



ICBC (Europe) S.A. Brussels Branch

Privacy notice for job applicants

**Applicable to the job applicants of ICBC (Europe) S.A.**

**(Brussels Branch)**

*Last Updated: January, 2023*

## 1. Our Privacy Statement

Within ICBC (Brussels Branch) we value your privacy and ensure that personal data is processed transparently and in accordance with the law and in particular the EU Regulation 2016/679 on the protection of personal data (“**GDPR**”).

This notice contains important information on the collection of your personal data by ICBC (Brussels Branch) when you apply for a job with us. More specifically, this notice explains what types of personal data are gathered, how the personal data is used, and with whom the personal data is shared. It also sets out your rights in relation to your personal data.

## 2. Who is the controller of your personal data?

ICBC (Brussels Branch) established in Belgium, 1050 Brussels, avenue Louise 81 (“we”, “our”) is the controller of your personal data. We determine the purposes for which and the means by which your personal data is processed.

ICBC (Brussels Branch) is a branch of Industrial and Commercial Bank of China (Europe) SA, a limited liability company, incorporated under the laws of the Grand Duchy of Luxembourg, with registered office in the Grand-Duchy of Luxembourg, 2449 Luxembourg, 32 Boulevard Royal.

## 3. When do we process personal data?

We have further outlined, in the table below, the categories of personal data that we collect and the purposes for which we process it.

Purposes of the Processing Activity	Types of Personal Data
<b>Follow-up on your application</b>	<ol style="list-style-type: none"> <li>1. Contact details</li> <li>2. Referral</li> <li>3. Agenda, availabilities for interviews</li> </ol>
<b>Assessment of your application</b>	<ol style="list-style-type: none"> <li>1. Personal details (first name, last name, date of birth, place of birth, nationality, private mailing address, private email and telephone number)</li> <li>2. Education / job experience</li> <li>3. Family situation</li> <li>4. Referrals / References</li> <li>5. Interview details</li> <li>6. Professional details (job applied for, function level, level of remuneration)</li> <li>7. Information about applicant's entitlement to work in Belgium</li> <li>8. Status of application (offer issued, rejection of application etc.)</li> <li>9. Information about criminal records (depending upon your role)</li> </ol>
<b>Level of compensation</b>	Desired salary, (past and current) compensation, benefits
<b>Any other information that you voluntarily share with us during interviews, phone calls etc.</b>	Feedback, opinions, information provided in emails and letters, during telephone calls and conversations

Purposes of the Processing Activity	Types of Personal Data
<p><b>In case of positive evaluation and decision to hire, information necessary to prepare an employment contract</b></p>	<ol style="list-style-type: none"> <li>1. Personal details</li> <li>2. Function / position to be held / place of work</li> <li>3. Family situation</li> <li>4. Remuneration / benefit entitlement</li> </ol>
<p><b>Security and business continuity in case of interview in our premises</b> (Closed circuit television (CCTV) - remote monitoring)</p>	<ol style="list-style-type: none"> <li>1. Personal details</li> <li>2. Recording of images</li> <li>3. Access details to ICBC Belgian branch premises</li> </ol>

## 4. From where do we collect your personal data?

Generally speaking, the personal data we process will be directly communicated by you, through your CV's or resumes, covering letter or during interviews or other forms of assessment.

We also collect personal data from third parties such as recruiting agencies or referees. We may also receive information on you from previous employers to the extent provided for by law. If permitted by law, we also collect data from publicly accessible sources, such as LinkedIn.

## 5. What is the legal basis we use to process your personal data?

We mainly need to process your personal data to take steps at your request prior to, and when entering into a contract with you (article 6 (1) b) GDPR).

In some cases, we need to process data to ensure that we are complying with our legal obligations (article 6 (1) c) GDPR). For example, it is required to check a successful applicant's eligibility to work in Belgium before employment starts.

We also have a legitimate interest in processing personal data during the recruitment process and for keeping records of the process to allow us to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job (article 6 (1) f) GDPR). We may also need to process data from job applicants to respond to and defend against legal claims. We also have a legitimate interest to keep your personal data on file in case there are future employment opportunities for which you may be suited.

For some roles, we are required to seek information about criminal convictions and offences. Where we seek this information, we do it because it is necessary for us in carrying out our legal obligations.

Finally, we may also process your personal data with your specific consent (article 6 (1) a) GDPR). If you give consent, you are free to withdraw your consent at any time.

