

TBWA Group Belgium

RECRUITMENT PRIVACY NOTICE

1. Identity of the data controllers

The following entities are part of a Belgian group of companies in the marketing and communications sector (hereinafter jointly referred to as “**TBWA Group Belgium**”, “**we**”, “**us**”, “**our**”):

- **E-Graphics NV**, with registered office at Excelsiorlaan 75-77, 1930 ZAVENTEM and registered in the Crossroads Bank for Enterprises with number 0444.878.226;
- **TBWA NV**, with registered office at Excelsiorlaan 75-77, 1930 ZAVENTEM and registered in the Crossroads Bank for Enterprises with number 0414.235.827
- **VOLTAGE Brussels NV**, with registered office at Excelsiorlaan 75 – 77, 1930 ZAVENTEM and registered in the Crossroads Bank for Enterprises with number 0760.851.172;
- **DDB NV**, with registered office at Excelsiorlaan 75-77, 1930 ZAVENTEM and registered in the Crossroads Bank for Enterprises with number 0412.130.828;
- **MARKETING EN ENTERTAINMENT NV**, with registered office at Excelsiorlaan 75-77, 1930 ZAVENTEM and registered in the Crossroads Bank for Enterprises with number 0459.390.317;
- **DE VLOER NV**, with registered office at Grotehondstraat, 44 1L, 2018, ANTWERP and registered in the Crossroads Bank for Enterprises with company number 0536.918.754;
- **OMNICOM GROUP SERVICES BELGIUM NV**, with registered office at Excelsiorlaan 75-77, 1930 ZAVENTEM and registered in the Crossroads Bank for Enterprises with company number 1001.259.635.

As joint data controllers, the entities of TBWA Group Belgium are committed to protecting your personal data with the utmost care and to process it only in a fair and lawful manner in accordance with the provisions of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (“GDPR”) including any current national or international act or regulation in execution or future act or regulation in replacement of the GDPR (hereinafter together referred to as “Applicable Data Protection Law”).

2. Scope of this privacy notice

This Recruitment Privacy Notice (hereinafter also referred to as “Privacy Notice”) comprises this document (the Core Notice) and the Supplementary Information in the Annex to the Core Notice.

Like most businesses, we hold and process a wide range of information, some of which relates to individuals who are applying to work for us. This Recruitment Privacy Notice explains the type of personal data we process, why we are processing it and how that processing may affect you. It focuses on data subjects who are applying to work for us and the personal data we process as part of that process. We have a separate Workplace Privacy Notice that applies to our current and former employees.

The section entitled Supplementary Information contains a Glossary, in which we explain what we mean by “personal data”, “processing”, “sensitive personal data” and other terms used in this Recruitment Privacy Notice.

3. In brief, this Recruitment Privacy Notice explains:

- what personal data we hold about you and why we process it;
- the legal grounds that allow us to process your personal data;
- where the 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.

4. Personal data – what we hold and why we process it

We hold various types of personal data about the individuals who apply to work for us, including their personal details and work history. Further examples of the types of data we hold are given in the Supplementary Information.

We process this personal data for the purposes of our business, including management, administrative, employment and legal purposes. The Supplementary Information provides more specific information on these purposes and the applicable legal basis.

See Further information on the data we process and our purposes.

5. Legal grounds for processing personal data

Under data protection law, there are various grounds on which we can rely when processing your personal data. We have summarised these grounds as Contract, Legal Obligation,

Legitimate Interests and Consent, and you can find further information on each in the Supplementary Information. See *Legal grounds for processing personal data*.

6. Where the personal data comes from and who gets to see it

Some of the personal data that we process about you comes from you. For example, when you provide us with your contact details and work history as part of the recruitment process. 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 will where necessary and as set out in this Recruitment Privacy Notice also transfer your personal data outside TBWA Group Belgium.

Further information on this is provided in the Supplementary Information. See *Where the personal data comes from* and *Who gets to see your personal data?*

7. How long do we keep your personal data?

We do not keep your personal data 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 period afterwards *inter alia* to comply with our contractual and legal obligations (e.g. in the context of pension requirements). If you are unsuccessful in the application process, with your consent, we will keep your personal data for a one year after informing you that you were unsuccessful. This may allow us to contact you for other job opportunities that seem to fit with your profile.

