

GDPR EU TAG Privacy Notice

WHAT IS THE PURPOSE OF THIS DOCUMENT

This privacy notice describes how we collect and use personal data about you during and after the recruiting process, executive search and talent placement in accordance with the General Data Protection Regulation (GDPR). This notice applies to all the job applicants who decided to share their information with TCS.

Tata Consultancy Services France is a “data controller”. This means that we are responsible for deciding how we hold and use personal data about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal data about you, so that you are aware of how and why we are using such information.

We will comply with applicable data protection laws. This means that the personal data we hold about you must be:

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

THE KIND OF INFORMATION WE HOLD ABOUT YOU

Personal data means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (aka anonymous data).

There are “special categories” of more sensitive personal data, which require a higher level of protection.

We will collect, store, and use the following categories of personal data about you:

- Your full name, address and contact details, including email address and telephone number;
- Date of birth, nationality, social security number, visa and work permit details;
- Details of your education, qualifications, skills, experience and employment history;
- Details about your current job position, like grade, notice period, organization and references;
- Information about your current and expected remuneration, including benefit entitlements;
- Financial information like bank name and account number.

We may also collect, store and use the following “special categories” of more sensitive personal data:

- Information about your health, including any medical condition, health and sickness records only where necessary for the specific job position and allowed by the law;

HOW IS YOUR PERSONAL DATA COLLECTED

We collect personal data about candidates in a variety of ways both directly or indirectly. For example, we receive information directly from you:

- When you apply on one of our career websites;
- When you send your candidacy via email;
- When you apply for one position on a job portal or through a social network like LinkedIn;
- When you share your resume with us during a job fair or similar event.

Differently, we may receive your information from a third party:

- From a recruitment agency that is working for us;
- From someone who decided to refer you to us for a specific job position (e.g. Bring your Buddy referral program);
- From any other party who is authorized to share with us your information.

HOW WE WILL USE INFORMATION ABOUT YOU

TCS has a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. Processing data from applicants allows us to manage the recruitment process, assess and confirm an applicant's suitability for employment and decide to whom to offer a job.

We may also process your personal data where we need to take steps at your request prior to entering into an employment contract, and to perform activities finalized at the signature of the employment contract, like determining the terms on which you work for us, checking if you are legally entitled to work in the country of employment and similar.

We may also need to process data from job applicants to respond to and defend against legal claims.

TCS also needs to process data to ensure that it is complying with legal obligations of entering into a contract with you and demonstrating the lawfulness of the application and selection process.

Situations in which we will use your personal data

We need all the categories of information in the list above primarily to successfully conclude the recruitment process which can have either a positive or a negative outcome. The situations in which we will process your personal data are listed below.

- Making a decision about your recruitment or appointment;
- Determining the terms on which you can or will work for us;
- Check your profile against specific requirements provided by our customers;
- Checking you are legally entitled to work in the country of employment;
- Where allowed by local legislation, to check that your criminal record and your background is compatible with the job opportunity;
- Getting ready the employment contract we will enter into with you;
- Assessing qualifications for a particular job or task;
- Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work;
- Ascertaining your fitness to work;
- To prevent fraud;
- Equal opportunities monitoring.
- Retaining your CV for future potential roles you might be interested in

Some of the above grounds for processing will overlap and there may be several grounds, which justify our use of your personal data.

If you fail to provide personal data

If you fail to provide certain information when requested, we may not be able to proceed with the selection process, or we

may be prevented from complying with our legal obligations.

Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

HOW WE USE PARTICULARLY SENSITIVE PERSONAL DATA

"Special categories" of particularly sensitive personal data require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal data. We may process special categories of personal data in the following circumstances:

1. In limited circumstances, with your explicit written consent.
2. Where we need to carry out our legal obligations or exercise rights in relation to your employment with us. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

Our obligations as a Data Controller

We will use your particularly sensitive personal data in the following ways:

- We will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits.

Do we need your consent?

We do not need your consent if we use special categories of your personal data in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

INFORMATION ABOUT CRIMINAL CONVICTIONS

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our background checks policy.

Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims.

We do not envisage that we will hold information about criminal convictions. However, we will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. Where appropriate, we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of you working for us. We will use information about criminal convictions and offences in the following ways:

- We will use your criminal record information, only where allowed by the local law, in case this is required to enter the position you are applying to because of the specific role's requirement (e.g. when you will work for a regulated industry).

