

Memorandum on the Processing of Personal Data for Contractual Partners, Job Applicants, Visitors and Pupils (hereinafter referred to as the "Memorandum")

Introduction

Dear contractual partners ¹, job applicants, visitors, and students undertaking work placements,

this memorandum is intended to inform you of the principles and procedures governing the processing of your personal data and of your rights in relation to the processing of such data, in accordance with Regulation (EU) (EU) 2016/679 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 (General Data Protection Regulation; hereinafter referred to as the "GDPR") and Act No. 110/2019 Coll., on the processing of personal data, as amended (hereinafter referred to as the "ZZOÚ").

EP Kids, z.s. is committed to the transparent and fair processing of your personal data and to ensuring its proper protection in accordance with applicable legislation, so as to guarantee fair and equitable processing. We protect your personal data with the highest level of security to prevent any unauthorised or accidental access to your personal data, destruction, loss, unauthorised transfers or unauthorised processing. To this end, we implement appropriate technical and organisational measures to ensure a level of security commensurate with all possible risks. Persons who come into contact with personal data are obliged to maintain confidentiality regarding information obtained in connection with the processing of such data.

Given that this memorandum refers to terms relating to data protection and also uses abbreviations, we have included an explanation of the terms and abbreviations used in the section entitled 'List of selected terms and abbreviations' in this memorandum, in order to present the content of this text to you in an even clearer form.

Data Controller

The controller of your personal data is the association EP Kids, z.s., company registration number 27018997, with its registered office at Pařížská 130/26, Josefov, 110 00 Prague 1, registered in the Register of Associations under ref. no. L 16293/MSPH, with whom you are negotiating the conclusion of a contract, with whom you have concluded a contract, and with whom you are participating in the recruitment of new employees (hereinafter referred to as the "controller"), and who is responsible for fulfilling the obligations under the applicable legislation on the protection of personal data.

List of selected terms and abbreviations

TERM AND ABBREVIATION	MEANING
Personal data	Any information about an identified or identifiable natural person; an identifiable natural person is a natural person who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
Special categories of data	Personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, and data concerning a natural person's health or sex life or sexual orientation.
Data subject	A natural person to whom personal data relates. A data subject is considered to be identified, or identifiable if their identity can be determined, directly or indirectly.
Controller	A natural or legal person, public authority, agency or other body which, alone or jointly with others determines the purposes and means of the processing of personal data.
Processing	Any operation or set of operations which is performed on personal data or sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise other forms of disclosure, sorting or combining, restriction, erasure or destruction.
Purpose of processing	The objective and purpose of the controller's activities
Means of processing	Tools and procedures selected for the specific processing of personal data.
Legal basis	The legal basis, or legal ground, is a condition without which the processing of personal data under any circumstances.

¹ natural person, representative of a legal entity

Data processor	A natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.
Recipient	A natural or legal person, public authority, agency or other body to whom personal data are disclosed, whether or not they are third parties. The recipient has a legal, contractual or other authority to process personal data. These include other controllers or processors, such as tax, administrative or regulatory authorities. However, public authorities which may receive personal data in the course of a specific inquiry in accordance with Member State law are not considered recipients; the processing of such personal data by these public authorities must comply with the applicable data protection rules for the purposes of the processing.
Third party	A natural or legal person, public authority, agency or other body which is not the data subject, the controller, the processor, or a person directly under the authority of the controller or the processor, who is authorised to process personal data.
ÚOOÚ	The supervisory authority under the ZZOÚ is the Office for Personal Data Protection. It is entrusted with the powers of a central administrative authority in the field of personal data protection to the extent specified by the Personal Data Protection Act and other powers specified by a special legal regulation.
Cookies	Small text files that allow a website to remember important information that will make it easier for the user to use the site in the future. The controller informs you about the use of cookies. Further information can be found on the controller's website.

Data subjects

Where this memorandum refers to data subjects, these are representatives of contractual partners, job applicants, and visitors to the controller's designated premises.

Personal data processed

The controller and the processor, who processes personal data on behalf of the controller, process, in accordance with the relevant legal basis or legal title and the purpose of the processing, in particular the following categories of personal data:

- identification, authentication and address data: first name, surname, academic title, date of birth, details from identity documents, permanent or temporary address, postal or other contact address, place and country of birth, business address, company registration number, in rare cases personal identification number, handwritten signature and electronic signature;
- contact details: telephone number, email address, data box ID;
- electronic data: IP address, authentication certificates and electronic signature certificates;
- other personal data related to the contractual relationship: bank account number, value of the transaction, customer account number (further, for example, details of educational qualifications, information on studies, work experience, specification of the subject of purchase, services, specification of the tender in a tender procedure);
- other personal data, such as personal data relating to the data subject's request (for example, details of rights exercised under the GDPR), information about the school, information about the year group and field of study (in connection with the performance of professional practice);
- or special categories of personal data (for example, in connection with the epidemiological situation in society).

Source of the personal data being processed

The controller obtains your personal data primarily from you in connection with your participation in recruitment processes, during contract negotiations and in connection with the performance of contracts. Furthermore, the controller obtains your personal data from publicly available sources (such as the Commercial Register and Trade Register) or from government authorities.

Purpose, duration and legal basis for the processing of personal data

The controller processes your personal data primarily for the purposes set out below, on the basis of the relevant legal basis.

The answer to the question of how long the controller is authorised to process your personal data depends on the purpose of the processing in question.

Article 6 of the GDPR distinguishes a total of six legal grounds for the processing of personal data, of which the following four are the most relevant for the controller. The controller processes your personal data:

- to fulfil a contract;
- processing is necessary for compliance with a legal obligation to which the controller is subject (for example, the processing of personal data in connection with compliance with a legal obligation arising from tax and accounting regulations);

- processing is necessary for the purposes of the legitimate interests pursued by the controller or 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, in particular where the data subject is a child;
- on the basis of your consent, provided that no other legal basis for the processing of personal data can be used (for example, the retention of a CV).

Purpose of processing	Legal basis	Duration of processing ²
Recruitment and selection of employees	Legitimate interest Performance of a contract (necessary for the implementation of measures taken prior to the conclusion of a contract) employment (similar contract)	The deletion and destruction of personal data takes place once the recruitment process has been completed, or at the latest by the date specified in the HR system used to respond for the job vacancy
Records of job applicants' CVs	Consent	Personal data is retained for the period for which the data subject has given consent or until such consent is withdrawn consent.
Completion of professional placement	Compliance with a legal obligation (in connection with the performance of professional practice) Performance of a contract (concluded between the controller and the relevant school) Legitimate interest (in particular for the purposes of communication, operation of the CCTV system) Consent (photographs)	Personal data is retained for the period specified by the relevant legislation, until the expiry of the retention period Personal data is retained for the duration of the purpose of processing or for the period necessary to assert legal claims Personal data is retained for the period for which the data subject has given consent or until consent is withdrawn .
Tender procedures for suppliers of services and activities	Legitimate interest	3 years after the conclusion of the tender procedure (10 years in accordance with the Public Procurement Act); in the event of a contractual relationship being entered into, personal data is retained until the expiry of the contractual guarantees or for the period necessary for the enforcement legal claims
Conclusion and record-keeping of contracts and agreements, orders, including related powers of attorney and authorisations, as well as the fulfilment of obligations arising therefrom, together with the record-keeping of contractual partners	Performance of the contract Fulfilment of a legal obligation Legitimate interest	Personal data is retained until the expiry of the contractual warranties or for the period necessary to assert legal claims. In certain cases, the law stipulates the obligation to enter into a contract and its essential terms.
Asset management and administration	Compliance with a legal obligation Legitimate interest Performance of a contract	Personal data is retained for the duration of any inspection by state authorities, for the duration of an investigation into an incident, for the duration of a claim for insurance benefits, or for the period necessary for the assertion legal claims
Invoicing documentation	Compliance with a legal obligation Legitimate interest	Personal data is retained for the period required by tax and accounting regulations or for the period necessary to enforce legal claims

² When determining the appropriateness of the period for processing personal data, the following criteria will be taken into account in particular: (i) the length of the limitation period, (ii) the likelihood of legal claims being brought, (iii) standard market practices, (iv) the likelihood and significance of potential risks, and (v) any recommendations from supervisory authorities

Processing personal data in connection with document archiving	Compliance with a legal obligation Legitimate interest	Personal data is retained for the period specified in the relevant legal regulations, until the expiry of retention period
Processing of data in connection with the enforcement of the controller's claims	Legitimate interest	For the duration of the purpose
Processing of personal data in connection with supervisory activities in the field of personal data protection and requests from data subjects	Compliance with a legal obligation	For a period of 5 years from the resolution of the request
Processing of personal data during epidemics and related emergency measures	Compliance with a legal obligation Necessity to protect vital interests Necessity in the public interest	For the duration of the emergency preventive (protective) measures and for the period strictly necessary for their evaluation
Maintenance of records of personal data processors	Legitimate interest	Personal data is retained for the duration of any inspection by state administration
Investigation and recording of incidents	Compliance with a legal obligation Performance of a contract Legitimate interest	Personal data is retained for the duration of any inspection by government authorities, for the duration of an investigation into an incident, for the duration of a claim for insurance benefits, or for the period necessary for the assertion legal claims
Vetting of counterparties	Compliance with legal obligations	Personal data is retained for the period specified by the relevant legal regulations
Use of cookies on the website	Consent (marketing, statistical, analytical purposes) Compliance with a legal obligation Legitimate interest (functional/necessary cookies)	Processed on the user's device depending on the type of cookie

It is not possible to conclude a contract without providing the personal data necessary for the performance of the contract and the fulfilment of legal obligations. You may object to the processing of personal data for the purposes of legitimate interests. You have the right to withdraw your consent at any time. The controller notes that the withdrawal of consent does not affect the lawfulness of processing based on consent given prior to its withdrawal.

Methods and means of processing

The controller and the processor, who processes personal data on behalf of the controller, process your personal data manually (for example, by filing a contract in paper form in the relevant file) and automatically (using ICT tools, for example, by using a personal computer in Microsoft Office 365 and in the controller's or, where applicable, the processor's system).

In the case of automated processing of your personal data, the controller does not use automated decision-making, including profiling, which could affect your rights.

CCTV system

The Data Controller hereby informs you that a CCTV system with recording is in operation at the premises at Jankovcova 1566, Holešovice, Prague 7, for the purpose of protecting the property, life and health of persons moving within the area monitored by the CCTV system, as well as for the purpose of obtaining evidence for the Czech Police and resolving insurance claims.

Recordings from the CCTV system are retained for a period of 14 days, after which they are automatically deleted. The legal basis for the processing of personal data is, pursuant to Article 6(1)(f) of the GDPR, the controller's legitimate interest. There are two fixed cameras located at the entrance, without audio recording.

The controller collects your personal data via the controller's CCTV system. The controller processes, on the basis of the relevant legal ground or legal basis and purpose, video recordings of the data subject, as well as visual information regarding

the behaviour and actions of the persons recorded, and information regarding the time of recording. The controller processes your personal data automatically via Synology Surveillance Station (CCTV). In the case of automated processing of your personal data, the controller does not use automated decision-making, including profiling, which could affect your rights.

The CCTV system is operated on behalf of the controller by EP Investment Advisors, s.r.o., Company ID No. 26687259, with its registered office at Pařížská 130/26, Prague 1 – Josefov, postcode 110 00, registered in the Commercial Register under file no. C 87354/MSPH, data box 89pegn, as the processor. The camera is operated online by the controller.

The controller also operates an online camera monitoring the area around the main entrance to the controller's premises; no personal data from this online camera is disclosed to other recipients. The purpose of the processing is to protect the property, life and health of persons entering the controller's premises. The right of access to personal data (Article 15 of the GDPR), the right to rectification of personal data (Article 16 of the GDPR), the right to erasure of personal data (Article 17 of the GDPR) and the right to data portability (Article 20 of the GDPR) do not apply.

Information signs provide details regarding the use of CCTV systems.

Processor

The controller processes your personal data through its employees who require access to personal data in order to perform their work duties and who are bound by a duty of confidentiality regarding all facts and data of which they become aware in the course of their work.

Furthermore, the processor's employees have access to your personal data, but only to the extent necessary for the performance of their duties on behalf of the controller. We always enter into a written personal data processing agreement with all our processors, which includes safeguards for the security of your personal data.

Categories of processors, in particular:	Activities
Recruitment agencies	Recruitment and selection of suitable job applicants
IT service provider and software supplier	Provision of IT services and software, including technical support, administration, development, maintenance of the system and processing of security risk analyses Operation of a CCTV system with recording
Provider of legal services and consultancy, accounting services	Provision of legal services and consultancy
Financial and tax adviser, auditor	Provision of services and consultancy

Recipients of personal data

Under certain circumstances, the controller may transfer your personal data to so-called recipients (other controllers, processors) and third parties.

Recipients to whom personal data is routinely transferred include, in particular:

- Tax office
- Bailiff's offices
- Courts
- The Czech Police.

