

# Policy of processing the personal data of current and former employees & contractors



This document explains the purposes for which we process your personal data and how we do it.

## How to read this document

1. When we use “you”, we are referring to you as our current or former employee or our current or former contractor based on a contract other than an employment contract (e.g. work for hire or other), as well as a person who provides or has provided services to us using equipment provided by us.
2. When we use “we”, we are referring to us as Santander Bank Polska S.A.
3. The terms which we bolded when used for the first time herein are defined in the Glossary attached at the end of this document.

## Who is responsible for your data processing and how to contact us

1. We are the controller of your data.
2. You can contact us:
  - a. by sending a letter to the following address: Santander Bank Polska S.A., al. Jana Pawła II 17, 00-854 Warszawa;
  - b. by sending an e-mail to the following e-mail address: [kontakt@santander.pl](mailto:kontakt@santander.pl).



If you want to contact us with respect to data protection or your rights arising from the **GDPR**, use any of the indicated contact methods.

3. We have appointed a Data Protection Officer whom you may contact about matters related to data protection. You can contact them:
  - a. by sending a letter to the following address: Santander Bank Polska S.A., ul. Kolorowa 10, 60-198 Poznań; please add a note: „Inspektor ochrony danych”;
  - b. by sending an e-mail to the following address: [iod@santander.pl](mailto:iod@santander.pl).

## What's the purpose and basis for the processing of your data

We may process your data:

1. For the purpose of entering into a contract with you and for the purpose of the performance of the contract, e.g. an employment contract or a different type of contract (e.g. work for hire contract). We also process your data to take steps prior to entering

into a contract with you such as the preparation of documents required for starting our relationship or changing its terms.

#### Legal basis

GDPR, Article 6(1)(b)

2. To comply with our legal obligations or exercise legal rights, in particular to comply with our tax, accounting and social security obligations, to keep and store records/documents related to our relationship, to prevent discrimination, to ensure health and safety at work and preventative health care, to ensure skills improvement, to comply with regulatory requirements and other obligations associated with the type of legal relationship we have, and to exercise the rights we have by virtue of our relationship, such as screening for alcohol misuse at work, workspace inspections etc.

#### Legal basis

GDPR Article 6(1)(c) and Article 9(2)(b)

3. Based on your consent to the processing of your personal data for one or more specific purposes, e.g. use of certain technologies and entitlements provided by employee benefits or participation in certain initiatives such as contents, promotional campaigns, ads and team- building meetings. You can withdraw your consent at any time.

#### Legal basis

GDPR Article 6(1)(a) and Article 9(2)(a)

4. For the purposes of the legitimate interests pursued by us or by the third parties who partner with us.

We do it primarily for the following purposes:

- a. to carry out marketing, including the promotion of products and services offered by us, the subsidiaries of Santander Bank Polska Group or Erste Group and other companies who partner with us, e.g. with respect to insurance or employee benefits, and to build the positive image of our brand;
- b. to identify your needs, skills and satisfaction or to build relationships in the workplace, create a friendly work environment and to organize training courses, meetings and team-building initiatives;
- c. to offer awards or employee benefits, e.g. health care coverage or sport club memberships;
- d. to authorize you to act on our behalf or on behalf of our partner, e.g. when you offer third party products to customers, and for the purpose of the performance of a contract with our counterparties, suppliers and other parties with whom we partner, e.g. when you represent us or you are our contact person;
- e. to be able to manage human resources, optimize our business, contribute to the achievement of the bank's strategy, prepare statistics and reports required by us, Santander Bank Polska Group or Erste Group, and to carry out certain business processes, e.g. prevent risk in the workplace or design business continuity plans;

- f. to ensure adequate conduct of the banking business, to mitigate risks associated with the banking business and to ensure the security of customers and their money, including the monitoring of your activities in the bank and relationships with customers and to ensure the security of information, people, property, premises and IT systems;
- g. to verify whether our contract is performed in an adequate way and whether you fulfil your duties, to carry out control processes and to develop and apply tools used to assess your activities based on the model conduct profile; for this purpose, we can use solutions such as: video surveillance, monitoring of employee activities (devices), logs, online traffic and banking systems, recording of conversations made with the use of such devices and monitoring of employee e-mails, tracking the use of corporate resources and tools, e.g. vehicle trackers;
- h. to prevent misconduct and frauds, including the screening of international and domestic sanction lists, and to ensure compliance with ethical business culture, including in-house codes of conduct, anti-corruption program, COI management policy, anti-trust policy, in-house procedures and terms of reference governing your duties, and to carry out investigations into breaches of the rules or laws or to establish, exercise or defend legal claims;
- i. to ensure our compliance with regulatory requirements, guidelines, recommendations, rules and policies applied by us, Santander Bank Polska Group and Erste Group.

#### Legal basis

GDPR, Article 6(1)(f)

### Whom may we disclose your data to

We may disclose your data to the following recipients:

1. bodies, organizations and institutions authorized to receive such data by the law and parties to whom we may provide data by virtue of our role as an employer. These include, in particular:
  - a. social security institutions, e.g. the Social Insurance Institution (Zakład Ubezpieczeń Społecznych) or the National Health Fund (Narodowy Fundusz Zdrowia),
  - b. regulatory and tax authorities, e.g. President of the Personal Data Protection Office (Prezes Urzędu Ochrony Danych Osobowych), Financial Supervision Authority (Komisja Nadzoru Finansowego), National Revenue Administration (National Revenue Administration);
2. parties to whom the transfer of data is necessary for carrying out our banking and brokerage business and for the provision of services and products by us, as well as entities with whom we conduct negotiations, with whom we partner or who provide services to us, including our suppliers or contractors (e.g. if you are our contact person or act on our behalf);

3. members of Santander Bank Polska Group and Erste Group;
4. our customers or third parties who use our services;
5. parties with whom we partner to be able to offer you additional services or employee benefits, e.g. training or employee benefit service providers;
6. Trade unions;
7. other parties – if you have explicitly consented to the processing.