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

8. Transfers of personal data outside the EEA

We will comply with Applicable Data Protection Law in terms of providing adequate protection for the transfer of personal data to recipients in countries outside of the European Economic Area (“EEA”).

In case we transfer your personal data to a third country or international organization outside the EEA, we will make sure that your personal data is either transferred to third countries that

are deemed to be offering an “adequate” level of protection by the European Commission (a list of adequate third countries is available on the European Commission’s website), or, alternatively, where your personal data is not sent to a country that provides an adequate level of protection, we will put in place appropriate safeguards with the entity receiving your personal data (e.g. the EU standard contractual clauses or binding corporate rules, taking into account additional requirements regarding international transfers such as supplementary measures) to ensure that your personal data remains protected in accordance with Applicable Data Protection Law.

In particular, we may transfer your personal data outside the EEA to members of our group and processors in the United States and United Kingdom.

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 EEA – more information*.

If you wish to receive more information or a copy of these safeguards, please contact us at the following e-mail address: privacy@thegroup.be.

9. Your data protection rights

In accordance with and subject to the requirements and limitations set out under Applicable Data Protection Law, you can exercise the following rights:

- You may request access to and obtain a copy of any personal data we have processed about you;
- You may also request that any of your personal data that is inaccurate or incomplete be rectified or completed;
- You may ask your personal data to be erased;
- You may object to the processing of your personal data, ask us to restrict processing of your personal data or request portability of your personal data;
- If we collect and process your personal data with your consent, you can withdraw your consent at any time. The withdrawal of your consent shall however not affect the lawfulness of any processing based on your consent before its withdrawal;

You may exercise these rights by contacting us via the following email address: privacy@thegroup.be. We will manage your request in accordance with Applicable Data Protection Law.

In addition, you have the right to lodge a complaint with a supervisory authority.

10. Contact details

In processing your personal data, we act as a joint “data controller”. TBWA Group Belgium has engaged a DPO (Data Protection Officer) who can be contacted via: privacy@thegroup.be

11. Changes to this notice

This Recruitment Privacy 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. We therefore advise you to regularly consult this Privacy Notice. In case required we will inform you of any changes by email or other appropriate means.

SUPPLEMENTARY INFORMATION TO THE RECRUITMENT PRIVACY NOTICE

1. Glossary

“Personal data” is information relating to you (or from which you may be identified) which is processed by automatic means or which is (or is intended to be) part of a structured manual filing system. It includes not only facts about you, but also intentions and opinions about you.

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

“Processing” means any manipulation of personal data. For example, it includes without being limited thereto collecting it, holding it, disclosing it and deleting it.

“Sensitive personal data” means personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, health, sexual orientation, sex life, trade union membership and genetic and biometric data. These types of data are subject to special protection under Applicable Data Protection Law.

References in the Recruitment Privacy Notice to **“employment”**, **“work”** and similar expressions include any arrangement under which an individual works for us or provides services to us or applies to provide services. This includes individuals who are our employees and also those who provide services under a freelance or independent contractor arrangement. Similarly, when we mention an **“employment contract”**, this should be taken to include any contract with an employee, a freelancer or a contractor; and when we refer to ending your potential **“employment”**, that includes terminating a freelance engagement or a contract for services.

2. Legal grounds for processing personal data

2.1 What are the grounds for processing?

Under Applicable 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 summarised 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. This also includes taking steps at your request prior to entering into a contract
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 (and third parties) have legitimate interests in carrying on, managing and administering our respective businesses. Part of managing businesses will involve the processing of your personal data. Your data will not be processed if, in processing your data, your interests, rights and freedoms related to the data override the businesses' interests in processing the data for businesses purposes.
Consent	You have given specific consent to processing your personal data	In general processing of your data in connection with employment is not conditional on your consent. But there may

		be processing occasions where we rely on your consent to do so.
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2.2 Processing sensitive personal data

If we process sensitive personal data about you (for example (but without limitation), processing your health records to assist us in ensuring that we provide you with reasonable adjustments during any recruitment process), 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 authorised by law or collective agreement;
- Processing relating to data about you that you have made public (e.g. if you have told us you are ill);
- Processing being necessary for the purpose of establishing, making or defending legal claims;
- Processing being necessary to provide any necessary reasonable adjustments during the recruitment process.

