

## **XTX Privacy Notice for Applicants**

Below is a segment from our Privacy policy which highlights how XTX collects personal data, how it uses it and what applicant's rights are with respect to it.

As a "controller", as defined in the General Data Protection Regulation 2016/679 (**GDPR**), XTX collects personal information from and about its employees, officers or other staff members (**Personal Data**). The following terms will apply to the processing of Personal Data by XTX.

### **FOR APPLICANTS**

#### **CVs**

**Data:** XTX collects all CVs provided to it by applicants.

**Purpose:** Collecting CVs is a necessary part of the recruitment process in order to screen suitable applicants in advance of holding interviews.

**Legal Basis for Processing:** Processing is necessary for the pursuit of XTX's legitimate interests.

**Further Details:** Data is held by HR on a drive, and by the staff member to whom the CV was sent by the applicant. HR controls access to this data. Please note that CVs may be distributed internally via email to other XTX Staff for consideration as related to your prospective employment by XTX.

### **Your Rights as a Data Subject**

#### ***Access to your information***

Under the GDPR you have a number of rights with respect to your Personal Data. If you wish to access the Personal Data, and any supplementary information, that XTX collects and that relates to you, or you wish to correct or update the Personal Data that XTX has stored that relates to you, please send a request by email to the Data Protection Officer at [dataprotection@xtxmarkets.com](mailto:dataprotection@xtxmarkets.com). XTX will endeavour to comply with your request without undue delay and, at the latest, within one month of receipt, unless (a) the request is complex or there are multiple requests, in which case XTX will inform you of any likely delay or (b) with respect to a request to access the Personal Data, the request is manifestly unfounded or excessive, in which case XTX will inform you that a fee is payable or that XTX will be unable to comply with your request.

Where you have provided consent for the processing of your Personal Data (and XTX has specified no other legal basis for its processing), or where the sole legal basis provided for its processing is for the performance of a contract, the right to data portability enables you to request a copy of all of your Personal Data that XTX processes electronically, for transfer to another data controller. XTX will endeavour to comply with your request without undue delay and, at the latest, within one month of receipt, unless the request is complex or there are multiple requests, in which case XTX will inform you of any likely delay.

In certain circumstances, you have the right to object to XTX's processing of your Personal Data if there is no reason for XTX to keep it, although please note that there may be legal, regulatory or other

MAY 2018

reasons why XTX would need to keep using your Personal Data, and XTX would inform you of those reasons if applicable.

You also have the right to restrict XTX's processing of your Personal Data, meaning that without your consent, XTX may only use it where they have a legitimate interest in doing so, or to establish, exercise or defend a legal claim or to exercise certain limited legal rights, in the following circumstances:

- It is inaccurate;
- You have already contacted XTX to object to the processing of it, and XTX are still considering whether or not to agree to your request;
- It has been processed unlawfully and you would prefer XTX to restrict the processing of it, rather than to delete it; and
- XTX no longer needs the data, but you require it to be restricted rather than deleted to exercise, establish or defend a legal claim.

You also have the right to request the deletion or removal of your Personal Data, and subject to relevant law or regulation, XTX has to comply with that request in the following circumstances:

- Where the Personal Data is no longer necessary in relation to the purpose for which it was originally collected;
- If you have provided consent for the processing of your Personal Data and you decide to withdraw that consent (where XTX has specified no other legal basis for its processing);
- Where there is no overriding legitimate interest for continuing the processing of it;
- Where it was unlawfully processed; and
- Where XTX needs to comply with a legal obligation to erase it.

#### ***How XTX protects Personal Data***

XTX will comply with the GDPR when processing your Personal Data. In particular, XTX has implemented generally accepted standards of technology and operational security in order to protect Personal Data against accidental loss, destruction or damage.

Please note, however, that XTX does not guarantee that Personal Data will be 100% secure in all circumstances.

#### ***Sending data outside of the EEA***

XTX will only send your data outside of the European Economic Area ("EEA") in the following circumstances:

- To staff members of another entity in the XTX Group in Singapore or the US;

XTX may also store your personal data via third party web-based applications, cloud services or web-based storage providers, some of whom may be based outside of the EEA.

In the event that your Personal Data is sent outside the EEA in one of the above circumstances, and such transfer is not necessary for the performance of a contract or in relation to a legal or regulatory process, XTX will ensure that at least one of the following safeguards are in place to protect your data:

- The transfer is to a non-EEA country with equivalent data protection and privacy laws to the EEA;
- The entity receiving the Personal Data commits to protecting Personal Data in adherence with the EU-US Privacy Shield Framework;

MAY 2018

- The entity receiving the Personal Data commits to maintaining sufficient levels of security and protection with respect to its handling of the Personal Data.

#### **Data retention**

**For Applicants:** Unless one of the below exceptions apply, XTX will keep your data for five years following the date that XTX informed you that an offer of employment will not be made or receipt of confirmation from you that you will not be accepting an offer of employment from XTX. Your data will be deleted promptly thereafter. The data of successful applicants that accept an offer of employment with XTX will be retained in accordance with the XTX Record Retention Policy.

#### **Exceptions:**

- We are required to retain the data for a longer period of time in order to comply with a legal or regulatory obligation
- We are unable or it is impractical, for technical or operational reasons, to delete the data. This exception generally applies to circumstances where the data has been written to offline storage such as back-up tapes. In such circumstances, it would be impractical to delete this data because to do so would involve a significant amount of work, including recalling the relevant tapes, restoring the data, deleting relevant sections, and rewriting new back-up tapes with the remaining data left intact. XTX therefore reserves the right to retain its back-up tapes indefinitely. XTX mitigates the risk of retaining such tapes by storing the data offline and ensuring that the tapes can only be recalled by a restricted group of authorised individuals in the Infrastructure team, who will only access the data where they have a legitimate interest in doing so, such as to comply with a legal or regulatory obligation.

If XTX retains your Personal Data for a longer period as described above, it will ensure that it continues to comply with the provisions of the GDPR with respect to securing and protecting your Personal Data.

#### **Complaints and Further Information**

You have the right to lodge a complaint to the Information Commissioners' Office if you believe that XTX has not complied with the requirements of GDPR with regard to your Personal Data.

For further information on how Personal Data is used, how XTX maintains the security of Personal Data, and your rights to access your Personal Data, or if you have any concerns as to how your data is processed, please contact the Data Protection Officer at [dataprotection@xtxmarkets.com](mailto:dataprotection@xtxmarkets.com).