

Privacy Notice for Xplor's Prospective Employees / Recruitment Candidates

What's this Privacy Notice about?

This privacy notice ("*Notice*") describes how Xplor (or the "company") collects and uses your Personal Data in accordance with applicable privacy legislation, including for example the EU General Data Protection Regulation 2016/679 ("*GDPR*"), the UK Data Protection Act 2018, the New Zealand Privacy Act 2020, the Australian Privacy Act 1988 and the California Consumer Privacy Act ("*CCPA*") (in each case as amended from time to time).

What do I need to do?

It's important you read this Notice, together with any other privacy notice we may provide on specific occasions when we're collecting or processing Personal Data, so that you're aware of how and why we collect/process such information.

Who does this apply to?

This Notice applies to all prospective employees and candidates who apply for a position of employment with Xplor or any of its subsidiary companies. It does not form part of any contract of employment or other contract to provide services.

This Notice may be updated by the company at any time.

Our commitment to privacy

Xplor is committed to protecting your privacy and the security of your Personal Data. This Notice tells you what Personal Data we collect, why it's needed, how it's used and what protections are in place to keep it secure.

Key terms to keep in mind as you read this notice

"*The company*", "*Xplor*", "*we*", "*us*" and "*our*" mean Xplor Technologies, LLC and its affiliates and subsidiaries.

"*You*" means you in your capacity as a prospective employee and/or a candidate for any position of employment with Xplor.

"*Personal Data*" means information about you, and from which you could be identified. It includes information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with you or with a device used by you; or any inferences drawn from any of this information.

Xplor's role as a Data Controller

Xplor is a "*Data Controller*" meaning that it's responsible for deciding how it holds and uses the Personal Data that we collect from and about you. The specific entity that will be your Data Controller will be the company that processes your application for employment on behalf of Xplor.

If you have any queries about Xplor’s handling of your Personal Data or this Notice, please contact Xplor’s Group Data Protection Officer at privacy@xplortechnologies.com.

How does the company obtain your Personal Data?

In most circumstances, we will obtain your Personal Data from you directly.

We may also obtain your Personal Data from third-party sources such as former employers, national criminal record registries, recruitment agencies, any organisation which you are directly employed by and/or other background check agencies.

Additionally, we may collect information using web beacons, cookies, system logs, and other technologies on our websites and communications and other activities carried out on business or personal devices, to determine page views, which links are clicked, whether an e-mail has been opened, and other actions. System logs also capture certain standard information that browsers send to every web site visited, such as IP address, browser type and language, access times, and referring web site addresses. This data helps us compile aggregated statistics, and to determine the effectiveness of our sites and our communications.

What Personal Data does Xplor collect about you?

We collect and use different types of Personal Data about you, which will vary in type and detail depending on your circumstances, the role you apply for and any legal requirements. The table below sets out some illustrative and non-exhaustive examples of the categories of Personal Data that may be collected.

Categories of Personal Data	Information collected
Your contact details	your name, address, telephone number(s) and e-mail address(es)
Personal details	your date of birth, gender, equal opportunities monitoring information, and possibly details about your family/dependants
ID information	photographs, passport, proof of address and/or driving licence details
Emergency contact information	their name, address, telephone number(s), e-mail address(es) and their relationship to you
Information about your suitability for employment	references, interview notes, work visas and other right to work documentation, driving licence information, records/results of pre-employment checks and criminal record checks
Your skills and experience	application forms and/or CVs and résumés, records of qualifications, experience and skills, training records, information about professional memberships
Work-related travel information	driving licence information (including endorsements), vehicle registration and insurance details, visa information, vaccination information
Access details	IP address and/or location details

Why does Xplor need to collect and use your Personal Data?