## When and how may we transfer your data to third countries outside of the European Economic Area (EEA)

We can transfer your data to recipients in countries outside the **EEA**, the so-called third countries, including the USA. Such transfers are allowed in the following circumstances:

1. if it is necessary for us to perform a contract we have made with you;
2. when we obtain your consent to do so;
3. when the Commission (EU) has decided that the third country or the international organisation ensures an adequate level of protection;
4. where appropriate safeguards have been provided by incorporating standard protection clauses adopted by the Commission (EU) in the agreement with the data recipient, and on condition that your data protection rights are enforceable in the third country and effective legal remedies are available to you.

## How long will we process and store your data

1. When processing is necessary for the performance of a contract with you – by the time of the contract's termination.
2. When processing is carried out in accordance with our legal obligations – by the time such legal obligations expire (such legal obligations may exist during our contract and after its termination).
3. When processing is necessary for the purposes of the legitimate interests pursued by us or by a third party – by the time when an effective objection to the processing of your data is made or for as long as the legitimate interest exists.
4. When processing is carried out on the basis of your consent – by the time of your consent withdrawal.

## Your rights and their exercise

You have the right to:

1. get information about the processing of your data, access and rectify your data and demand that we remove the data or restrict their processing;
2. object to data processing if you are in a specific situation and we process the data, including profiling, for purposes resulting from our legitimate interests;
3. withdraw your prior consent to data processing at any time;

4. transfer the data we have received from you, and which we process based on your consent, or to enter into and perform our contract;
5. lodge a complaint with the competent authority, namely the Head of Personal Data Protection Office (Urząd Ochrony Danych Osobowych) if you believe that we process your data in violation of the GDPR.

We may need additional information from you to verify your identity when processing your data.

## Are you required to provide us with your data

If you do not provide us with your data, we will not be able to fulfil the purposes that require us to process such data, including entering into a contract with you.

## Where do we obtain your data from and what are their categories

Most of the data we process come directly from you. We can capture some data devoted to you when analyzing your data. We can get some of your data from other data controllers, e.g. other banks or members of Santander Bank Polska Group or Erste Group.

Some of your data may come from other sources, e.g. job candidates, suppliers and their employees, prospective customers and counterparties or any other public sources. We can obtain information related to any employment or relationship issues from such sources.

1. We process the following categories of your data:
  - a. identification data: name, birth date, personal identification number (PESEL),
  - b. data related to our relationship, e.g. data about your skills, experience, education, previous jobs or licenses (e.g. driving license),
  - c. data related to your work, e.g. badges, your payroll reports (including deductions),
  - d. job role-related data such as: job role, corporate contact details,
  - e. digital data, e.g. online identifiers or identifiers of devices or security keys,
  - f. tax information, e.g. tax residency,
  - g. addresses: home address or address for service,
  - h. contact details (e. g. phone number, email address),
  - i. data such as your image or voice, e.g. obtained through video surveillance, audio recordings, videochats, presentations or training content,
  - j. data related to your financial situation and net worth, including data about your household income, your personal situation or data about your family members (e.g. for the purpose of support allowance),
  - k. any other data which you have provided to us at your own initiative or which proved necessary for compliance with a legal obligation or our relationship and the related purposes.

2. In certain circumstances, we may also process your sensitive data, e.g. data related to your health status (especially your capacity to work, disability or accidents at work). This processing may be required in relation to your rights and our legal obligations or benefits and allowances that we may offer in certain circumstances.
3. We may also process data about any potential criminal convictions, e.g. when you have access to confidential information by virtue of your job duties.
4. Additionally, we may process the data of your children and other family members, if their provision is necessary for exercising rights arising from labour law or for taking advantage of some of employee benefits, e.g. when you add a family member to the health insurance coverage or you enroll them into an employee benefit program.

## When do we use profiling or automated data processing

We use partly automated processes to evaluate certain personal aspects (profiling).

1. We use profiling for the following purposes, e.g.:
  - a. for the purpose of appropriate and adequate determination of the level of components of remuneration with regard to certain groups of employees,
  - b. for the purpose of ensuring the security of money and transactions,
  - c. for the purpose of preventing the misuse of banks or their services to commit frauds, including money laundering or terrorism financing.
2. We may use partly automated processes for the purpose of performance reviews, evaluation of skills and your training needs analysis.
3. We may use partly automated processes to verify how you perform your duties and responsibilities and if there are any breaches.
4. We have not been processing by automated means any other data categories than the ones indicated above.

## Glossary

terms	how we understand and define them
EEA	The European Economic Area (the European Union member states, together with Iceland, Norway and Liechtenstein).
Erste Group	A universal banking group based in Austria. More details: <a href="http://www.erstegroup.com/en/about-us/corpgov">www.erstegroup.com/en/about-us/corpgov</a> , Documents, Details of the companies wholly or partly owned by Erste Group.
Santander Bank Polska Group	Santander Bank Polska S.A. and its subsidiaries, including its future members. For the list of subsidiaries, please visit <a href="http://www.santander.pl/grupa-kapitalowa">www.santander.pl/grupa-kapitalowa</a> .

<b>terms</b>	<b>how we understand and define them</b>
GDPR	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 the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC.