

# Applicant Data Protection Information

This privacy notice is to let you know how companies within Lloyds Banking Group (“the Group”) promise to look after your personal information. This includes what you tell us about yourself and what we learn through the recruitment process. This notice also tells you about your privacy rights and how the law protects you.

<b>Owner:</b>	HR Germany
<b>Version:</b>	V 1.2
<b>Date published:</b>	2022

## HOW WE USE YOUR PERSONAL INFORMATION

### Lloyds Banking Group

The Group is made up of many different legal entities. You are applying for a role with Lloyds Bank GmbH. This company is known as the 'Data Controller' for information collected about you during the recruitment and on boarding process.

You can find out more about Lloyds Banking Group at [www.lloydsbankinggroup.com](http://www.lloydsbankinggroup.com). and about Lloyds Bank GmbH at [www.lloydsbank.eu](http://www.lloydsbank.eu).

If you have any questions, or want more details about how we use your personal information, you can email us to ask at [recruitment@bankofscotland.de](mailto:recruitment@bankofscotland.de).

### Data Protection Officer

You can contact our Data Protection officer at:  
Lloyds Bank GmbH  
Der Datenschutzbeauftragte  
Karl-Liebknecht-Straße 5, 10178 Berlin  
[datschutzbeauftragter@bankofscotland.de](mailto:datschutzbeauftragter@bankofscotland.de)

### How we use your information

Data Protection law says that we are allowed to use personal information only if we have a legitimate legal basis to do so. This includes sharing it outside Lloyds Banking Group. The law says we must have one or more of the following reasons:

- To fulfil your contract of employment or another contract we have with you, or
- When it is our legal duty, or
- When it is in our legitimate interest, or
- When you consent to it.

A legitimate interest is when we have a business or commercial reason to use your information. Even then, it must not unfairly go against your rights. Even then, your interests or fundamental rights and freedoms that require the protection of personal data must not prevail. Legitimate interests are detailed in the table below.

The law and other regulations treat some types of sensitive personal information as special. This includes information about racial or ethnic origin, political opinions, sexual orientation, religious or ideological beliefs, labour union affiliation, health data as well as biometric and criminal data. We will not collect or use these types of data without your consent unless the law allows us to do so. If we do, it will only be when it is necessary:

- For employment purposes, or
- zur Ausübung von Rechten oder zur Erfüllung rechtlicher Pflichten aus dem Arbeitsrecht, dem Recht der sozialen Sicherheit und des Sozialschutzes, oder
- To establish, exercise or defend legal claims.

- For the detection and prevention of fraud and crime, given that there is reasonable suspicion.

Below is a list of all the ways how we may use your personal information, and which of the reasons we rely on to do so. We also tell you what our legitimate interests are, when that is one of the reasons.

Our legal basis	What we do	
To enter into and fulfil a contract of employment	<ul style="list-style-type: none"> <li>• Manage recruitment processes</li> <li>• Manage shortlisting</li> <li>• Obtain references and vetting e.g. on the basis of the criminal record, if this is mandatory for the position to be filled</li> <li>• Use your contact details to communicate with you and follow your instructions as effectively as possible</li> <li>• Reimbursement of travel expenses, if agreed</li> <li>• Sanction list checks to comply with EU regulations 2580/2001, 881/2001, 753/2011</li> </ul>	
Our legitimate interest	What we do	Explanation of interest
	<ul style="list-style-type: none"> <li>• Business planning including budget and structural management</li> <li>• Maintaining the necessary IT infrastructure, investigating security incidents</li> <li>• Detection of suspected cases and investigation of criminal offences, resolution of legal disputes</li> <li>• Ensuring the security of premises, data and technology</li> <li>• Audits and control measures</li> <li>• Use of tax consultants and auditors, cooperation with auditors of the tax authorities</li> <li>• Obtaining references about you, provided you specify a reference person in your application</li> <li>• Testing IT systems and software products which store your data</li> <li>• Data migrations</li> <li>• Conducting security and efficiency tests</li> </ul>	<ul style="list-style-type: none"> <li>• To comply with rules and regulations that apply to us</li> <li>• To communicate with you and comply with your instructions</li> <li>• To repay travel expenses if agreed between you and Lloyds Bank GmbH</li> <li>• To ensure that IT systems and migrations are complete and work without errors</li> <li>• To ensure the security of our systems</li> </ul>
Consent	When we rely on consent to process your information, we will tell you when we obtain your consent.	
For processing special categories of data		
For employment purposes	To make adjustments to accommodate health requirements.	