We need to collect and use your Personal Data for a number of different purposes. We set out below the purposes, reasons and lawful bases for processing, the categories of Personal Data listed above:

Purpose	Reason for collecting and processing Personal Data	Lawful basis
Recruitment	<ul style="list-style-type: none"> - identify and match prospective candidates to available roles - assess candidates' suitability to work for the group - make offers and provide contracts of employment - conduct candidate technical assessments - conduct personality /psychometric / competency-based testing - obtain previous employer references 	Necessary for our legitimate interests in confirming the suitability of candidates, including the proper running of our operations
	<ul style="list-style-type: none"> - to check academic qualifications - to check professional qualifications, - to check your legal right to work - to check criminal record 	Our legitimate interests in confirming the suitability of candidates, including the proper running of our operations. When the processing involves special category Personal Data or criminal offence data, for example, information about any trade union memberships or criminal convictions, our lawful basis will be your consent
Effective business management	<ul style="list-style-type: none"> - for the company's inclusion, diversity and equal opportunities monitoring 	<p>Necessary for our legitimate interests including understanding our workforce and employing diversity friendly practices</p> <p>When our processing involves special category Personal Data, for example, information about sexual orientation or religious beliefs our lawful basis will be your consent</p>

	<ul style="list-style-type: none"> - to share data intra-group 	<p>Our legitimate interests in the running of our business on a truly global basis</p>
<p>Regulatory and Legal Compliance</p>	<ul style="list-style-type: none"> - to comply with Xplor's legal obligations, including employment and non-discrimination law - to complete business filings in accordance with regulatory requirements - to maintain employment and HR records as required by law 	<p>Our legal obligations owed in respect of the companies within the group, according to the local legal requirements in the jurisdictions where those group companies are registered</p> <p>For those of our group companies that are regulated by a relevant regulatory authority, our lawful basis will be the legal obligations we owe as a regulated business</p> <p>When the processing involves special category Personal Data, for example, information about your sexual orientation or religious beliefs, our lawful basis will be our legal obligations</p>
<p>Security</p>	<ul style="list-style-type: none"> - for the prevention and detection of crime - monitor use of company and personal IT systems 	<p>Our legitimate interests in avoiding the use of our products, systems and data (including data processed on personal devices) for inappropriate uses, including our interests in avoiding legal and reputational risks</p> <p>When we undertake relevant processing activities for the purposes of meeting a legal obligation we are under, the lawful basis for those activities will</p>

		be the performance of our legal obligation
Information Technology	<ul style="list-style-type: none"> - Report, manage and resolve IT device and infrastructure fault reporting - Administer, support, develop, manage and maintain company and personal systems 	Our legitimate interests in running our business, including preventing data breaches, ensuring network security and avoiding related legal and reputational risks

- As set out above, Xplor may process your Personal Data in order to comply with its legal obligations, which might include (but is not limited to) legal obligations related to: complying with safeguarding responsibilities (e.g. criminal record checks); and/or
- complying with any requirements of regulatory bodies.

In the future, we may process your Personal Data for purposes that are different to those listed above, but only if such purposes are compatible with those listed above and if we believe that the same lawful basis applies.

Special category and criminal records data

Xplor may process data regarding your criminal records or special category Personal Data (which is Personal Data relating to your racial or ethnic origin, political opinions, religious and philosophical beliefs, trade union membership, health data, biometric data or sexual orientation).

Where we are processing Personal Data based on your consent, you have the right to withdraw that consent at any time.

The processing of criminal offence data only takes place when the processing is authorised by applicable law. The processing of special categories of Personal Data takes place on the basis of your consent, within the scope of obligations we are under as a prospective employer, within the scope of assessing the working capacity of a prospective employee or, in limited circumstances, when the processing is necessary to protect the vital interests of Xplorers.

Who receives your Personal Data?

Xplor may disclose your Personal Data to third parties when it's necessary to do so. We share each of the categories of Personal Data described above, with the types of third parties described below, for the following purposes and reasons:

Purpose	Reason
Public information	You may select options available through our systems to publicly display and share your name and/or username and certain other information, such as your profile, demographic data, content and files, or geolocation data. For example, to your current, past or prospective employers.
Affiliates	We enable access to Personal Data across our subsidiaries, affiliates, and related companies, for example, where we share common data systems or where access is needed to provide our services and operate our business. For example, investors and other business partners.

Legal and law enforcement	We will access, disclose, and preserve Personal Data when we believe that doing so is necessary to comply with applicable law or respond to valid legal process, including from law enforcement or other government agencies.
Security, safety, and protecting rights	We will disclose Personal Data if we believe it is necessary to: <ul style="list-style-type: none"> - protect our customers and others, for example to prevent spam or attempts to commit fraud, or to help prevent the loss of life or serious injury of anyone; - operate and maintain the security of our services, including to prevent or stop an attack on our computer systems or networks; or - protect the rights or property or ourselves or others, including enforcing our agreements, terms, and policies.

