**Privacy Policy**

This online privacy policy provides an overview about how we process personal data at \_\_\_\_\_\_\_\_\_\_ with registered seat at \_\_\_\_\_\_\_\_\_\_, company ID No.: \_\_\_\_\_\_\_\_\_\_, registered in \_\_\_\_\_\_\_\_\_\_ (hereinafter referred to as “**us**“ or “**we**“). If you have any questions concerning how we process your personal data, you can contact our Data Protection Officer. All privacy enquiries sent to us are received and reviewed by our DPO appointed to serve as a contact point for you and supervisory authorities. Contact of DPO:

E-mail: **/x/**

Phone number: **/x/**

Address for correspondence: **/x/**

This Privacy Policy is primarily designed to ensure compliance with our informational obligations pursuant to Articles 13 and 14 GDPR towards data subjects about whom we process personal data as a controller. Typical data subjects are our employees or employees of our business partners, clients or suppliers. Being an EU-based company, we must comply with the EU general data protection regulation (the “**GDPR** “) provisioning your individual rights[[1]](#footnote-1) when processing the personal data, applicable sections of the national data protection legislation (the “**Data Protection Act**”) and other legislation. In case that you do not understand any information provide in this Privacy Policy, do not hesitate to contact our DPO.

***Why we process personal data?***

Generally, we need to process personal data in order to:

* provide our services and products and for that purpose process personal data of our clients, suppliers, business partners, employees and other persons;
* efficiently manage our human resources;
* meet our legal and contractual obligations; and
* pursue our own legitimate interests.

***For what purposes and under which legal bases do we process personal data?***

We process personal data for the following purposes and legal grounds:

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| --- | --- | --- |
|  | **Purpose of the processing personal data**  | **Legal ground**  |
|  | Personnel and payroll  | Compliance with legal obligation |
|  | Photos of employees  | Consent |
|  | Monitoring mechanisms of employer | Legitimate interest |
|  | Benefits  | Contract |
|  | Keeping data about unsuccessful job applicants | Consent |
|  | Sharing employee data within the group of undertakings for administrative purposes | Legitimate interest |
|  | Whistleblowing  | Compliance with legal obligation |
|  | Establishment, exercise or defence of legal claims (legal agenda) | Legitimate interest |
|  | Management of data subject requests  | Compliance with legal obligation |
|  | Evidence of shareholders – natural persons | Compliance with legal obligation |
|  | Fulfilment of contractual obligations with natural persons | Contract |
|  | Protection of property and security | Legitimate interest |
|  | Maintaining social media profiles  | Legitimate interest |
|  | Marketing and PR purposes  | Consent and/or legitimate interest |
|  | Accounting & Tax purposes  | Compliance with legal obligation |
|  | Archiving and registry administration | Legal grounds of any above original purposes pursuant to the Art. 89 GDPR. |
|  | Statistical purposes | Legal grounds of any above original purposes pursuant to the Art. 89 GDPR. |

***What are our legitimate interests that we pursue?***

We rely on a legal ground of legitimate interest pursuant to Article 6 (1) f) of GDPR for the following purposes. We provide description of these purposes and legitimate interests below:

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| --- | --- |
| Monitoring mechanisms of employer  | These are, in particular, camera / attendance and similar systems aimed at monitoring compliance with employees discipline. It is our legitimate interest that indirectly stems from section 13 (4) of the Labor Code. |
| Sharing employees data within group of undertakings for administrative purposes | In light of Recital 48 GDPR: *“Controllers that are part of a group of undertakings or institutions affiliated to a central body may have a legitimate interest in transmitting personal data within the group of undertakings for internal administrative purposes, including the processing of clients' or employees' personal data.“* Relate administrative purposes while sharing employees data within group of undertakings shall be considered as our legitimate interest. |
| Establishment, exercise or defense of legal claims (legal agenda) | From time to time, we might need to pursue a legal claim, ask for compensation or off-court settlement or report certain facts to public authorities and aforementioned processing operations shall be considered as our legitimate interest. |
| Protection of property and security  | We consider our legitimate interest protecting the property and security of our company including our employees or visitors. We rely on this legal ground to ensure the security of our information assets and IT systems or to physically protect the premises e.g. by camera systems or access control to the building. |
| Maintaining social media profiles | If we maintain our business profiles on social networks (Facebook, Instagram a YouTube), it is our legitimate interest to increase company/brand awareness in online environment |
| Marketing and PR purposes  | If we organize various events where we invite our business partners, we rely on our legitimate interest being maintenance of a fair relationships with our business partners. |

