

## DATA PROTECTION NOTICE FOR CANDIDATES

### Reference regulations:

-**Legislative Decree No. 196 of 30 June 2003**, as amended by Legislative Decree No. 101 of 10 August 2018, Personal Data Protection Code (hereinafter the “**Privacy Code**”);

-**EU Regulation No. 679 of 27 April 2016** on the protection of individuals with regard to the processing of personal data and on the free movement of personal data (hereinafter the “**Privacy Regulation**”)

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We wish to inform you that, following the sending of your curriculum vitae, in order to verify the possibility of transforming your candidature into an employment relationship, the undersigned collects and processes your personal data (as “**Data Subject**”), which will be subject to processing in compliance with the regulations in force on the processing of personal data.

The Privacy Regulation defines personal data as: *“any information relating to an identified or identifiable natural person; an identifiable person is one who can be identified, directly or indirectly, by reference in particular to an identifier such as a name, an identification number, location data, an online identifier or to one or more features of his physical, physiological, genetic, mental, economic, cultural or social identity”*.

Article 9 of the Privacy Regulation defines ‘*special categories of data*’, i.e. data revealing, for example, racial or ethnic origin, membership of a political party or of elected public office, religious or philosophical beliefs, trade union membership, data concerning life or sexual orientation, or data disclosing, for example, a general state of health (absence due to illness, maternity, accident or compulsory start-up), suitability or otherwise for certain tasks.

Processing of personal data shall mean *“any operation or set of operations which is performed upon personal data or sets of personal data, whether or not by automatic means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction”*.

### **1. Data Controller and Data Processors.**

The Data Controller of personal data processing is Benacchio S.r.l., with registered office in 36050 Cartigliano (VI), Via delle industrie, 98, P. IVA 01777040245, email [privacy@benacchiosrl.it](mailto:privacy@benacchiosrl.it) (hereinafter the “**Data Controller**”).

The updated list of Data Processors, where designated, can be provided at the request of the Data Subject.

### **2. Purposes and methods of processing**

Your personal data are directly provided by you with the transmission of your curriculum vitae for the purpose of applying for specific searches in progress.

Your personal data are processed for the purpose of assessing your candidature, contacting you for a possible interview of a professional nature and carrying out any further activity necessary for the completion of selection operations aimed at possible recruitment or possible collaboration relationship with the Company, in compliance with the principle of equality between candidates and candidates, which imposes the prohibition of discrimination between the two sexes pursuant to Legislative Decree no. 198, 11 April 2006 (Code of Equal Opportunities between men and women) and subsequent amendments and additions.

In this case, the Data Controller will process your personal data for the purpose of implementing the pre-contractual measures adopted at your request and aimed at the possible establishment of a work or collaboration relationship with the writer; your consent is therefore not required.

Please note that the Company does not require the provision of personal data belonging to the special categories of data referred to in art. 9 of the Privacy Regulation; therefore, should your curriculum vitae contain such personal data, we inform you that we will proceed to delete your curriculum vitae.

The processing of such personal data is carried out in compliance with the methods and limits defined by the relevant legislation in force by persons specifically designated and instructed to process such data pursuant to art. 2-quaterdecies of the Privacy Code and art. 29 of the Privacy Regulation, as well as by external parties (e.g. personnel selection companies, external consultants for the processing of salary and contribution data, etc.), who may be qualified as 'data processors'. In any case, the processing will be carried out using manual, computerized and telematic tools, with logic strictly related to the purposes and in any case in such a way as to ensure the confidentiality and security of personal data and in full and absolute compliance with current legislation.

Your data will be processed in Italy and, in any case, within the EU.

### **3. Compulsory or optional nature of the provision of data, consequences of any refusal and legal basis for processing.**

With reference to the purposes described above, the provision of personal data is compulsory, since in its absence it would not be possible to establish a working relationship with the Data Subject. The legal basis of the processing is, therefore, the verification of the possibility of establishing an employment relationship to which the Data Subject is party and at his/her request (pursuant to Art. 6, paragraph 1, letter b) of the Privacy Regulation).

### **4. To whom and in what context we may transmit the personal data of the Data Subject.**

In relation to the purposes of the processing indicated above, and within the limits strictly pertinent to the same, your personal data will or may be communicated, in Italy, or in any case within the EU

(i) to all the subjects in any capacity involved in the recruiting activity aimed at the stipulation of an employment relationship, appointed and instructed in writing in accordance with the law by the Data Controller according to the modalities provided for by the company's job descriptions;

(ii) external consultants called upon to perform the aforesaid activity, if not designated in writing as Data Processors.

The above-mentioned subjects, to whom your personal data will or may be communicated (insofar as they have not been designated in writing as Data Processors), shall process personal data in their capacity as Data Controllers in accordance with the laws in force, in full autonomy, being unrelated to the processing carried out by the Data Controller. A detailed and constantly updated list of these subjects, with an indication of their respective offices, is always available at the Controller's premises.

Your personal data will not be disseminated.

## **5. Rights of the subject interested.**

Articles 15 et seq. of the Privacy Regulation grant the subject interested the right to obtain, in the manner and within the limits established by Article 2-undecies of the Privacy Code and Article 12 of the Privacy Regulation

- confirmation as to whether or not personal data relating to him exist, regardless of their being already recorded, and communication of such data in intelligible form;
- indication of the origin of the personal data, the purposes and methods of processing, the logic applied in the event of processing carried out with the aid of electronic instruments, and the identity of the data controller;
- the updating, rectification, integration, deletion, transformation into anonymous form or blocking of data processed unlawfully - including data whose retention is unnecessary for the purposes for which the data were collected or subsequently processed -, certification that such operations have been notified, also as regards their contents, to those to whom the data were communicated or disseminated, unless this requirement proves impossible or involves a manifestly disproportionate to the protected right.

The subject interested has also the right:

- to withdraw consent (where given) to the processing of personal data at any time (without prejudice to the lawfulness of the processing based on the consent given before the revocation);
- to object, in whole or in part, on legitimate grounds, to the processing of personal data concerning him/her, even though they are relevant to the purpose of the collection;
- to object, in whole or in part, to the processing of personal data concerning him/her for the purposes of sending advertising or direct sales material or for carrying out market research or commercial communication;
- to lodge a complaint with the Garante per la protezione dei dati personali in the cases provided for by the Privacy Regulation, addressing the Garante per la protezione dei dati personali directly. Website [www.gpdp.it](http://www.gpdp.it) - [www.garanteprivacy.it](http://www.garanteprivacy.it) E-mail: [protocollo@gpdp.it](mailto:protocollo@gpdp.it) Telephone: (+39) 06.69677.1
- to the portability of personal data within the limits of Article 20 of the Privacy Regulation.

In order to exercise your rights pursuant to Art. 15 et seq. of the Privacy Regulation, you may contact the Controller's e-mail address indicated in Art. 1 above.

## **6. Security Measures.**

All processing is carried out by means of the adoption of suitable technical and organizational measures to guarantee a level of security appropriate to the risk in compliance with the procedures set out in Articles 5 et seq. and 32 et seq. of the Regulation, as well as with the relevant provisions of the Privacy Guarantor.

In this regard, we confirm, inter alia, the adoption of appropriate security measures aimed at preventing unauthorized access, theft, disclosure, unauthorized modification or destruction of the data of the Data Subject.

## **7. Duration of processing**

In accordance with Art. 5 letter e) of the Regulation, the personal data processed will be kept for a period of 12 months and in any case will be deleted within 10 days from the date of receipt of the

curriculum vitae if you are not considered suitable for employment. In case of employment, the curriculum vitae will be kept for the entire duration of the employment relationship.