

Information on the processing of personal data for persons participating in the recruitment process

I. Controller of your Personal Data

The Controller of your personal data is Axpo Elektrociepłownia Nowa Sarzyna Sp. z o.o., located in Nowa Sarzyna 37-310, at 2, ks. J. Popiełuszki Street ("**Controller**", "**ENS**", "**we**").

For any matters regarding your personal data, you can contact us by phone at +48 17 240 50 00, or by email at ens@ens.pl or privacy@axpo.pl.

II. Purpose and Legal Basis for Personal Data Processing

Your personal data will be processed for the following purposes:

- a. to conduct the recruitment process for the position you are applying for. The legal basis for processing data for this purpose is as follows:
 - with regard to personal data required by the Labor Code (first and last name, date of birth, contact information, education, professional qualifications, and employment history) – our legal obligation under the Labor Code (Article 6(1)(c) of the GDPR),
 - with regard to other data – your consent to their processing (Article 6(1)(a) or Article 9(2)(a) of the GDPR);
- b. to verify and assess your skills and qualifications for the selected position (e.g., during recruitment tasks). The basis for data processing is our legitimate interest (Article 6(1)(f) of the GDPR), which consists in ensuring a fair recruitment process for all candidates and selecting a person with the appropriate qualifications and skills required for a given position;
- c. if legal provisions require a clean criminal record, full civil rights, or the determination of eligibility to hold a specific position or practice a particular profession – to fulfil ENS's legal obligations (Article 6(1)(c) of the GDPR). In such a case, we will inform you of the need to provide a certificate of no criminal record and of the legal provisions requiring the submission of such a certificate;
- d. for the purposes of future recruitment based on Article 6(1)(a) of the GDPR, i.e., your consent to the processing of data for this purpose (if you have provided it);
- e. in the event of a successful recruitment process – taking steps prior to entering into an employment contract, e.g., presenting a job offer (Article 6(1)(b) of the GDPR);
- f. ensuring compliance of the recruitment process with our internal procedures and policies. The basis for processing is our legitimate interest (Article 6(1)(f) of the GDPR), consisting of monitoring and verifying compliance with established organizational and operational rules regarding the conduct of recruitment processes and ensuring full transparency, fairness, and integrity in the recruitment process;

- g. pursue or defense against claims —the basis for processing is our legitimate interest (Article 6(1)(f) of the GDPR), which consists of protecting our legal interests and demonstrating the correctness of ENS’s actions in the event of disputes or proceedings.

III. Categories of Processed Data

The Controller will process the following personal data for the aforementioned purposes:

- a. basic identification information (first and last name, date of birth);
- b. contact information (e.g., email address, phone number);
- c. information about your education, professional qualifications, and employment history (if necessary for performing a specific type of work or holding a particular position);
- d. information regarding a clean criminal record—only if required by law to demonstrate a clean criminal record, full civil rights, or eligibility to hold a specific position or practice a particular profession. In such a case, we will inform you of the need to provide a certificate of no criminal record;
- e. additional data that you choose to share with us in your resume, cover letter, or other documents provided to us during the recruitment process (e.g., certificates, course completion certificates, references, your photo in your resume);
- f. special categories of personal data, such as information about your health or trade union membership—only if you choose to provide it to us (e.g., in your resume or cover letter) and only with your explicit consent;
- g. information collected during the interview and regarding the recruitment process.
- h. Data that you provide to us while contacting ENS (e.g., first name, surname);

IV. Source of Data

We may have received your data directly from you, or it may have been provided to us by:

- a. a person or company recruiting candidates on our behalf, who contacted you regarding recruitment for the position; or
- b. an ENS employee who referred you for the position we are recruiting for.

If we collect personal data directly from you, providing personal data regarding your first and last name, date of birth, contact information, education, professional qualifications, employment history, and a criminal background check (if required for the position) is required by the Labor Code. Failure to provide this data will result in your application for the selected position not being considered. Providing other information is voluntary.

V. Period of Storage of Personal Data

We will store your data for a period determined by the purpose and legal basis of its processing, as well as applicable laws, specifically:

- a. from the end of the recruitment process until the statute of limitations for claims expires (generally 3 years for claims arising from the employment relationship);
- b. if you consent to the processing of personal data in future recruitment processes — the data will be processed until you withdraw your consent, but no longer than 24 months;
- c. in addition, your personal data will be processed until your objection is accepted (if the basis for processing personal data is our legitimate interest) or until you withdraw your consent (if the processing of personal data is based on consent).

VI. Recipients of Personal Data

Your personal data may be disclosed to other entities such as:

- a. providers of platforms for collecting applications as part of recruitment processes (Teamtailor);
- b. if recruitment is conducted through recruitment service providers — to those providers as well;
- c. other external service providers (IT, legal or auditing services);
- d. other companies within the Axpo Group (Axpo Polska sp. z o.o., Axpo Services AG);
- e. government, prosecution, and administrative bodies and courts (at their request).

VII. Transfer of Personal Data

Your personal data may be transferred outside the EEA, including to the headquarters of the Controller's parent company - Axpo Solutions AG in Switzerland, which in accordance with the European Commission Decision of 26 July 2000 No. C (2000) 2304 ensures an adequate level of protection of personal data transferred from the European Union area (the Commission decision is available here: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32000D0518>).

VIII. Your Rights Related to the Processing of Personal Data

You have the following rights related to the processing of personal data:

- a. right to withdraw consent to data processing at any time (without affecting the lawfulness of processing carried out on the basis of consent prior to its withdrawal);
- b. right to request access to personal data;
- c. right to request rectification of personal data;
- d. right to request erasure of personal data;
- e. right to request restriction of processing of personal data;

- f. right to lodge an objection to the processing of data due to your particular situation (if we process your data on the basis of the legitimate interest of the Controller);
- g. the right to data portability, i.e., the right to receive your personal data from us in a structured, commonly used, machine-readable digital format. You may transmit this data to another data controller or request that we transmit your data to another controller. However, we will do so only if such transmission is technically feasible. You have the right to data portability only with respect to the data we process based on your consent or a contract.

To exercise the above rights, you may contact us by email at ens@ens.pl or privacy@axpo.pl.

You also have the right to lodge a complaint with the supervisory authority responsible for the protection of personal data (in Poland - the President of the Personal Data Protection Office).