

Privacy Notice

General requirements

Thank you for your application.

The protection of your personal data is important for us. Consequently, we would like to inform you on the possibilities to harness your rights concerning your own personal data.

We process your data in accordance with the Belgian and European legislation, which includes the 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 (the 'GDPR').

Below you'll find information on the data we collect, why we collect it, how long we keep it, what your rights are and how you can exercise them.

1 Scope of this privacy notice

This policy applies to the processing of personal data of persons who have applied for a vacancy or submitted a spontaneous application (hereinafter "**the data subject**").

This privacy notice concerns the activities of Enginius, which is part of Fabricom NV, located at Boulevard du Roi Albert II 19 1210 Saint-Josse-ten-Noode, Belgium. Fabricom NV is therefore the controller with regard to your personal data. Hereafter referred to as Equans since Fabricom NV is part of the EQUANS group.

If you have any questions about your rights (*see '7 Your rights as a data subject?*), you can always contact our local contact: info@enginius.be

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2 Some concepts elaborated

2.1 What is Personal Data?

Personal data is any information about you which identifies you directly or indirectly. The concept of "personal data" is very broad. There is no distinction between confidential/publicly available information and professional/non-professional information.

You can find which personal data is processed in point '3 Which personal data do we process and why?' of this privacy policy.

2.2 What is processing activity?

The term "processing" covers collecting, recording, organising, storing, updating, modifying, retrieving, consulting, using, distributing or otherwise making available, aggregating, combining, archiving, deleting or finally destroying your personal data.

2.3 What is a controller ?

Equans (Equans means here: 'Enginius part of Fabricom NV') (*see also* '1 Scope of this privacy notice') is the controller of your personal data. This means that we determine the purpose and means of the processing of your personal data.

2.4 What is a processor?

In order to process your personal data, we also use processors in certain cases (see '6 Who has access to your personal data ?'). This processor will process your personal data on behalf of Equans. The recruitment agency is an example of such a processor, which processes your application for us, according to our instructions.

Politique de confidentialité

3 Which personal data do we process and why?

In order to complete the application process, we collect your personal data. After all, we need to check whether you are a suitable candidate or whether you want to be included in our recruitment pool.

We also process personal provided in your CV and cover letter. At a later stage, we may also process additional personal data collected during job interviews or assessments conducted by recruitment agencies. We may also consult LinkedIn or other professional networks to collect personal data about you that relates to your application.

We will only process personal data that is necessary and proportionate to your application. Any processing of your personal data has a specific legal basis, which will be explained in more detail below.

- a) "Consent": You have given your consent for the processing of personal data for one or more specific purposes;
- b) "Contract": The processing is necessary for the performance of a contract to which you are a party (e.g. employment contract), or to take action at the request of the data subject prior to entering into a contract;
- c) "Legal obligation": as a controller processing is necessary to comply with a legal obligation;
- d) "Vital interest": processing is necessary to protect your interests or those of another natural person;
- e) "General interest": processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;;
- f) "Legitimate interest": processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data.

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Personal data	Goal	Legal Base	Retention period
Identification and contact details	Identify and contact candidates regarding the application	Contract	For 4 weeks following a negative decision. If the data subject has expressly consented to being included in the recruitment pool, this data may be retained for 2 years after the negative decision.
	Creation of a recruitment pool	Consent* Legitimate Interest* in particular to create an effective recruitment policy and the creation of job openings	
Career data, hobbies and interests, education and training, experience, motivation, photo, publications, current position, ..	To check the applicant's suitability for the job opening	Contract Legal Obligation	In the event of a potential legal claim, we may keep the data for up to 5 years following the negative decision.
	Creation of a recruitment pool	Consent* Legitimate Interest* in particular to create an effective recruitment policy and of job openings	
References	To verify the integrity and confidentiality of the applicant	Legitimate Interest* in particular maintain the operational security and protection of the company and customer assets	
Personal data (results of assessments administered by the recruitment agencies)	To check the applicant's suitability for the job opening	Contract	

* For processing activity based on consent (a), you have the opportunity to withdraw your consent. For processing based on legitimate interest (f), you have the possibility to object to the processing of your data (see also 7.1.6 Your right to object to the processing of your personal data or to withdraw your consent')

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4 How do we obtain your personal data and is the data necessary ?

