

Information on the processing of your applicant data

This notice informs you about the processing of your personal data by Forliance GmbH and the rights to which you are entitled under data protection law as part of the application process.

Who is responsible for data processing?

The controller responsible for data processing pursuant to Art. 4 No. 7 GDPR is

Forliance GmbH
Eifelstrasse 20
53119 Bonn
E-mail: info@forliance.com

You can contact our **data protection officer** Dr Marschall ([GDPC GbR](#)) by post at the above address with the addition - Data Protection Officer - or by e-mail at datenschutz@forliance.com.

What categories of data do we use and where do they come from?

The categories of personal data processed include, in particular, your master data (such as first name, surname, name affixes such as academic degrees/titles, nationality), contact data (such as private address, (mobile) telephone number, e-mail address) as well as the data of the entire application process (cover letter, certificates, questionnaires, interviews and any performance evaluations, qualifications and previous activities, legal evidence).

Your personal data is generally collected directly from you as part of the recruitment process. In addition, we may receive or process data from third parties (e.g. from online job platforms or from your public LinkedIn profile) if you have applied to us via these jobs or have provided your LinkedIn profile as a source as part of the application process (optional / voluntary). If you have transmitted your personal data to us through these organisations, you will also find further information on data processing at these organisations.

For what purposes and on what legal basis is data processed?

We process your personal data in compliance with the provisions of the EU General Data Protection Regulation (GDPR), the German Federal Data Protection Act (BDSG) and all other relevant laws (e.g. BetrVG, AGG, etc.).

The primary purpose of data processing is to carry out and process the application procedure and to assess the extent to which you are suitable for the position in question, including associated purposes, such as processing for the purpose of contacting you and thus for the purpose of contract-related communication (including making appointments) with you. As a result, the processing of your applicant data is necessary in order to be able to decide on the establishment of an employment relationship. The primary legal basis for this is Art. 6 para. 1 lit. b) GDPR.

The processing of special categories of personal data - insofar as this is not necessary for the implementation of the application procedure - is based on your consent in accordance with Art. 9 para. 2 a).

Processing in the event of a successful application

As soon as an offer of employment has been made to you, we process your personal data in order to draw up your employment contract. For this purpose, all contract-relevant information (such as name, address, title, start/end of contract, place of work, salary, bank details, health insurance, etc.) is processed and forwarded internally to the responsible HR management employees and to our external tax advisor. Your data is processed for the purpose of drawing up the employment contract on the basis of Art. 6 I S. 1 lit. b) GDPR.

As part of your employment, we also process special categories of personal data (such as your denomination for church tax purposes) and, depending on the position, personal data relating to criminal convictions and offences (such as your police clearance certificate). We process this data for the establishment and execution of your employment contract on the basis of Art. 9 Para. 2 lit. b) GDPR, Art. 10 S. 1 Alt. 2 GDPR, Art. 6 para. 1 lit. b) GDPR.

If your application was successful, we will continue to process the data you have submitted to us for the upcoming employment relationship. We will inform you separately about data processing within the scope of the subsequent employment contract when you are hired.

Processing on the basis of our legitimate interests - Art. 6 para. 1 lit. f GDPR

Beyond the actual fulfilment of the (preliminary) contract, we process your data - if necessary - to protect our legitimate interests or those of third parties. Your data will only be processed if and to the extent that there are no overriding interests on your part against such processing, in particular for the following purposes: building and plant security (e.g. through access controls). In addition, the disclosure of personal data may become necessary in the context of official/judicial measures for the purposes of gathering evidence, criminal prosecution or the enforcement of civil law claims.

Processing for the fulfilment of legal requirements - Art. 6 para. 1 lit. c GDPR

Like everyone involved in business, we are also subject to a large number of legal obligations. These are primarily legal requirements (e.g. Works Constitution Act, Social Security Code, commercial and tax laws), but may also include regulatory or other official requirements (e.g. employers' liability insurance association). The purposes of processing may include verifying identity and age, ensuring occupational safety, fulfilling control and reporting obligations under tax law and archiving data for the purposes of data protection and data security as well as for the purposes of audits by tax consultants/auditors, tax and other authorities.

