



## **Data protection notes concerning the collection and processing of your personal data in connection with carrying-out of the application proceedings**

The following information will provide you with an overview of the collection and processing of your personal data in connection with carrying-out of the application proceedings within the **BestSecret Group**. The precise data we process and the purpose for which this is done depends on the design of the respective application proceedings.

### **Information about data processing within the BestSecret Group**

#### **a) General Information**

As part of our business activities, it is essential for data to be exchanged between branch locations and divisions on a regular basis in order to promote and facilitate cooperation within the Group. For this reason, central processes are not limited to a single Group company, but also include other Group member companies. Companies within the BestSecret Group therefore work together in many areas and act as so-called joint controllers within the meaning of data protection law.

#### **b) Information about the primary contents of the contract in the case of joint controller authority within the BestSecret Group**

In light of their joint role, the member companies of the BestSecret Group have concluded a contract as joint controllers within the meaning of Art. 26 in conjunction with Art. 4 (7) GDPR to guarantee the security of processing and the effective exercise of your rights.

Without limitation, this contract addresses the following points:

- Subject, purpose, means and scope as well as competences and responsibilities with regard to data processing
- Providing information to data subjects
- Fulfilment of other rights of data subjects
- Security of processing
- Involvement of contract data processors
- Procedure in the event of personal data breaches
- Other common and reciprocal obligations
- Cooperation with supervisory authorities
- Liability

#### **Which of your personal data do we use?**

We process your personal data as far as they are needed to perform the application proceedings. This includes the following categories of data:

- Applications with personal data, contact details, qualification details, activities, etc.
- Grade sheets and certificates with address data, performance data, assessment data, etc.
- Profession-related data made publicly accessible, such as a profile on professional Social Media networks



**From what sources do the data come from?**

We process data that we receive directly from you, recruiter/headhunter or publicly available sources.

**For which purposes do we process your data and what is the legal basis?**

**a) Processing activities for purposes of the application relationship (point (b) of Article 6(1) GDPR or Section 26 para. 1 BDSG)**

Personal data of applicants may be processed for the purposes of the application proceedings if this is necessary for a decision on establishing the employment relationship. If an employment relationship between you and us is established, we may further process the personal data already obtained from you for purposes of the employment relationship if this is necessary for carrying out or terminating the employment relationship or for exercise or compliance with the rights and obligations of representation of the employees' interests resulting from a law or a collective bargaining agreement, an operating or service agreement (collective agreement).

The following processing activities shall be required to perform the application proceedings:

- Entry of applicant data
- Review of the application documents by the department of human resources and the specialist department
- Contact via email, phone or text message

To carry out the application, an exchange of the above mentioned data within the BestSecret Group can be mandatory. This applies in particular to the optimal implementation of the application process as well as recruitment and placement of positions in the Group.

**b) Based on consent given by you (point (a) of Article 6(1) GDPR or Section 26 para. 2 BDSG)**

If processing of personal data of applicants takes place based on consent given, assessment of whether consent is given freely shall specifically consider the dependence of the applicants in the scope of the application proceedings and the circumstances under which the consent has been given. Consent may specifically be given freely if the applicants achieve a legal or economic benefit or if the employer and applicant pursue equivalent interests.

If you have given your consent to the collection, processing or transfer of specific personal data to us, this consent shall be the legal basis for processing of such data.

You may give the following consent within the context of the application proceedings:

- Storage of the application documents concerning the current application proceedings in the later application proceedings in the group of undertakings.

You can revoke your declaration of consent at any time. This shall also apply to consent given towards us before 25 May 2018. Declaring withdrawal shall not affect the lawfulness of the processing completed until the declaration of revocation.



### **Who will receive my data?**

In order to carry out the application process, and to meet statutory obligations, various public or internal offices, as well as external service providers, shall receive access to your personal data.

#### **a) In the group of undertakings:**

The following companies of the BestSecret Group may have access to your data due to internal administrative purposes:

- Best Secret GmbH  
Margaretha-Ley-Ring 27  
85609 Aschheim  
Germany
- Best Secret Logistik GmbH  
Parsdorfer Straße 13  
85586 Poing  
Germany
- Schustermann & Borenstein Wien GmbH  
Berggasse 16  
1090 Vienna  
Austria

If you consent to storage of your application documents beyond the current application proceedings for consideration in later application proceedings, your personal data may be also passed on within the group of undertakings:

#### **b) External service providers:**

- provider of an online-based applicant management system
- IT service provider (e.g. maintenance service provider, hosting service provider)
- Service provider for file and data destruction
- Headhunters/recruiter

If you have any further questions about the individual recipients, contact us at: [personal@bestsecret.com](mailto:personal@bestsecret.com).

