

# Better Energy Privacy Notice

## - candidates



### 1. Introduction

The purpose of Better Energy's (depending on the geographical area: (i) Denmark: Better Energy A/S, (ii) Finland: Better Energy Finland Oy, (iii) Poland: Better Energy Poland sp. z o.o., (iv) Sweden: Better Energy Sweden AB, or any Better Energy entity recruiting and hiring - hereafter "**BE**") Privacy Notice is to explain how BE – as a personal data controller - processes your personal data, and to inform you on your rights in this matter.

The Privacy Notice is prepared and made available to comply with the General Data Protection Regulation<sup>1</sup> (hereinafter the "**GDPR**") and the rules included herein on information to be provided to you.

### 2. What type of personal data we have

We currently collect and process the following categories of your personal data: identity (incl. date of birth), contact details, information about your education, work experience and professional qualifications. The above scope of data may expand as new provisions of law are in place which indicate additional scope of data to be collected from the candidates.

### 3. How we get your personal data, why we have it and what we do with it

Most of your personal data we process is provided to us directly by you to participate in the recruitment process for a position with BE.

We also retrieve personal information indirectly, e.g., from online sources, such as LinkedIn, when we need to initiate a dialogue with you to enquire about your openness to apply for the position.

We may also be provided with your data by other third parties, such as recruitment agencies we cooperate with who are the data controllers of your personal data, or our employees and co-workers who want to recommend you as a candidate for joining BE.

Sometimes, when the provisions of law allow or oblige us to or you are the candidate to or the member of managerial or supervisory body in BE corporate structure, or it is justified by the post you apply to at BE, we may collect your personal data from public registries, such as national criminal records.

We collect and process your personal data, in particular, because:

- 1) it is necessary in order to take up actions aimed at entering into a contract with you (Article 6(1)(b) of the GDPR), e.g., in order to verify whether you meet the recruitment criteria and are willing to join BE;
- 2) we have a legal obligation to process your personal data to the extent specified in the labour laws and other applicable provisions of law (Article 6(1)(c) GDPR);
- 3) BE or BE group have a legitimate interest to pursue (Article 6(1)(f) GDPR), e.g.:
  - a) for the purposes of recruitment management, monitoring and improving candidates' experience, including trend mapping and statistics, etc.;

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<sup>1</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (Text with EEA relevance)

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- b) if applicable, for the purposes related with risk management and compliance, as well as for the purposes of conducting internal proceedings (including Raise Your Concern, Know Your Customer, etc.), keeping records and monitoring information on conflicts of interests and violation of ethics to the extent necessary for counteracting abuses or criminal activity;
  - c) for the purposes related to IT service and ensuring IT and information security, monitoring of data flow within BE, management of mobile devices, systems access management, ensuring BE continuity of business and data quality management;
  - d) for the purposes related to physical security of BE offices, sites and facilities, including, if applicable, video monitoring and recording of persons entering and leaving;
  - e) if applicable, for the purposes of internal reporting within BE or within BE capital group, including management reporting, as well as for the corporate investment and financing purposes, including due diligence, etc.;
  - f) if applicable, for the purposes related to marketing and business development, cooperation with clients, business partners, etc., and improving BE branding, including, in particular, for purposes related to organization and participation in conferences and press appearances, press releases, participation in events and also broader advertising and promotional activities of BE capital group;
  - g) if applicable and justified, for the purposes of conducting criminal check, if you are to be entrusted with duties that require working with particularly sensitive information or with wider use of BE property or to be a member of managerial or supervisory body in BE corporate structure;
  - h) if applicable, for the purposes of exercising legal rights and entitlements of BE or BE capital group;
  - i) if applicable, for the purposes of handling dispute proceedings, proceedings pending before state authorities and other proceedings, including for purposes of pursuing or defending against claims, in particular, related to the employment relationship, etc.;
- 4) if applicable, in the case of special categories of data (e.g., concerning health), only insofar as this is necessary for the fulfilment of obligations and the exercise of specific rights by you or us in the field of labour and social security law or other applicable laws (Article 9(2)(b) GDPR);
- 5) if you consent to processing your personal data for the future recruitment processes – until you withdraw your consent or for 6 months since you consented – whichever happens earlier (article 6(1)(a) GDPR, article 6(1)(f) GDPR);
- 6) in other cases, if you voluntarily provide us with additional personal data about yourself, e.g., concerning your interests - we process this data on the basis of your consent (Article 6(1)(a) GDPR or Article 9(2)(a) GDPR).

We will not make decisions towards you in an automated manner or profile your personal data.

