

## **The Access Bank Malta Limited**

### **Candidate Privacy Notice**

#### **What is the purpose of this document?**

The Access Bank Malta Limited (C107833) of Level 4, The Piazzetta Business Plaza, Triq Għar il-Lembi, Sliema, SLM 1605, Malta (the “**Bank**”; “**we**”, “**us**” or “**our**”) is a “**data controller**” or simply a “**controller**”. This means that we are responsible for deciding how we collect, hold and use personal information (i.e. “**personal data**”) about you.

You are being sent or provided with a copy of this privacy notice (the “**Notice**”) because you have applied for, or are otherwise in the process of applying for, work with us (whether as an employee or as a part-time or casual worker). It makes you aware of how and why your personal data will be used, namely for the purposes of the recruitment exercise, and how long it will usually be retained for.

This Notice provides you with certain information that must be provided to “**data subjects**” (such as yourself) under the Maltese Data Protection Act, Chapter 586 of the laws of Malta, and the General Data Protection Regulation ((EU) 2016/679) (the “**GDPR**”), each as may be amended from time to time.

If the recruitment process is successful, you will be provided with our privacy notice for employee, which contains information for employees of the Company, including trainees, and which will supersede this Notice.

#### **Data protection principles**

We will use all efforts to ensure and maintain compliance with applicable data protection laws and principles.

This means that your data will be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

#### **The kind of information we hold about you**

In connection with your application for work with us, we will collect, store, and use the following categories of personal information (personal data) about you:

- your name and surname, address and contact details, including email address and contact number;
- the information set out in your application form, curriculum vitae and covering letter or email (including details on your qualifications, degrees, education, skills, experience and work or employment history);
- copy of your school leaving certificate, grades and your qualification certificates;
- information about your entitlement to work in Malta, including right to work documentation;
- copy of your national identity document and/or passport;
- the role / position which you are applying for;
- information about your current salary and/or remuneration expectations;
- your references;
- information about your education and training history, previous work experience as well as your personal skills and competencies; and

- any information which you may provide to us during an interview (which we will generally take down as notes as part of the interview and recruitment process).

We may also collect, store and use the following “**special categories of personal data**” about you:

- health issues that may affect your employment with the Bank;
- any applicable disability status which may necessitate:
  - adjustments during the interview or recruitment process; and/or
  - workplace adjustments in general (where your application is successful); and
- a copy of your police conduct certificate, which we will only retain on file in the case of directors, other company officers, and high-level employees and only where the person has been appointed.

### **How is your personal information collected?**

We collect personal data about candidates (or job applicants) from the following sources:

- **You**, the candidate;
- **Recruitment agents** to whom you may have provided your information in order for it to be shared with us for job matching purposes and from whom we collect the following categories of data: candidate details (name and surname), CVs, work history, references and salary expectations;
- Your named referees;
- Your previous employers;
- Professional networking sites (as publicly available sources), most commonly LinkedIn;
- Service provider/s whom we engage to conduct pre-employment screening on our behalf; and
- Other sources (such as internet searches), including other professional contacts and publications.

Should you provide us with information regarding another individual, you must make sure that the individual concerned is aware of this and provided with a copy of this Notice.

### **How we will use information about you**

We will use the personal data we collect about you to:

- Assess your skills, qualifications, and suitability for the job or role (as applicable).
- Carry out background and reference checks and other pre-employment vetting.
- Communicate with you about the recruitment process.
- Keep records related to our hiring processes.
- comply with our legal requirements (e.g., to verify that you, the candidate, are eligible to work in Malta and, as applicable, conduct any mandated due diligence and pre-appointment screening).

It is in our legitimate interests to decide whether to appoint you to the job or position (as applicable) and to conduct a thorough recruitment process in order to ensure that you will be a good fit for our organisation and meet the expectations demanded from the job or position. For certain roles and positions, we may also be required to carry out a mandatory ‘fit and proper’ assessment and other due diligence exercise.

In certain instances, the Bank (being a regulated entity) may need to assess and determine whether you, the candidate, meet certain ‘**fitness and properness**’ criteria. This is done through background checks (including professional and social media profiles) and vetting in order to determine whether the candidate is of the required integrity, competence and financial soundness to occupy the particular role or position within the Company. This assessment is generally reserved for persons who will hold a director position within the Bank or a position that can influence the direction or effective management of the Bank (as their appointment would require regulatory

approval). Similar screening is also required for positions whose duties involve the handling of either relevant financial business or a relevant activity for the Bank.

We also need to process your personal information to:

- decide whether to enter into an employment or other working/service relationship with you; and
- take the necessary steps prior to entering into a contract with you.

We will request your permission before contacting your previous or current employer(s) for a reference.