## Groups of personal Information

We use many different kinds of personal information, and group them together as follows:

Type	Description
------	-------------

Contact	Where you live and how to contact you, salutation, existing (phd)-title,
Professional	This includes details about your work or profession, education, skills, languages and qualifications.
Communications	What we learn about you from letters, emails, and conversations between us.
Profiles on business-oriented networks	Information accessible via business-oriented networks like Xing and LinkedIn.
Special categories of personal data	Information about: <ul style="list-style-type: none"> <li>• Disability (optional information)</li> </ul>
Consents	Any permissions, consents, or preferences that you give us.

## Voluntarily provided data

Which data you voluntarily provide to us in your cover letter, CV or other documents is up to you. Often the following information is provided:

- Marital status
- Gender
- Number of Children
- Your picture
- Recommendation / reference (name and contact details of the referrer)
- Date of birth
- Religion
- Health data

### Purpose and legal basis

Since we are not allowed to change your documents sent to us, due to legal regulations, we process the documents sent to us unchanged (Article 6 (1) (c) GDPR).

## Where we get data from

Data you give to us:

- When you apply for a role, or complete on-boarding forms or documents
- When you talk to us during the recruitment process

## Who we receive and share your personal information with

Within our company, only the persons and bodies (e.g. department, works council, representation of disabled persons) receive your personal data, which they need to fulfil our contractual and legal obligations.

In order to be able to fulfil our duties, we also engage selected vicarious agents and service providers (processors according to Art. 28 GDPR), who can obtain access to your data, in the required scope. Processors may process your personal data only on our instructions and only for the fulfilment of the orders received from us. Another group of data recipients are group entities towards whom we have to comply with legal reporting obligations.

Below is a complete overview of the cases in which data is passed on to third parties ("data recipients").

- **Employment Agency:** Pursuant to Section 164 (1) Sentence 4 SGB IX, the employer must submit applications, submitted by severely handicapped people, immediately after they have been received by the Representative Office for the Disabled and the Federal Employment Agency.
- **Educational Institutions:** If you are undergoing an on-the-job training and this is agreed in your apprenticeship contract, we will forward your data to educational institutions for the purposes of your apprenticeship.
- **Service provider for document shredding:** We use service providers to destroy documents and data carriers as part of order processing.
- **IHK (Chamber of Industry and Commerce):** If you complete a company-specific training and this is agreed in your training contract, we forward your data to the IHK for the purpose of carrying out your apprenticeship.
- **IT services:** As part of the operation of our IT infrastructure and our website, the corresponding service providers (processors) can gain access to your data. We oblige our service providers to always limit the processing of your data to what is necessary to carry out the purpose.
- **Courts, Attorneys:** In the context of legal disputes, data may be transmitted to the courts and to the internal or external attorneys involved.
- **Recruitment agencies:** If we instruct recruitment agencies to recruit staff, they will receive information on who they are recruiting and how to earn commission.
- **Banks:** Personal data is passed on to banks for the purpose of processing travel expenses.
- **Tax authorities:** The transfer of personal data to these bodies takes place only for the purpose of fulfilling our legal obligations.
- **Tax Advisors:** We use tax advisors to fulfil our tax obligations. Within the scope of the consultation, the possibility of accessing documents containing your data cannot be excluded. As secret carriers, tax advisors are subject to secrecy.
- **Auditor:** In order to comply with our statutory obligation to audit the annual financial statements in accordance with Section 316 (1) of the German Commercial Code (HGB), we employ auditors. Within the scope of the audit, the possibility of accessing documents containing your data cannot be excluded. As secret carriers, auditors are subject to secrecy.
- **E-mail provider of the recipient:** When we communicate electronically with you, your e-mail provider receives personal data.
- **Telecommunications service providers:** When we communicate with you by telephone, the relevant service providers contain personal data.
- **Postal and logistics service providers:** These service providers will receive their address if something is sent to you by post or logistics.
- **Auditors:** As part of audits and other control measures (including data protection officer checks), auditors may review documents or records that contain your personal data.
- **Service provider for sanction list checks:** We use service providers (processors) for sanction list checks to meet our obligations under EU Regulations 2580/2001, 881/2002 and 753/2011.