4.1 Source

We process all personal data that you willingly provided. If we need additional personal data, we will inform you whether or not you are obliged to provide us with the data and what the consequences are if you do not provide the data.

Failure to provide your personal data may result in the refusal of your application.

4.2 Other Sources

Equans may also obtain personal data from other sources, such as employment agencies and recruitment agencies. These agencies may provide us with the personal data mentioned above (see also '3 Which personal data do we process and why?') in the context of a job opening.

If you spontaneously provided references, we may check these and consequently obtain additional personal data relevant for the consideration of your application.

5 Retention Period

We will only process your personal data for as long as is necessary to fulfil the purpose for which we originally collected the personal data or for a purpose compatible with that purpose, unless you have given us permission to retain the data for a longer period.

If a legal retention period applies to your personal data, we are required to retain your data for that period.

Exceptionally, we may also keep your personal data for a longer period if we need it for evidence of, the exercise of or the justification of a (potential) legal claim, in the context of judicial proceedings, administrative, or extrajudicial proceedings. In such a case, we will retain your personal data for the duration of the applicable statutory limitation period or until the end of the relevant proceedings.

An overview of the retention periods that Equans needs to abide by can be found in section '3 Which personal data do we process and why?' of this privacy notice.

After the expiration of these retention periods, personal data is deleted from the system or irreversible anonymized.

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6 Who has access to your personal data ?

Your data will be accessible to the employees within Fabricom NV who are involved in the selection process of candidates and also to our data processors (such as the application in which your data is processed).

If we transfer your personal data to a company in a third country, we will ensure that appropriate safeguards are in place in accordance with Article 46 GDPR, such as standard contractual clauses accepted by the European Commission.

We will always transfer your personal data in a secure way.

7 Your rights as a data subject?

7.1 Your privacy rights

7.1.1 Your right to access

You have the right to know at any time whether we are processing your personal data, and to have access to this data and to receive further information on:

- a) The purposes;
- b) The categories of personal data;
- c) The recipients or categories of recipients (in particular recipients in third countries);
- d) Where possible, the retention period or, if this is not possible, the criteria for determining that retention period
- e) The existence of your privacy rights;
- f) The right to lodge a complaint with the supervisory authority;
- g) The information we have available regarding the source of the data if we have obtained your personal data from a third party; and
- h) The existence of automated decision making.

You also have the right to obtain a free copy of the processed data, in a comprehensive fashion.

Equans may charge a reasonable fee to cover administrative costs for additional copies.

7.1.2 Your right to rectify

You have the right to have incomplete, incorrect, inappropriate or outdated personal data corrected without undue delay.

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7.1.3 Your right to erase (the « right to be forgotten»)

You have the right to have your personal data deleted without unreasonable delay in the following situations:

- a) your personal data is no longer necessary for the purposes for which it was collected or processed by Equans;
- b) you object to the processing of your personal data and there are no legitimate grounds for the processing by Equans;
- c) your personal data is processed unlawfully;
- d) your personal data must be deleted in order to comply with a specific obligation; or
- e) you have withdrawn your consent and there is no other legal basis on which the processing of personal data may take place.

Please note that we may not always be able to delete all personal data when requested, for example, where the processing is necessary for the establishment , exercise or defence of a legal claim or because we have a legal obligation to retain certain records or because we may need them for an existing contractual relationship. We will inform you in more detail in our answer to your request.