***What personal data we process?***

In most cases we process standard contact and identification types of personal data such as name, surname, address, position, phone number, email, date of birth or ID data. However, for certain purposes, we need to process more specific personal data. /COMPLETE/

***Who are recipients of your personal data?***

We take the confidentiality of your personal data very seriously and have internal policies in place to ensure that your data is only shared with authorized personnel at our company or a verified third party. Our staff might have access to your personal data on a strictly need-to-know basis typically governed and limited by function, role and department of the particular employee. Personal data of our clients, employees, business partners or other natural persons are provided to the extent necessary to following categories of recipients:

* other companies belonging to the group of undertakings of XY, if any legal ground or contractual relationship is applicable;
* our verified and properly mandated processors;
* our professional advisors (e.g. attorneys or auditors);
* payroll and accounting companies;
* providers of standard software and cloud services (e.g. Microsoft One Drive or SharePoint);
* providers of technical (IT) and organizational (events agency) support of our company;
* Social Insurance Company, Pension Insurance Management Company, Supplementary Pension Insurance Company, Health Insurance Company, Office of Social Affairs and Family;
* Postal couriers and courier services;
* Employees of aforementioned entities.

We also use sub-contractors to support us in providing services who might process personal data for us. We ensure that selection of our sub-contractors and any processing of personal data by them is compliant with the GDPR in terms of technical and organizational security of processing operations. If we use our own recipients to process personal data (our company's internal staff), your personal data are always processed on the basis of authorizations and instructions that inform our recipients about not only our internal privacy policies but also about their legal responsibility for their violations. If we are requested by the public authorities to provide your personal data we examine the conditions laid down in the legislation to accept the request and to ensure that if conditions are not met, we do not adhere to the request. In case that you have a question about our current processors, do not hesitate to contact our DPO for further information.

***What countries do we transfer your personal data to?***

By default, we seek not to transfer your personal data outside the EU and/or European Economic Area where not necessary. However, some of our sub-contractors or the above-mentioned recipients of personal data might be based, or their servers might be located in the United States of America (U.S.). As such, US is regarded a third party not ensuring adequate level of protection. However, companies certified under the EU-US Privacy Shield mechanism according to the Commission (EU) are regarded as ensuring adequate level of protection. Any transfer of personal data outside the European Economic Area is done by us only under strict compliance with the GDPR. We ensure the third-party recipients are either certified under the EU-US Privacy Shield, concluded EU model clauses with us or follow equivalent safeguards in place.

***How long do we store your personal data?***

We must not and we do not want to store your personal data for longer than necessary for the given purpose of processing. Due to this legal requirement but also due to technical and financial aspects of data storage we actively delete data where no longer necessary. Retention periods are either provisioned in respective laws or are set out by us in our internal policies. When processing of your personal data is based on consent and you decide to withdraw your consent, we do further not process your personal data for the specific purpose. However, it does not exclude the possibility that we process your personal data on different legal grounds especially due to our legal obligations.

General retention periods for our purposes are as follows:

