



MAPLES
GROUP

Maples Group Privacy Notice for Job Applicants (EU+UK)

Version 1.1 (October 2018)



MAPLES GROUP

1 What does this Privacy Notice do and does it apply to me?

- 1.1 Many countries have data protection laws that protect the privacy of individuals by regulating the way in which businesses handle personal information. Among other things, data protection laws require businesses that handle personal information to be open and transparent about why and how they handle personal information.
- 1.2 The purpose of this Privacy Notice is to inform you why and how the Maples Group ("**Maples**", "**we**", or "**us**") handles personal information about you and other job applicants in Europe. This Privacy Notice will apply to you if you are a job applicant who has applied for any role within the Maples Group that is based in Europe.
- 1.3 Nothing in this Privacy Notice creates any new relationship between you and us. Nothing in this Privacy Notice affects any right you have under any applicable law, including Regulation (EU) 2016/679 (the General Data Protection Regulation, or "**GDPR**") and any other data protection law that applies to you.

2 Who is responsible for the proper handling of my personal information?

- 2.1 The particular entity within the Maples Group which is legally responsible for the proper handling of your personal information (known as 'data controller' for the purposes of data protection law) varies depending on where the role you have applied for is based, as follows:
 - (a) Ireland
 - (i) Maples and Calder, 75 St. Stephen's Green, Dublin 2, D02 PR50, Ireland (where the role is with our legal services business)
 - (ii) Maples Fiduciary Services (Ireland) Limited, 32 Molesworth Street, Dublin 2, D02 Y512, Ireland (where the role is with our fiduciary services business)
 - (iii) Maples Fund Services (Ireland) Limited, 32 Molesworth Street, Dublin 2, D02 Y512, Ireland (where the role is with our fund services business)
 - (iv) MPMF Fund Management (Ireland) Limited, 32 Molesworth Street, Dublin 2, D02 Y512, Ireland (where the role is with our fund management business)

- (b) Jersey
 - (i) MCJ LLP, First Floor, Liberation Station, Esplanade, St. Helier JE2 3AS, Channel Islands (where the role is with our legal services business)
 - (ii) Maples Fiduciary Services (Jersey) Limited, 2nd Floor The Le Gallais Building, 54 Bath Street, St. Helier, Jersey JE1 1FW, Channel Islands (where the role is with our other areas of business)
- (c) Luxembourg
 - (i) Maples and Calder (Luxembourg) SÀRL, 6D route de Trèves, Senningerberg, L-2633 Luxembourg (where the role is with our legal services business)
 - (ii) MaplesFS (Luxembourg) S.A., 6D, route de Trèves, