

INFORMATION ON THE PROCESSING OF CANDIDATES' PERSONAL DATA

pursuant to art. 13 of the EU Regulation 2016/679

Privacy Policy

Surgital S.p.a. undertakes every day to ensure the protection of the personal data of the Candidates who offer their candidacy through the website www.surgital.it, in order to fill a possible job position within the Company.

We want to give you a clear and transparent view of what information we collect and process when recruiting and selecting employees, for the purposes of complying with the new General Data Protection Regulation 2016/679 concerning the protection of natural persons with regard to the processing of personal data (hereinafter GDPR or Regulation) which, from 25 May 2018, will be fully applied across the European Union.

WHO is the Data Controller of your data?

Surgital S.p.a., with registered office in Via Bastia 16/1 - 48017 Lavezzola (RA), VAT No. 01066170398, in the person of its legal representative *pro tempore*, is the Data Controller for the processing of your personal data (hereinafter for short the "Controller" or "Surgital").

The website of the Controller is: www.surgital.it

You can contact the Controller at the following e-mail address: privacy@surgital.it or by sending a registered letter to the registered office.

What do we mean by personal data and WHICH DATA do we process?

"Personal data" means any information which may identify, directly or indirectly, a natural person, in this case You (the Data Subject), who submits their application by sending their *curriculum vitae* to fill any job at Surgital. In particular, we collect and process the following personal data necessary for the recruitment and selection of Candidates:

- a) **identification and personal data** of the natural person who is the applicant (name, surname);
- b) **contact details** (e-mail address);
- c) any further information contained in the CV or entered in the "message" box, which may include any "**special categories of personal data**", i.e. "personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or a natural person's sex life or sexual orientation" and in particular, "**health data**", i.e.: "personal data relating to the physical or mental health of a natural person, including the provision of health care services, that reveal information about his or her health status", but only where strictly necessary for the purpose of the proper placement of the human resource (Data Subjects who may belong to protected categories), and therefore it is forbidden for Data Subjects to include in their CVs any further information concerning the

abovementioned categories (including health data, political and religious opinions or trade-unions memberships).

What are the PURPOSES of processing?

We collect and process your personal data referred to in points a, b, c, and which are strictly necessary to follow up the application you have put forward, i.e. for recruitment and selection of Surgital staff; for the planning of activities, for internal compliance, for the processing —via electronic or any other means— of professional profiles, as well as for consultation and comparison, for the purposes of **selection and recruitment** of the staff of the Data Controller.

What is the LEGAL BASIS of Processing?

The condition for the lawfulness of the processing of your personal data, as the Data Subject, in relation to the categories of **data referred to in points a), b), c)**, are the carrying out of pre-contractual measures adopted at the request of the Data Subject, **the lawful interest of the Data Controller** for operational and production requirements, as well as, in the case of specific categories of personal data referred to in point **c)**, **also** the requirement **to fulfil obligations and exercise specific rights of the Data Controller and the Data Subject required by employment law.**

WHAT happens if you REFUSE to provide your Personal Data to us?

The provision of your personal data is optional, however failure to provide it will prevent Surgital from carrying out the checks required by its existing internal procedures and, consequently, this will result in it being unable to carry out the activities necessary for the purposes of the personnel selection and any subsequent recruitment of the Candidate.

HOW LONG do we store your personal data?

We store your personal data contained in the *curriculum vitae* sent to us and any further documentation provided by you for the time strictly necessary to achieve the purpose of selection and recruitment of personnel and, in any case, for a period of not more than one year after receipt.

In all circumstances, all CVs sent on a speculative basis and not considered to be of interest to the Company will be destroyed and will not be stored on electronic media.

What are the PURPOSES of processing?

Surgital collects your personal data directly from you, when you fill in the **Form, attaching your CV** on the website www.surgital.it accessible from the link **“Work with us”** and spontaneously sending your application.

We process your personal data in compliance with the principles of lawfulness and fairness set out in art. 5 of the Regulation and we always work in such a way as to ensure that the information remains completely confidential and secure.