Third party analytics and advertising companies also collect Personal Data through our website and apps including identifiers and device information (such as cookie IDs, device IDs, and IP address), geolocation data, usage data, and inferences based on and associated with that data. For example, we use Google Analytics on our website to help us understand how users interact with our website; you can learn how Google collects and uses information at www.google.com/policies/privacy/partners.

Please note that some of our services include integrations, references, or links to services provided by third parties whose privacy practices differ from ours. If you provide Personal Data to any of those third parties, or allow us to share Personal Data with them, that data is governed by their privacy statements.

Finally, we may share de-identified information in accordance with applicable law.

How do we protect your Personal Data?

Xplor has security arrangements in place to guard against unauthorised access, improper use, alteration, destruction or accidental loss of your Personal Data. You're required to help with this by ensuring that your Personal Data is kept secure.

When we use third party organisations to process your Personal Data on our behalf, we require them to demonstrate their compliance with our security requirements, and any instructions that we may give them, and we oblige them to ensure their compliance with relevant data protection laws.

Is your Personal Data transferred to “third countries” and, if so, what safeguards are in place?

We transfer Personal Data between the European Economic Area (EEA), United Kingdom (UK), Switzerland and other countries (including the USA), some of which have not been determined by the European Commission or the UK Government to have an adequate level of data protection. Xplor itself has operations in several third countries, where many Xplorers are located and it therefore routinely transfers Personal Data internationally. In addition to the security arrangements mentioned above in relation to our engagement of third-party organisations, where such transfers are required we'll make sure your Personal Data is adequately protected, for example, by using a contract for the transfer which contains specific data protection provisions that have been adopted by the [European Commission](http://www.european-council.europa.eu/media/e300197c-326c-4767-995c-4d93f1e01921/asset/document/130516en01.pdf) or the UK Government, and implementing additional safeguards, when required.

How long will your Personal Data be held for?

It's our policy to retain your Personal Data for no more than the length of time required for the specific purposes for which it's processed by Xplor and which are set out in this Notice. However, we may be obliged to keep your Personal Data for a longer period, for example, where required by our legal and regulatory obligations or in order to make sure we have effective back-up systems. In such cases, we will make sure your Personal Data will continue to be treated in accordance with this Notice, restrict access to any archived Personal Data, and make sure that all Personal Data is held securely and kept confidential.

Type of data	Retention Period	Reason
Applicant records including CVs, application forms, records relating to pre-employment testing, interview notes, etc.	7 years from the date the relevant personnel decision is made	Limitation period for bringing claims; tax authority audits and reviews

What are your rights?

Depending on your jurisdiction, you may have various rights in relation to your Personal Data:

- the right of access to a copy of the Personal Data we hold about you;
- the right to require us to correct any inaccuracies in your Personal Data;
- the right to object to decisions about you being taken by automated means (although we do not envisage making any decisions by automated means);
- where we have sought your consent, the right to withdraw your consent at any time; and
- the right to ask us not to process your Personal Data for direct marketing purposes.

You may also have the following rights at law in relation to your Personal Data in certain circumstances:

- the right to restrict or object to our use of your Personal Data;
- the right to require us to provide a copy of your Personal Data to others; and
- the right to require us to erase your Personal Data.

Any questions or requests to exercise your rights should be put in writing to the Group Data Protection Officer, who can be contacted at privacy@xplortechnologies.com.

Your obligations

It's important the personal information we hold about you is accurate and current. We ask that you keep us informed if your personal information changes during your working relationship with us.

Artificial intelligence

Please note that we do not exclusively rely on artificial intelligence (AI) when making hiring, promotion or any other employment decisions. We don't have any AI tools in place that are capable of making these kinds of hiring decisions for us.

Changes to this Notice

Xplor may occasionally update this Notice to reflect changes as required by law, Xplor practices or procedures.

How to make a complaint

If you're unhappy with the way Xplor processes your Personal Data please contact Xpor's Group Data Protection Officer at privacy@xplortechnologies.com. In any event you have the right to address a complaint to your local supervisory authority. For example, in the UK this supervisory authority is the Information Commissioner's Office. The Information Commissioner's Office can be contacted at the following address: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF, UK (www.ico.org.uk).