3. Further information on the personal data we process and our purposes

The purposes for which we process your personal data, examples of the personal data that may be processed and the grounds on which we process it are set out in the table below.

<i>Purpose</i>	<i>Personal data that may be processed</i>	<i>Grounds for processing</i>
Recruitment	Standard data related to your identity (e.g. your name, address, email address, ID information and	Contract

<i>Purpose</i>	<i>Personal data that may be processed</i>	<i>Grounds for processing</i>
	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. Information concerning your application and our assessment of it, your references, any checks we may lawfully make to verify information provided including if applicable and lawful background checks, and any information connected with your right to work. If necessary, we will also process information concerning your health, any disability and in connection with any necessary adjustments to working arrangements.	

<i>Purpose</i>	<i>Personal data that may be processed</i>	<i>Grounds for processing</i>
Administering our recruitment process	Evaluating your experience and qualifications against the requirements of the position you are applying for. Administering our online careers portal. Communicating with you in respect of any offer of employment we choose to make and providing you with information about our onboarding process.	Contract Legitimate interests Contract
Entering into a contract with you (if you are made an offer by us)	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.	Contract
Contacting you or others on your behalf	For the purpose of gathering references.	Legitimate interests
Financial planning and budgeting	Information such as your proposed salary and (if applicable) envisaged bonus levels.	Contract

<i>Purpose</i>	<i>Personal data that may be processed</i>	<i>Grounds for processing</i>
Physical and system security	CCTV images upon attendance for interview at our premises.	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, sexual orientation, religion, disability and age as part of diversity monitoring initiatives. Such data will be aggregated and used for equality of opportunity monitoring purposes. Please note we may share aggregated and anonymized diversity statistics with regulators if legally required.	Legitimate interests Legal obligation
Disputes and legal proceedings	Any information relevant or potentially relevant to a dispute or legal proceeding affecting us.	Legitimate interests

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 Workplace Privacy Notice as part of the on-boarding process.

4. 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. To the extent legally permissible, we may also 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 organisations as a part of the recruitment process.

5. Who gets to see your personal data?

5.1 Internal use

We may share your personal data with the Belgian subsidiaries and affiliates within TBWA Group Belgium (as defined above) for the purposes described in this Privacy Notice:

In this respect, your personal data may be disclosed to managers, HR and administrators for the purposes of your application as mentioned in this document.

For the same purpose, we may also disclose your personal data to our international, including US, group companies, subsidiaries and affiliates, including TBWA Worldwide Inc., 488 Madison Avenue, New York, NY 10022;

5.2 External use

We do not disclose personal data we obtain about you to third parties, except as described in this Privacy Notice, in particular:

- To our service providers, who perform services on our behalf, including payroll services, insurers and other benefit providers, our bank and organisations that host our IT systems and data. This would normally only 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.
- To government agencies, such as law enforcement authorities, for example in response to their requests.

In addition, we also may disclose personal data about you to external recipients:

- If we are required to do so by law or legal process (such as a court order or subpoena);
- To establish, exercise or defend our legal rights;
- When we believe disclosure is necessary or appropriate to prevent physical or other harm or financial loss;
- In connection with an investigation of suspected or actual illegal activity;
- In the event we sell or transfer all or a portion of our business or assets (including in the event of a reorganization, dissolution or liquidation); or
- Otherwise with your consent.

8. Access to your personal data and other rights

In accordance with and subject to the requirements and limitations of Applicable Data Protection Law, you can exercise the following rights:

- You may request access to and obtain a copy of any personal data we have processed about you;
- You may also request that any of your personal data that is inaccurate or incomplete be rectified or completed;
- You may ask your personal data to be erased;
- You may object to the processing of your personal data, ask us to restrict processing of your personal data or request portability of your personal data;
- If we collect and process your personal data with your consent, you can withdraw your consent at any time. The withdrawal of your consent shall however not affect the lawfulness of any processing based on your consent before its withdrawal;

You may exercise these rights by contacting us via the following email address: privacy@thegroup.be. We will manage your request in accordance with Applicable Data Protection Law.

In addition, you have the right to lodge a complaint with a supervisory authority.

If you have complaints relating to our processing of your personal data, we however encourage you to raise these with our HR department or DPO (via privacy@thegroup.be) first.