#### **4. Obligation to provide BE with your personal data**

If you fail to provide us with all required personal data, this may cause the inability to include you in the recruitment process, or if you succeed, to enter into a contact with you, but also for BE to comply with legal obligations or pursue legitimate interests of BE or BE capital group.

To the extent, where personal data is collected on basis of consent, providing personal data is voluntary.

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### 5. How long we process your personal data

Your personal data is processed for as long as necessary for the purposes described above in point 4 of this Privacy Notice, e.g.:

- 1) for the entire duration of the recruitment process which you participated in;
- 2) if you enter into the contract with us - for the entire duration of such contract;
- 3) after this time for predefined period and/or to the extent required by provisions of law or for pursuing BE legitimate interests, as described in point 3(3) of this Privacy Notice;
- 4) in case where you consented to processing personal data, until withdrawal of such consent.

### 6. Who we share your data with

The personal data is primarily used internally in BE, as described above. We only pass on personal data to others when the law allows it or requires it.

From time to time, we use external companies as suppliers to assist us in delivering our services. Where the external parties are data processors, the processing is always performed on the basis of a data processing agreement in accordance with the requirements hereto under the GDPR. Where the external parties are data controllers, the processing of personal data will be performed based on said external parties' own data privacy policy and legal basis which the external parties are obligated to inform about unless the applicable legislation allows otherwise.

In particular, BE may share your data with:

- 1) public authorities, entities performing public tasks or acting at the direction of public authorities, to the extent and for purposes, which follows from provisions of law, e.g., tax authorities, business authorities, courts of justice, permitting authorities, public regulators or inspections, the police, as well as transmission or distribution system operators, etc.;
- 2) BE capital group and investors, including potential investors, financing entities, including potential financing entities, advisors, etc., where personal data is shared depending on the circumstances, in particular, for administrative purposes and the purposes of internal reporting, due diligence, etc.;
- 3) entities supporting us in our business processes and operations, including data processors on behalf of BE, and our partners, e.g., service providers in the areas of HR and payroll, IT, asset and/or facility management providers, accounting and bookkeeping, property protection, auditing and controlling, banks, postal and courier companies, entities from BE capital group, etc.

### 7. Do we transfer personal data to third countries

Generally, we do not transfer personal data to third countries outside of EU/EEA.

However, in justified and required cases (e.g., when it is required by law or needed to exercise an agreement with our suppliers, in particular in the area of IT), your personal data may be shared with entities in third countries outside EU/EEA, which may not provide a level of data protection similar to the one in EU, in particular: United States, Ukraine, United Kingdom of Great Britain and Northern Ireland.

In general, the transfer of data outside EU/EEA shall take place on basis of standard contractual clauses for the transfer of personal data to third countries (as per the template adopted by the

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European Commission, hereinafter “**the SCC**”), concluded with the data recipients – unless the European Commission have issued a decision on the adequate protection of personal data in such third country. In such cases, such decision will be the basis for transferring personal data, instead of the SCC.

You have the right to obtain a copy of the abovementioned standard data protection clauses (or other applicable safeguards of data transfer outside the EU/EEA) via BE.

We may also use Microsoft services to process personal data. You can read more about Microsoft's protection of personal data and their use of sub processors on this link: <https://privacy.microsoft.com/>

### 8. Your data protection rights

Under data protection law, you have rights including:

- 1) **Your right of access** - You have the right to ask us for copies of your personal data.
- 2) **Your right to rectification** - You have the right to ask us to rectify information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.
- 3) **Your right to erasure** - You have the right to ask us to erase your personal information in certain circumstances.
- 4) **Your right to restriction of processing** - You have the right to ask us to restrict the processing of your personal data in certain circumstances.
- 5) **Your right to object to processing** - You have the right to object to the processing of your personal data in certain circumstances.
- 6) **Your right to data portability** - You have the right to ask that we transfer the information you gave us to another organisation, or to you, in certain circumstances.

You are not required to pay any charge for exercising your rights. If you make a request, we will respond to you within one month.

### 9. The right to withdraw your consent

If you provided us with your personal data based on your consent, you can freely withdraw it at any time, without any negative consequences towards you. Please, be aware that the processing of your personal data covered by the consent, before it is withdrawn, remains lawful.

### 10. How to complain

Please contact us at [GDPR@betterenergy.dk](mailto:GDPR@betterenergy.dk) if you wish to evoke one of your data protection rights or file a complaint.

You can also file a complaint to applicable data protection authorities if you are unhappy with how we have used your data.

### 11. Contact

If you have questions or comments to this Policy or if you would like to invoke one or more data subject rights, please contact us at email: [GDPR@betterenergy.dk](mailto:GDPR@betterenergy.dk).

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