuccessful. In considering how long to keep your personal data, we will take into account its relevance to our business and your potential employment either as a record or in the event of a legal claim.

If your personal data is only useful for a short period (for example, CCTV footage data) we will delete it.

Personal data relating to job applicants (other than the person who is successful) will normally be deleted after 12 months unless a shorter period is mandated per local law in which the shorter time period will be followed.

## **6. TRANSFERS OF PERSONAL DATA OUTSIDE THE EU/EEA – MORE INFORMATION**

In connection with our business and for employment, administrative, management and legal purposes, we may where necessary and as set out in this privacy notice transfer your personal data outside the EU/EEA to members of our group and data processors in other jurisdictions in which we are established. We will ensure that any transfer is lawful and that there are appropriate security arrangements.

In relation to intra-group transfers, the members of the Lummus Technology group of companies we have entered into agreements ensuring appropriate and suitable safeguards with Lummus Technology controllers/processors outside the EU/EEA. These are in standard terms approved by the European Commission. If you wish to see details of these safeguards, please ask HR.



## **7. ACCESS TO YOUR PERSONAL DATA AND OTHER RIGHTS**

We try to be as open as we reasonably can about personal data that we Process. If you would like specific information, just ask us.

You may also have a legal right to make a “subject access request.” If you exercise this right and we hold personal data about you, we are required to provide you with relevant information, including:

- Giving you a description and copy of the personal data
- Telling you why we are Processing it

If you make a subject access request and there is any question about who you are, we may require you to provide information from which we can satisfy ourselves as to your identity.

As well as your subject access right, you may have a legal right to have your personal data rectified or erased, to object to its Processing or to have its Processing restricted. If you have provided us with personal data about yourself (for example your address or bank details), you have the right to be given the personal data in machine readable format for transmitting to another data controller. This only applies if the ground for processing is Consent or Contract as described above.

If we have relied on consent as a ground for processing, you may withdraw consent at any time – though if you do so that will not affect the lawfulness of what we have done before you withdraw consent.

## **8. COMPLAINTS**

If you have complaints relating to our Processing of your personal data, you should raise these with HR in the first instance. For those applying for positions in the EU/EEA, you may also raise complaints with your statutory regulator. For contact and other details please see Annex 2.

## **9. STATUS OF THIS NOTICE**

This notice does not form part of any contract of employment that you may enter into with us and does not create contractual rights or obligations. It may be amended by us at any time. Nothing in this notice is intended to create an employment relationship between Lummus Technology and any non-employee.



## United Kingdom

If you are employed, engaged or otherwise in the UK the following additional information applies.

<b>Data controller</b>	<b>Address</b>
<i>Lummus Consultants International Limited</i>	Altius House, 1 North Fourth Street, Milton Keynes, MK9 1NE, UK

<b>Contact Person</b>	<b>E-mail address</b>
Rebecca Haves	<a href="mailto:Rebecca.Haves@lummusconsultants.com">Rebecca.Haves@lummusconsultants.com</a>

Please note that this Privacy Notice, along with other related Lummus Technology policies and/or protocols, shall form Lummus Technology's policy for procuring special data as required by the UK Data Protection Bill 2018 (Schedule 1 Part IV).

### **Statutory Regulator Information**

You can find an overview and contact information of the relevant data protection supervisory authorities for the EU (inclusive of those for the UK) under [http://ec.europa.eu/justice/article-29/structure/data-protection-authorities/index\\_en.htm](http://ec.europa.eu/justice/article-29/structure/data-protection-authorities/index_en.htm)