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| --- | --- |
| **Purpose** | **General retention period**  |
| Personnel and payroll  | During the employment contract and in compliance with statutory period for retention (usually 10 years after the termination of the employment contract) |
| Photos of employees  | During the employment contract. |
| Controlling mechanisms of employer | 4 years.  |
| Benefits  | During the contractual relationship.  |
| Keeping data about unsuccessful job applicants | 2 years.  |
| Sharing employee data within group of undertakings for administrative purposes | Usually during the employment contract. |
| Whistleblowing  | 3 years since motion was accepted.  |
| Establishment, exercise or defence of legal claims (legal agenda) | Based on limitation period according to the law. |
| Management of data subject requests  | Based on limitation period according to the law. |
| Evidence of shareholders – natural persons | During the relationship with shareholders.  |
| Fulfilment of contractual obligations with natural persons | During the contractual relationship with natural person. |
| Protection of property and security | 3 years.  |
| Maintaining social media profiles  | Until you or us actively delete your message, comment, profile or you request deletion of your data. We delete private messages on our profile once a year. |
| Marketing and PR purposes  | 2 months after the event. Photos and videos from our events are retained for the period specified in the notice or consent to make a photo or video on the venue of the event. Typically the period lasts 3 years. In case of newsletter Until the acceptance of the objection against processing or sign-out from the newsletter performed by data subject. |
| Accounting & Tax purposes  | During ten years following the accounting year, accounting records, accounting books, lists of accounting books, lists of figures or other symbols and abbreviations used in the accounting, depreciation plan, inventory file, inventory entries, the chart of accounts. |
| Archiving and registry administration | During the retention periods set out in the registry administration. |
| Statistical purposes | During the existence of another purposes of processing. |

The above retention periods only specify the general periods during which personal data are processed for the specific purposes. However we proceed to erasure or anonymization of personal data before the expiry of these general periods if we consider the personal data to be unnecessary in view of the above-mentioned processing purposes. Conversely, in some specific situations, we may keep your personal data longer than stated above if it is required by law or our legitimate interest. If you are interested in information about a specific retention period for storing your personal data, please do not hesitate to contact our DPO.

***How we collect your personal data?***

Generally, we collect your personal data directly from you. In this case provision of personal data is voluntary. You can provide your personal data to us by different means e.g.:

* By registration on our websites (as a job applicant);
* in the process of concluding or negotiating the contract;
* communication with you;
* presence on conferences organized by our company;
* activity on our profiles on social media;
* completing and submitting a contact form with your comments, queries or questions.

However, we may also obtain your personal information from your employer or from the company in relation to which we process your personal data. This is typically the case when we conclude or negotiate a contractual relationship with the company or its terms. If the collection of personal data relates to a contractual relationship it is often a contractual requirement or a requirement that is required for the conclusion of a contract. Failure to provide personal data (whether yours or your colleagues) may have negative consequences for the company you represent, as this may result in failure to conclude or performance of a contractual relationship. If you are a member of a statutory body of an organization that is a contracting party to us or with whom we are negotiating a contractual relationship, we may obtain your personal data from publicly available sources and registers. In any case we do not systematically process any random personal data obtained to any of the purposes for processing personal data.

***What rights do you have?***

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| --- |
| ***"If we process your personal data on the basis of consent to the processing of personal data, you have the right to withdraw your consent at any time. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal. You have the right to effectively object to the processing of personal data for direct marketing purposes, including profiling.******"You also have the right to object to the processing of your personal data on the basis of the legitimate interests we follow, as explained above. You are also entitled to the processing of personal data on the legal basis of a public interest.”***If you exercise your right to object, we will gladly demonstrate to you the way how we evaluated these legitimate interests as overriding the interests, rights and freedoms of the data subjects. |

The GDPR lays down general conditions for the exercise of your individual rights. However, their existence does not automatically mean that they will be accepted by us because in a particular case exception may apply. Some rights are linked to specific conditions that do not have to be met in every case. Your request for an enforcing specific right will always be dealt with and examined in terms of legal regulations and applicable exemptions.

Among others, you have:

* Right to request access to your personal data according to Article 15 of the GDPR. This right includes the right to confirm whether we process personal data about you, the right to access to personal data and the right to obtain a copy of the personal data we process about you if it is technically feasible.
* Right to rectification according to Article 16 of the GDPR, if we process incomplete or inaccurate personal data about you.
* Right to erasure of personal data according to Article of the 17 GDPR;
* Right to restriction of processing according to Article 18 GDPR
* Right to data portability according to Article 20 GDPR;
* Right to object against the processing including profiling based on legitimate or public interest according to Article 21 (1) of the GDPR;
* Right to object against processing for direct marketing purposes including profiling according to Article 21 (2) of the GDPR;
* Right to not be subject to the automated individual decision making according to the Article 22 of the GDPR.