- **Data Protection Officer:** Our Data Protection Officer may receive personal data or access to personal data in order to comply with their tasks and duties.

## Transfer of Your Personal Data to Third Countries

Central roles in our business are taken over by Lloyds Banking Group in the UK in the framework of commissioned data processing. Additionally, our IT service providers have affiliates or subcontractors outside the EU who can access your data. The level of data protection in third countries without an adequacy decision from the EU commission may differ from the European level of data protection. The EU commission decides which third countries have an adequate level of data protection. The EU commission has issued an adequacy decision (C(2021) 4800) concerning the transfer of personal data to the UK. Our service providers are responsible for using EU standard contractual clauses in accordance with Commission Decision No. (EU) 2021/914 concerning the transfer of your data to said recipients in other Non-EU countries. A model of these EU standard contractual clauses can be found on the websites of the European Commissioner for Justice and in the Official Journal of the EU.

## Criminal Records Checks

The presenting of a certificate of criminal records ("Führungszeugnis") is only required if this is necessary for the job to be filled.

### Purpose and legal basis

If it is necessary for the position to be filled, we need the certificate of criminal records to decide on the grounds of the employment relationship (§ 26 (1) sent. 1 BDSG).

For some positions, there is a statutory duty to submit the police certificate for the decision on the basis of the employment relationship (Article 6 (1) (c) GDPR).

## Credit Records Checks

The presenting of certificate of credit records ("SCHUFA - BonitätsAuskunft") is only required, if this is necessary for the job to be filled.

### Purpose and legal basis

If it is necessary for the position to be filled, we need the certificate of criminal records to decide on the grounds of the employment relationship (§ 26 (1) sent. 1 BDSG).

## How long we keep your personal information

We will keep your personal information for the duration of the recruitment process and we may keep your data for up to 6 months for one of the following reasons:

- To respond to any questions or complaints
- To show that we treated you fairly

If you are successful with your application, you will receive the Colleague Data Privacy Notice describing how we will process your data, including retention periods, as an employee of Lloyds Bank GmbH.

### **How to get a copy of your personal information, update your information or object to us using it**

You have the right of access to your personal data. You also have the right to share data relating to you that you have provided to us with other persons responsible. For more details on how to request a copy of your information please contact us at email [recruitment@bankofscotland.de](mailto:recruitment@bankofscotland.de)

We take measures to ensure that the information we process is accurate and proportionate. If you want to update the information we hold or want to object to our use of your personal information please contact us via email at [recruitment@bankofscotland.de](mailto:recruitment@bankofscotland.de).

You have the right to data portability as well as the right to information, correction, deletion or restriction of the processing of your personal data (Article 15-20 DS-GVO).

**You also have the right to object to the processing of your personal data at any time for reasons that arise from your particular situation.**

### **How to withdraw your consent**

You can withdraw your consent at any time. Please contact us at [recruitment@bankofscotland.de](mailto:recruitment@bankofscotland.de) if you want to do so.

### **How to contact us for more information**

Please let us know if you want more information about the way we use your personal information. You can contact us by using the abovementioned contact details.

### **Right of appeal to the supervisory authority**

You have a right of appeal to a data protection supervisory authority (Art. 77 GDPR in accordance to section 19 BDSG).

### **Duties of the employee and consequences in case of refusal of data**

Almost all data is required to establish the employment relationship. The provision of your personal data is therefore necessary in order to be able to decide on the establishment of the employment relationship. Part of the data is processed on the basis of legal obligations. You can explicitly provide us with additional data voluntarily. A refusal to provide this voluntarily provided data has no consequences on the establishment of the employment relationship.

Please note that if you provide information about other persons (such as references), you must have obtained their prior consent and informed them of the purposes for which they are disclosed, as set forth in this document.