7.1.4 Your right to limitation of processing

You have the right to have the processing of your personal data restricted if any of the following situations apply:

- a) you contest the accuracy of the personal data: their use is restricted for a period of time allowing Equans to verify the accuracy of the data;
- b) the processing of your personal data is unlawful: instead of deleting your data, you request that its use will be restricted;
- c) Equans no longer needs your data for the purposes of the original processing, but you need it for the establishment, exercise or defence of legal claims: instead of deleting your data, its use is restricted;
- d) as long as no decision has yet been taken on the exercise of your right to object to the processing of your data, you request to limit the use of your personal data.

7.1.5 Your right of the portability of your personal data

You have the right to "retrieve" your personal data in order to transfer them. This is only possible for personal data that you have made known, transmitted or made available to us in any way, actively or passively, directly or indirectly. In all other cases, you cannot benefit from this right (for example, when the processing of your data takes place on the basis of a legal obligation or on the basis of legitimate interest).

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This right has 2 elements:

- a) You can request Equans to retrieve the relevant personal data in a structured, commonly used and machine-readable form; and
- b) You may request Equans to transfer the relevant personal data directly to another controller. You are responsible for the accuracy and security of the (e-mail) address you provide for the transfer. Equans has the right to refuse if the transfer is technically not possible.

7.1.6 Your right to object to the processing of your personal data or to withdraw your consent

If the processing is based on Equans' legitimate interests or on the public interest, you have the right to object to the processing of your personal data on the basis of your particular circumstance.

You also have the right, to the extent that the processing is based on your consent, to withdraw your consent at any time. However, your withdrawal only has consequences for the future and does not affect the validity of the processing carried out on the basis of your consent before the date of the withdrawal of your consent.

Equans will cease processing your personal data unless we can demonstrate legitimate grounds for the processing that outweigh your concerns or where the processing of personal data is related to the establishment, exercise or defence of a legal claim (for example, submitting a claim to a court). If you withdraw your consent, we can only continue processing to the extent that another legal basis applies.

7.2 Practicalities

7.2.1 How to exercise my Privacy Rights?

You can submit a written request via the following e-mail address: info@enginius.be or by post via:

attn. Enginius – FABRICOM NV
Ambachtsstraat 11
2450 MeerhoutBelgium

To exercise your right of access and to prevent unauthorised disclosure of your personal data, we may ask you to verify your identity. In case of doubt or ambiguity, we will first ask for additional information (e.g. a copy of the front of your identity card).

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7.2.2 What are the costs?

You may exercise your privacy rights free of charge, unless your request is manifestly unfounded or excessive, in particular due to its repetitive nature. In such a situation, we have - in accordance with privacy legislation - the right and choice to:

- a) Charge you a reasonable fee (taking into account the administrative costs of providing the requested information or communication and the costs associated with taking the requested action), or
- b) Refuse to comply with your request.

7.2.3 How will I receive a reply?

When you submit your request electronically, information will be provided electronically where possible, unless you request otherwise. In all cases, we will provide you with a concise, transparent, understandable and easily accessible answer.

7.2.4 When will I receive a reply?

We will respond to your request as soon as possible, and at the latest within one month after we received your request. Depending on the complexity of the request, this period may be extended by a further two months if necessary. If the deadline is extended, we will inform you within one month after we received your request.

7.2.5 What happens if Equans does not comply with my request?

Equans has appointed a Data Protection Officer (DPO). If your case has not been handled adequately or if you would like to receive more information about this privacy notice, you can send a written request to the DPO. You can reach the DPO in the following manner:

By post:

for the attention of the Data Protection Officer
Boulevard du Roi Albert II 19 1210 Saint-Josse-ten-Noode, Belgium.

Par email : privacy.belux@equans.com


You have the right to lodge a complaint with the supervisory authority, in Belgium this is the Data Protection Authority (DPA)

Website: <https://www.dataprotectionauthority.be/citizen>

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Contact details:

Data Protection Authority
Rue de la Presse 35, 1000 Brussels

 +32 (0)2 274 48 00

 contact@apd-gba.be

8 Additional Information

We reserve the right to change this privacy notice at any time to comply with technical and legal requirements.

You can always request the latest version of this privacy notice via info@enginius.be