If you feel that we are processing incorrect personal data about you given the purpose and circumstances, you can request rectification of incorrect or incomplete personal data using the below supplementary statement (all information is voluntary) and/or our general contact details:

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| **Supplementary statement for rectification of personal data** |
| Your name and surname: |  |
| Contact:  |  |
| Relevant purpose:  | *Please indicate the purpose of processing of your personal data.* |
| Your relationship to us:  | *Please explain whether you are our client, user, employee etc.* |
| Nature of your rectification: | *Please explain whether you would like to request correction of incorrect or completion of incomplete personal data* |
| Context of your rectification request: | *Please explain us why you believe we are processing incorrect or incomplete data* |
| Rectification: | *Please express the correction or completion of the particular personal data you are requesting* |
| This supplementary statement for rectification can be send to us at **/x/** |

You have a right to lodge a complaint related to personal data to the relevant data protection supervisory authority or apply for judicial remedy. Please note that our competent data protection authority is **the Office for Protection of Personal Data of the Slovak Republic**. In any case we advise to primarily consult us with your questions or requests.

***Do we process your personal data via automated means which produces legal effects concerning you?***

We do not currently conduct processing operations that would lead to the decision which produces legal effects or similarly significantly affects concerning you based solely on automated processing of your personal data in light of Article 22 GDPR.

[Please use alternative text below in case that automated individual decision making with legal effect or other significant influence on the data subject is presented during processing of personal data. ]

Processing operations that would lead to the decision which produces legal effects or similarly significantly affects data subjects in light of Article 22 GDPR is conducted in case /description of procedure e.g. evaluation of creditworthiness of insurant./ This decision-making is detrimental for us due to /description of reasons for conducting automated-decision making e.g. provision of more efficient security during processing of application./The presumed consequence of such processing of personal data is /e.g. granting or not granting insurance./

***External websites***

Our website might contain links to other websites and / or services of different providers than us (e.g.. reCAPTCHA from Google Inc.). We are not responsible for content and provision of websites or services of different providers than us. This privacy policy does not apply on the processing of personal data during browsing or using websites or services of different providers than us.

***How we protect your personal data***

It is our obligation to protect your personal data in an appropriate manner and for this reason we focus on the questions related to protection of personal data. Our company has implemented generally accepted technical and organizational standards to preserve the security of the processed personal data, especially taking into account the risks that are presented by processing, in particular from accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to personal data transmitted, stored or otherwise processed. In situations where special categories of data are processed we use encryption technologies e.g. during communication with the payment gateway. Your personal data are stored on our secure servers or servers of our web site providers located in data centers in the Slovak Republic and in the Czech Republic. If third-party analytics tools are used data are stored on third-party servers (see cookies).

***Cookies***

Cookies are small text files that improve website usage e.g. by allowing us to recognize previous visitors when logging in to a user environment, remembering a user's choice when opening a new window, measuring website traffic, or how evaluation of usage of the website for the improvement. Our website uses cookies in particular to measure its traffic. You can always stop storing these files on your device by changing your web browser to a different setting.

***Social networks***

Please read relevant privacy policies to better understand processing of your personal data by providers of social media platforms. We only have a typical admin control over the personal data processed by us via our own company profile. We assume that by using these social media platforms (e.g. Facebook), you understand that your personal data might be processed for other purposes and that your personal data might by transferred to other third countries and third parties by providers of social media platforms. We are not responsible for conduct of social networks providers.

***Changes to this privacy policy***

Privacy is not a one-time issue for us. The information we give you with regard processing of personal data may change or cease to be up to date. From these reasons we may change this privacy policy from time to time by posting the most current privacy policy and its effective date on our website. In case we change this privacy policy substantially, we may bring such changes to your attention by explicit notice, on our websites or by email.

Management of NAME OF THE COMPANY

Place, date

1. See Articles. 12 - 22 GDPR: <http://eur-lex.europa.eu/legal-content/SK/TXT/HTML/?uri=CELEX:32016R0679&from=EN> [↑](#footnote-ref-1)