### **Will my data be transmitted to any countries outside of the European Union (third countries)?**

In some cases, subcontractors in the USA or India may be given access to your data. If subcontractors outside the EU or the European Economic Area (EEA) are deployed, we will provide appropriate and effective safeguards according to Article 44 et seq. GDPR (for example, existence of an EU-US Privacy Shield Certification and / or conclusion of EU standard contracts). to ensure a sufficient level of data protection when transferring personal data. If you have any further questions, contact us at: [personal@bestsecret.com](mailto:personal@bestsecret.com).



### How long are my data stored for?

We store your personal data for as long as this is required to make a decision concerning your application and to meet statutory obligations.

Such data are regularly deleted within six months from the commencement of the applicant selection.

If no employment relationship between you and us is established, we may continue to store data as far as you have consented to further storage or this is required to defend against legal claims or to meet any storage obligations under commercial and tax law.

### Am I obligated to provide my personal data?

The provision of personal data is not required by law or contract, and you are not obligated to provide the personal data. However, provision of personal data is required for performing the application proceedings, i.e. as far as you do not provide any personal data to us for an application, we will be unable to perform the application proceedings.

### Will there be any automated decision-making or profiling?

There will be no automated decision-making or profiling.

### General data collection when calling our website

If you use our website for information only, i.e. if you do not register or otherwise submit any information to us, we will only collect the personal data your browser submits to our server. These data are technically required for us in order to show our website to you and to ensure stability and safety (the legal basis for this is our legitimate interest pursuant to sect. 6 para. 1 s. 1 lit. f GDPR).

For technical reasons, these are saved by default as logfiles (protocol files).

Data	Purpose of processing	Legal basis of processing	Duration of storage
Technical data such as: Operating system used, browser type and version, device (e.g. phone, tablet, ...), date and time of website call	Optimised website representation Ensuring proper website operation	Sect. 6 para. 1 s. 1 lit. f GDPR	Deletion after 21 days at most
IP address	Ensuring proper website operation	Sect. 6 para. 1 s. 1 lit. f GDPR	Deletion after 21 days at most

### Cookies & other tracking technologies

Our website uses tracking technologies like cookies. Cookies are text files that are stored in the Internet browser or by the Internet browser on the user's computer system. If a user calls up a website, a cookie may be stored on the user's operating system. This cookie contains a unique string of characters that enables the browser to be uniquely identified when the website is called up again.



## 1. Type of tracking technologies in use

We differentiate between tracking technologies that are technically necessary for the website, tracking to optimise our website/app and tracking related to personalised advertising.

### a) Technically necessary cookies

We use cookies to make our website more user-friendly. Some elements of our website require that the accessings browser can be identified even after a side change. Technically necessary cookies are not absolutely necessary to display the website. However, some functions of the website cannot be used properly without these cookies. Consequently, there is no possibility of objection on the part of the user; these cookies can be deactivated by adjusting the settings of the respective browser.

Data	Purpose of processing	Legal Basis	Storage duration
Technical data like: Used browser system, browser type and version, device (smartphones, tablets or other terminal device), date and time of access	Optimized presentation of the website Ensuring of the proper operation of the website	Sect. 6 para. 1 S. 1 lit. f GDPR	Up to 21 days
IP-Adress	Ensuring of the proper operation of the website	Sect. 6 para. 1 S. 1 lit. f GDPR	Up to 21 days

### b) Tracking for purposes of website/app optimization & performance

Tracking for optimization & performance purposes aids in analysing user behaviour on the BestSecret website and app as part of a performance analysis or for statistical purposes. BestSecret can optimise the user-friendliness of the shop and correct possible errors on the basis of these evaluations.

Tracking technologies for purposes of optimization & performance include:

- Google Analytics & Optimize

The exact mode of operation, and the relevant data categories, for each individual tracking technology will be described in more detail below, starting at no. 2.

Tracking for purposes of optimization & performance is only used if you have given us your consent in accordance with sect. 6 para. 1 s. 1 lit. a GDPR. This consent covers both the website and its mobile applications. You may withdraw your consent at any time by disabling the tracking setting 'optimisation & performance' in the cookie settings which you can find in the footer. For technical reasons, this opt-out usually only becomes effective after 48–72 hours. When using the app, you can speed this up by restarting the app.