However, this does not constitute a recipient if public authorities request personal data as part of a specific investigation; in such cases, this constitutes a so-called third party.

Transfer of personal data to third countries

The controller, or a processor acting on behalf of the controller, processes your personal data primarily within the Czech Republic, or within the European Union (hereinafter referred to as the "EU"), where uniform protection of personal data is guaranteed in every Member State. In very exceptional cases, your personal data may be processed outside the EU, for example in a computer system whose servers are located outside the EU. In such a case, we would select as a contractual partner a company that meets the conditions for secure data transfer in accordance with applicable legislation. We will inform you in an appropriate manner about the specific measures and procedures, to whom and to which countries personal data is disclosed/transferred, under what conditions, how your data is protected, and any associated risks.

Commercial communication

Dear Sir or Madam, by giving your consent to receive marketing communications, you agree that the controller may process your personal data for the purpose of sending you marketing communications. The controller will process the personal data that you provide in connection with your subscription to marketing communications. In particular, the controller will process your email address, your telephone number, the date you subscribed to commercial communications, the date your subscription was confirmed, and, where applicable, the confirming IP address. If you unsubscribe from our commercial communications, we will also record the date of such unsubscription. The legal basis for such processing is your consent pursuant to Article 6(1)(a) of the GDPR. You may withdraw your consent at any time, in particular by sending a withdrawal notice to the email address milena.segecova@epholding.cz. In connection with the withdrawal of consent, the controller informs you that the withdrawal of consent does not affect the lawfulness of data processing prior to its withdrawal, nor does it affect data processing based on other legal grounds for which your consent is not required. The consent you have given will be archived for the entire period during which your consent is granted to the controller and for a further period of 5 years following its withdrawal, for the purpose of demonstrating that the processing of personal data by the controller was lawful. The legal basis for such processing is a legitimate interest pursuant to Article 6(1)(f) of the GDPR.

Rights of data subjects

- Where the processing of personal data is based on your consent, you have the right to withdraw your consent at any time. In connection with the withdrawal of consent, the controller informs you that the withdrawal of consent does not affect the lawfulness of the processing of personal data prior to its withdrawal, nor does it affect the processing of data on other legal grounds for which your consent is not required.
- You have the right to request access to your personal data and more detailed information about its processing.
- You have the right to request the rectification of your inaccurate or incomplete personal data.
- You have the right to request that your personal data be provided in a commonly used and machine-readable format, enabling it to be transferred to another controller, provided that we have obtained it on the basis of your consent or in connection with the conclusion and performance of a contract, and it is processed by automated means.
- You have the right to object to the processing of some or all of your personal data.
- You have the right to ask us to erase your personal data if we no longer have any legal basis for further processing.
- You have the right to lodge a complaint with the Office for Personal Data Protection.
- You have the right not to be subject to automated individual decision-making, including profiling.

Any updates to the memorandum

Given that the rules and conditions governing the processing and protection of your personal data may change, particularly as a result of changes in legislation, or that our terms and conditions, procedures and methods for processing and protecting your personal data may change, we will inform you of such changes by updating this memorandum, unless the nature of the change requires us to contact you directly.

This memorandum was last updated on 18 November 2024.

Exercise of data subject rights

Where your request concerns the exercise of your rights as set out in the section entitled 'Rights of the data subject' in this memorandum, the controller is always obliged to deal with such a request from the data subject and must provide the information without undue delay upon receipt of the request, and in any event within one month of receiving the request. In exceptional cases, this period may be extended by two months, in which case the data controller must inform the data subject of this, including the reasons for such an extension.

You may send your request to the controller's contact details:
Postal address: EP Kids, z.s., Pařížská 130/26, Josefov, 110 00 Prague 1 or email
milena.segecova@epholding.cz

Alternatively, you may contact us by telephone on: +420 703 401 493.

To make it easier to exercise your rights, you may use the sample form marked 'Data Subject Request'.

If you have reasonable grounds to suspect that there has been a breach of the law regarding the protection of personal data, you have the right to lodge a complaint with the Office for Personal Data Protection, Pplk. Sochora 727/27, 170 00 Prague 7-Holešovice, email: stiznosti@uoou.cz; for this purpose, you may use the form available on the website of the Office for Personal Data Protection <https://uoou.gov.cz/verejnost/stiznost-na-spravce-nebo-zpracovatele>.