We have in place an appropriate policy and safeguards which we are required by law to maintain when processing such data.

DATA SHARING

We may have to share your data with third parties, including third-party service providers and other entities in the group. We require third parties to respect the security of your data and to treat it in accordance with the law. We may transfer your personal data outside the EU/EEA. If we do, you can expect a similar degree of protection in respect of your personal data.

Why might you share my personal data with third parties?

We will share your personal data with third parties where required by law, where it is necessary to the recruitment process or where we have another legitimate interest in doing so.

Which third-party service providers process my personal data?

"Third parties" includes third-party service providers (including contractors and designated agents) and other entities within our group. The following third-party service providers may process personal data about you for the following purposes: screening (BGC) vendors and third party service providers that may assist us in recruiting talent, evaluating and pre and post-employment screening and testing, and improving our recruiting practices.

How secure is my information with third-party service providers and other entities in our group?

All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal data in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

When might you share my personal data with other entities in the group?

We will share your personal data with other entities in our group according to the necessity for the recruitment purposes; for example, the interview panel maybe be composed of associates of another entity than the one recruiting you. Also, personal data will be shared for regular activity of reporting, monitoring and in the context of a business reorganization or group restructuring exercise, for system maintenance support and hosting of data.

What about other third parties?

We may share your personal data with other third parties, like our customers when you are being recruited for a job position related to a specific engagement. We may also need to share your personal data with a regulator or to otherwise comply with the law.

Transferring information outside the EU/EEA

We will transfer the personal data we collect about you to other countries outside the EU/EEA (including India) in order to perform the purposes above indicated some of which have not been determined by the European Commission to have an adequate level of data protection.

However, to ensure that your personal data does receive an adequate level of protection we have put in place the following appropriate measure/s to ensure that your personal data is treated by those third parties in a way that is consistent with and which respects the EU/EEA laws on data protection such as data transfer agreements based on European Commission

Standard Contractual Clauses. If you require further information about these protective measure/s, you can request it from our Data Protection Officer.

DATA SECURITY

We have put in place measures to protect the security of your information. Details of these measures are available upon request.

Third parties will only process your personal data on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate technical, organizational and security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorized way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

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 RETENTION

TCS determines the retention period of your information based on the following retention criteria:

1. We will retain your personal data as long as we have an ongoing relationship with you or (when you have requested us to do so) we consider your profile still suitable for other job positions. To determine the appropriate retention period in this case, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements;
2. We may retain your personal data where it is required to do so by a legal obligation to which it is subject;
3. We will retain your personal data where this is advisable to safeguard or improve TCS's legal position (for instance in relation to statutes of limitations, litigation, or regulatory investigations);

In some circumstances, we may anonymize your personal data so that it can no longer be associated with you, in which case we may use such information without further notice to you.

In case of a positive outcome of the recruiting process, your personal data will become part of your personnel records and securely stored and processed according to our Privacy Policy and Employment Notice, which will be provided to you when you commence your employment with TCS.

In case of an unsuccessful application, or if you reject the TCS offer, TCS will retain your personal data for a period of 2 years from the end of the recruiting process and will then destroy it. Unless you specifically request us to retain it, in order to consider you for new positions, and, if appropriate, to refer back to an earlier application in case you submit a resume or other information to TCS again in the future, we will retain your data for a longer period.

DATA SUBJECT RIGHTS

Your duty to inform us of changes

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

Your rights in connection with personal data

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

- **Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

- **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal data for direct marketing purposes.
- **Request the restriction of processing** of your personal data. This enables you to ask us to suspend the processing of personal data about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal data to another party.

If you want to exercise a data subject right please contact our Data Protection Officer or the HR person you've been in contact with.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal data is not disclosed to any person who has no right to receive it.

DATA PROTECTION SUPERVISORY AUTHORITY

Under the legislation you have the right to make a complaint at any time to a protection supervisory authority, in particular in the EU or EEA area where you work, normally live or where any alleged infringement of data protection laws occurred. Details of the applicable supervisory authority can be obtained by contacting our DPO.

DATA PROTECTION OFFICER

We have appointed data protection officers (DPO) to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal data, please contact the DPO as per your location:

Data Protection Officer for UK and Ireland
DPO.uki@tcs.com

Data Protection Officer for Continental Europe
DPO.Europe@tcs.com

CHANGES TO THIS PRIVACY NOTICE

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal data.