We also undertake to ensure that the information and data collected and used is adequate, relevant and limited only to what is necessary for the purposes set out above, and that your personal data are processed in such a way as to guarantee the safety of the same, including through the use of appropriate and effective technical and organizational measures put in place by the Data Controller, in compliance with the principle of Accountability required by the new EU Regulation, which will prevent the risk of loss, unauthorized access, unlawful use and dissemination.

These measures will guarantee in all circumstances that access to your personal data is only permitted to persons authorized by the Data Controller and to third-party persons appointed as Data Processors.

The methods of processing your data will be electronically and on paper, but may also be by telephone, online or by post.

Your personal data will in all circumstances only be stored on adequately secured servers located within the European Union, or in paper storage in suitable and fire-proof cabinets which can be locked by key and access to which is reserved only to persons approved by the Data Controller.

WHOM do we disclose your personal data to?

Your personal data will not be disclosed to any other party without your prior consent, except for the possible transmission, even partially, to persons who have been appointed as Data Processors, and in particular, to employees of the Company for which you have submitted your application, and as appropriate and upon request, to Law Enforcement Agencies or the Judicial Authorities or to comply with legal obligations.

WHERE do we transfer your personal data?

As a rule, we do not transfer your data outside the European Union. The Data Controller, however, reserves the right, if necessary, to transfer your data outside the EU but, in this case, points out that it will ensure that this will be done in accordance with the provisions of applicable law, including through the application of standard terms and conditions as provided for by the European Commission which is to say by the adoption of BCR (*binding corporate rules*).

What are your RIGHTS as a Data Subject?

You may exercise the following rights against the Data Controller in accordance with articles 15, 16, 17, 18, 19, 20, 21 and 22 of EU Regulation 2016/679:

- Right of **access**: the right to obtain confirmation as to whether or not there is a processing concerning your data and the right to receive any information relating to this processing;
- Right to **rectification**: the right to have your data rectified if it is incomplete or inaccurate;
- Right to **erasure** (aka “right to be forgotten”): in certain circumstances provided for in the Regulation, you have the right to obtain the erasure of your data in our archives if not relevant for the continuation of the contractual relationship or required by law;
- Right to **restriction of processing**: subject to certain conditions, you have the right to obtain the restriction of processing, if it is not relevant for the continuation of the contractual relationship or required by law;

- Right to **data portability**: the right to obtain the transfer of your data to a different Data Controller;
- Right of **withdrawal of consent**: the right to withdraw consent to the processing of your health data or other particular categories of data, if provided, without prejudice to the lawfulness of the processing based on your consent prior to the withdrawal;
- Right to **lodge a complaint** with the Supervisory Authority: at any time, you have the right to put forward a request to exercise your rights. If you wish to lodge a complaint about the manner in which your data are processed, or about the handling of a complaint you have submitted, you have in all circumstances the right to submit a request directly to the Supervisory Authority.

The above rights may be exercised against Surgital S.p.a., as Data Controller, by writing to the e-mail address: privacy@surgital.it, or by sending a registered letter to the registered office.

The exercise of your rights as Data Subject is free of charge pursuant to article 12 of EU Regulation 2016/679.

The list of external Data Processors processing your personal data, as well as all employees authorized to process the data is available at the Data Controller, contactable at following e-mail: privacy@surgital.it.

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The list of external Data Processors processing your personal data, as well as all employees authorized to process the data is available at the Data Controller, contactable at the addresses and contact details above.

Changes to our Privacy Policy

The Data Controller has the right to modify and/or implement this Privacy Policy including where this results from amendments to the law subsequent to the pre-contractual or contractual relationship established with you i.e. advice, general authorizations, guidelines, further safeguarding measures imposed by the Italian or European Supervisory Authority, provided these are in order to provide greater protection for the handling of your personal data. The aforementioned changes will take place only after we have informed you through a communication on our website. If the changes affect processing whose legal basis is consent, the Data Controller will obtain your consent again, if necessary.

Best regards.

The Data Controller

[Having read the Privacy Policy](#)