If we further process your personal data for a purpose other than that for which it was collected, we will provide you with information about this other purpose prior to this further processing. (Art. 13 para. 3 GDPR).

Who receives your data?

Your applicant data will be treated confidentially at all times. Within our company, only those persons and positions (e.g. HR manager) will receive your personal data that require it for the recruitment decision and to fulfil our contractual and legal obligations. Your application will be reviewed by the HR department upon receipt. Suitable applications will then be forwarded internally to the department managers responsible for the respective open position.

In addition, we may transfer your personal data to recipients outside the company. These include our processors in accordance with Art. 28 GDPR (host and service providers, such as our website host, including the job portal on our careers page, or - in individual cases - external companies that support us in carrying out the application process and in personnel work), who provide us with purely administrative/technical support in processing your personal data. We use Personio GmbH as a processor for our careers page. The data transmitted as part of your application will be transmitted using TLS encryption and stored and processed in our personnel/applicant management software (database) of Personio GmbH (<https://www.personio.de/impressum/>). In this context, Personio is our processor in accordance with Art. 28 GDPR. The basis for the processing is an order processing contract between us as the controller and Personio.

What data protection rights can you assert as a data subject?

You can request **information** about the personal data stored about you free of charge at the above address. In addition, under certain conditions, you can request the **correction** or **deletion of your data**. You may also have **the right to restrict the processing of your data** and the **right to receive the data you have provided** in a structured, commonly used and machine-readable format.

Right of objection

If we process your data to protect legitimate interests, you can object to this processing on grounds relating to your particular situation. We will then no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or the processing serves the establishment, exercise or defence of legal claims.

How long will your data be stored?

We will delete your personal data **no later than six months** after completion of the application process. The storage for this period serves the defence of legal claims (in particular from the AGG) and is based on Art. 6 para. 1 lit. f GDPR. This does not apply if legal provisions prevent the deletion or if further storage is necessary for the purpose of providing evidence or if you have consented to longer storage. When deleting your data, we remove the personal reference so that the data is only available to us as so-called metadata without direct personal reference for statistical analyses (e.g. proportion of women or men in applications, number of applications per period, etc.). It is therefore not possible to draw conclusions about your person.

If we are unable to offer you a vacant position but, based on your profile, we believe that your application may be of interest for future vacancies, we will process and store your personal application data in our applicant database (talent pool) if you wish and if we have your express consent to do so. If you have agreed to be included in our talent pool, we will process your data until you revoke your consent in writing, , in order to identify any other interesting positions and job offers for you and - in the event of a suitable offer - to inform you of this. Inclusion in the talent pool is voluntary and has no influence on the outcome of the corresponding application process. You can revoke your consent at any time with effect for the future without giving reasons, e.g. by e-mail to the contact details provided. In this case, your data will be deleted from our talent pool immediately .

How we transfer data to non-European countries

A transfer of your personal data to non-European countries (third countries) is not excluded by the use of Microsoft O365. However, this transfer will only take place if the third country has been confirmed by the EU Commission to have an adequate level of data protection or if other appropriate data protection guarantees (e.g. binding internal company data protection regulations or agreement of the standard contractual clauses of the EU Commission) are in place. The service provider Microsoft USA is certified in accordance with the current EU-US Privacy Framework pursuant to Art. 45 GDPR. You can request detailed information on this and on the level of data protection at our service providers in third countries using the contact information above.

Are you obliged to provide your data?

As part of your application, you must provide the personal data required for the application process and the assessment of suitability. Without this data, we will not be able to carry out the application process and make a decision on the establishment of an employment relationship.

Would you like to complain about the handling of your data?

You have the option of contacting the data protection officer named above or a data protection supervisory authority. The supervisory authority responsible for us is

State Commissioner for Data Protection and Freedom of Information North Rhine-Westphalia
Kavalleriestr. 2-4
40213 Düsseldorf
Phone: 0211/38424-0
Fax: 0211/38424-10
E-mail: poststelle@ldi.nrw.de

This information corresponds to the legal status as of August 2024. We reserve the right to adapt our data protection information to changes in regulations or case law.