## 6. Where do we transfer your personal data?

We may transfer your personal data internally such as to members of the HR and recruitment team, interviewers involved in the recruitment process, managers in the business area with a vacancy and IT staff if access to the data is necessary for the performance of their roles.

We may also transfer your personal data to other ICBC affiliated entities (e.g. our office established in the Grand-Duchy of Luxemburg, our head office located in the People's Republic of China) for management purposes, such as storing purposes. The access to your personal data is only allowed to the staff members who have a legitimate business need for access. When your personal data is transferred outside the European Economic Area, we make sure that such transfer occurs under signed contractual clauses approved by the European Commission. You may obtain a copy of such document by contacting our Data Protection Officer using the contact details in section 12.

In addition, we may need to share your personal information with a regulator or otherwise to comply with applicable laws.

## 7. How long do we retain your personal data?

If your application for employment is unsuccessful, we will keep your data for 1 year after the end of the relevant recruitment process.

If you agree, during this term, we will use your data for consideration for further employment opportunities. At the end of this period or if you object to the processing of your personal data, your data will be deleted.

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your personal file and retained during your employment. The periods for which your data will be held will be provided to you in a separate notice for workers which then becomes applicable.

Images recorded by security cameras in and around our premises are kept for thirty days from the visit, except otherwise requested by the police, by the public prosecutor or by the legal department.

## 8. Your rights in respect to your personal data

Under the GDPR, you have as a “data subject” the following rights:

- *The right to access your personal data:* you have the right to request access to your personal data. You may also request a copy of it.
- *The right to rectification:* you have the right to ask that we correct your personal data should your data be incomplete, inaccurate or out of date.
- *The right to erasure:* you have the right to request that we erase your personal data.
- *The right to restrict processing:* you have the right to request that we restrict how we process your personal data, for example, if it is inaccurate. This means we are only permitted to store the data.
- *The right to data portability:* you have the right to request the transfer of your personal data to another party.
- *The right to object:* you have the right to object to specific types of processing of your personal data. We will then stop the processing, except if legal exceptions apply.
- *The right to withdraw consent:* in the limited circumstances where you may have provided your consent to the processing of your personal data, you have the right to withdraw your consent for that specific processing at any time.
- *The right to complain to a Supervisory Authority:* you have the right to complain to the Belgian data protection authority about our use of your personal data if you feel that we have not sufficiently addressed any concern or complaint (Rue de la Presse, 35 1000 Brussels, Tél. : 02/274.48.00, Email : [contact@apd-gba.be](mailto:contact@apd-gba.be), [www.autoriteprotectiondonnees.be](http://www.autoriteprotectiondonnees.be)).

The exercise of these rights is subject to conditions which are set out in the GDPR. Please note that it may not be possible to fully exercise them (e.g. if you request personal data to be deleted but the law requires that we keep it).

In order to exercise the above-mentioned rights, you must date and sign your written request and submit it along with a copy of your identity card to our Data Protection Officer using the contact details in section 12.

This request is free of charge, except in the case of the requests are deemed to be manifestly unfounded or excessive (in particular due to their repetitive nature).

We may also require the payment of reasonable costs based on the administrative expenses associated with any additional copies requested.

The request is processed within one month. This period may possibly be extended by two months, based on, in particular, the complexity and number of requests. If the period is extended, you will be informed and the reasons will be communicated to you.

We will notify the third parties to which the data have been communicated of any rectifications, erasures or limitations carried out, unless this proves impossible and/or results in a disproportionate effort.

## 9. Am I under any obligation to provide data?

You are not required to provide us with your personal data. However, we will then not be able to assess your application which might adversely affect your chances of recruitment.

## 10. Data security and quality

ICBC Belgian branch uses appropriate technical and organizational measures to protect your personal data, such as:

- ensuring that we store your data in a secure operating environment, only accessible to ICBC workers and defined advisors on a need-to-know basis;
- verifying rigorously of an individual's identity prior to gaining access to any IT or business premises (e.g. through login ID, password, pin codes and badges);
- Implementing industry wide accepted IT security measures such as firewalls, data encryption etc.

## 11. Update of the notice

We reserve the right to update this privacy statement at any time, in response to any legal, technical or business change and developments. The latest updated date is specified on the first page of this notice.

## 12. Contact

If you want to request information about this Notice or exercise any of your rights in respect to your privacy, you can contact our Data Protection Officer (“DPO”) at the following address: DPO ICBC, Avenue Louise 81, 1050 Brussels, Belgium or by email at the following address: [data.protect@be.icbc.com.cn](mailto:data.protect@be.icbc.com.cn).