Having received your (i) application, (ii) CV and/or work history and (iii) covering email or letter, we will process your personal information to decide whether you meet the basic requirements to be shortlisted for the position or job opening. If you do meet such requirements, we will (at that stage) take a decision on whether your application is strong enough to invite you for an interview or a further interview, as the case may be.

If we choose to do so, we will use the information that you provide during the interview(s), together with our vetting assessment, to decide whether to offer you the job or position (as applicable).

If we decide to offer you the position, we may then take up references and, as mentioned, will require you to provide a clean conduct certificate (or equivalent document in case of non-Maltese resident candidates) as a condition to confirming your appointment. **We will take an internal note of this but will not retain a copy of the certificate, unless legally required as in the case of company officers and high-level employees.**

#### **If you fail to provide personal information**

If you fail to provide information when requested, which is necessary for us to consider your application (such as evidence of qualifications or work history), we will not be able to process your application successfully.

#### **Data security**

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

#### **Data sharing**

Your information may be shared internally, but this will strictly be for the purpose of the recruitment process. The possible recipients will generally cover top-level management, other members of the recruitment team and potentially our IT staff if access is needed. They are all subject to strict duties of confidentiality.

Externally, we may also need to share with third parties in certain circumstances, in particular the following:

Type of Recipient	Examples
Recruitment agencies, consultants, auditors, lawyers and other professional advisors.	Recruitment agencies that you have engaged and internal and external auditors, legal counsel and other professional advisors appointed by the Company.
WorldCheck and other due diligence service providers (such as RecruitSafe).	Provision of information to the service provider for the conduct of WorldCheck searches and other due diligence checks on the background of prospective employee.

Details of these measures may be obtained from our data protection officer.

## Data retention

### For how long will we use your information for?

In the case of an unsuccessful application, we will retain your personal information for a period of six (6) months after having communicated our decision to you.

This is unless legal proceedings are initiated by or against us in connection with your unsuccessful application, in which case we will need to retain your information until the conclusion of those proceedings and the execution of the final decision rendered by the Court or tribunal (as applicable).

We retain your personal information for that period so that we can show, in the event of a legal claim, that we have not discriminated against candidates on prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way. After this period, we will securely destroy your personal information in accordance with applicable laws and regulations.

On notifying you of our decision, we will also ask if you would like us to contact you during this period in order to let you know about any new openings or future roles in the Company which match your profile.

If your application results in an offer by the Company to enter into an agreement for employment or working relationship and you accept that offer, the information collected or obtained about you during the application, interview and recruitment process will be processed as part of your employment or working relationship with us. We will continue to process and keep that information in accordance with our **Privacy Notice for Employees**, a copy of which will be circulated at the time of confirmation of your appointment.

## Rights of access, correction, erasure, and restriction

### Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Access**: You have the right to obtain confirmation that your information is being processed and to obtain access to your information, e.g., by receiving a copy of it.
- **Rectification**: You have the right to have your information corrected if it is inaccurate or incomplete.
- **Erasure**: You have the right to request the deletion or removal of your information in certain circumstances. Please note that there may be circumstances where it is not possible to fulfil the request for your information to be deleted, e.g if there is a legal reason to retain it.
- **Object**: You have the right to object to processing of your data where we are relying on a legitimate interest or those of a third party and you feel that it is impacting your fundamental rights or freedoms. You also have the right to object where we are processing your data for marketing purposes.
- **Restrict**: You have the right to request that the processing of your information is restricted in certain circumstances. Again, there may be cases where we are legally entitled to refuse such a request.
- **Data Portability**: You have the right to request the transfer of your personal data to you or to a third party. We will provide that personal data in a structured, commonly used, machine-readable format. This right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

- **Withdrawal**: In the rare case that we are relying on consent to process your personal data, you may withdraw it at any time. This will not affect the lawfulness of any processing carried out before you withdrew your consent and any processing activities not based on your consent will remain unaffected. Once we have been made aware of your withdrawal, we will no longer process your data for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact our data protection officer in writing, via the following details **dpo@theaccessbankmaltaltd.mt**

### **Data Protection Officer**

We have appointed a data protection officer (DPO) to oversee compliance with this Notice. If you have any questions about this Notice or how we handle your personal information, please contact the DPO on **dpo@theaccessbankmaltaltd.mt**.

You have the right to lodge a complaint at any time to the competent supervisory authority in your jurisdiction on data protection matters. In the case of Malta, this is the Information and Data Protection Commissioner ("IDPC") (<https://idpc.org.mt/en/Pages/Home.aspx>).

We would, however, appreciate the opportunity to deal with your concerns internally before you approach the supervisory authority, so please bring the matter to our attention at the first instance.

**If you have any questions about this Notice, please contact our DPO at **dpo@theaccessbankmaltaltd.mt****