We use the consent management tool 'Usercentrics Consent Management Platform' provided by Usercentrics GmbH, Sendlinger Straße 7, 80331 Munich, Germany, to manage your tracking settings. The following data is stored as part of this process:

Data category concerned	Processing purpose	Legal basis for processing	Retention period
Tracking setting (including consent or rejection, time)	Verification purposes	Sect. 6 para. 1 s. 1 lit. f GDPR	Three years after withdrawal of consent or deletion of the account
Device data or data from any devices in use (including shortened IP address and time)	Verification purposes	Sect. 6 para. 1 s. 1 lit. f GDPR	Three years after withdrawal of consent or deletion of the account
User identifier	Verification purposes	Sect. 6 para 1 s. 1 lit. f GDPR	Three years after withdrawal of consent or deletion of the account

## 2. Google Analytics & Google Optimize

This website uses Google Analytics, a web analysis service of Google Inc. In addition, we use Google Optimize. Google Optimize analyses the use of different variants of our website and helps us to improve user-friendliness based on the behaviour of our users on the website. Google Optimize is a tool associated with Google Analytics.

Google Analytics and Google Optimize use "cookies", i.e. text files that are stored on your computer and that permit analysis of your use of the website. The information produced by the cookie regarding your use of this website is usually transferred to a server of Google in the USA and saved there. Due to activation of IP anonymisation on these websites, your IP address will be abbreviated first by Google within member states of the European Union or in other contracting states of the convention on the European Economic area. Only in exceptions will your full IP address be transferred to a server of Google in the USA and abbreviated there. The IP address submitted by your browser in the scope of Google Analytics and Google Optimize will not be combined with any other Data of Google. On the order of the operator of this website, Google will use this information to evaluate your use of the website, in order to compile reports on the website activities and to render further services connected to website use and internet use towards the website operator. The data sent by us and linked to cookies, user IDs (e.g. User-ID) or advertising IDs are automatically deleted after 26 months. Erasure of data the archiving period of which has expired shall take place automatically once per month. For more detailed information on usage conditions and data protection, see [www.google.com/analytics/terms](http://www.google.com/analytics/terms) or under <https://policies.google.com>.



Designation of the provider	Service provider type	Data transfer to a third country	Third country	Guarantees pursuant to sect. 44 et seq. GDPR
Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA	Contract processor	YES	USA	EU-US Privacy Shield

Affected data category	Purpose of processing	Legal basis of processing	Duration of storage
Technical data such as: Operating system used, browser type and version, device (e.g. phone, tablet, ...), date and time of website call, ...	Evaluation of customer behaviour	Sect. 6 para. 1 s. 1 lit. a GDPR	Deletion after 26 months at most
Behaviour-related data such as: Registration date, visited product pages, ordered products, name of called website, ...	Evaluation of customer behaviour	Sect. 6 para. 1 s. 1 lit. a GDPR	Deletion after 26 months at most
User ID, device ID	Evaluation of user behaviour on different devices/browsers	Sect. 6 para. 1 s. 1 lit. a GDPR	Deletion after 26 months at most

### What are my rights in connection with processing of my personal data?

Every data subject has the right to information according to Article 15 GDPR, the right to rectification according to Article 16 GDPR, the right of erasure according to Article 17 GDPR, the right to restriction of processing according to Article 18 GDPR, the right to objection from Article 21 GDPR and the right to data portability from Article 20 GDPR. The right of access and erasure right are subject to the restrictions pursuant to Sections 34 and 35 BDSG according to German law or sections 44 and 45 DSG 2018 according to Austrian law.

Furthermore, there is a right to lodge a complaint with a competent data protection supervisory authority (Article 77 GDPR in conjunction with Section 19 BDSG according to German law or Section 7 DSG 2018 according to Austrian law.).

You may revoke your consent granted to us for processing of personal data at any time. This shall also apply to revocation of declarations of consent that were granted to us before the application of the general data protection regulation, i.e. before 25 May 2018. Please note that the revocation will only be effective for the future. Processing that took place before the revocation is not affected by this.

### What are my rights in case of processing activities due to legitimate or public interest?

In accordance with Article 21(1) GDPR, you have the right to object to processing of personal data concerning you which is based on point (e) of Article 6(1) GDPR (Processing activities in the public



B E S T S E C R E T

interest) or point (f) of Article 6(1) GDPR (Processing activities to protect a legitimate interest), including profiling based on those provisions, on grounds relating to your particular situation, at any time.

If you object, we will no longer process the personal data concerning you unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

### **Who is responsible for the processing activities?**

The BestSecret Group is the joint controller. You may invoke your rights by contacting the following controller in particular:

Best Secret GmbH  
Margaretha-Ley-Ring 27  
85609 Aschheim  
Germany

### **How can I contact the data protection officer?**

The BestSecret Group has appointed a data protection officer for each company. You may contact the data protection officer as follows:

Best Secret GmbH  
Data protection officer  
Margaretha-Ley-Ring 27  
85609 Aschheim  
Germany  
Email: [data-protection@bestsecret.com](mailto:data-protection@bestsecret.com)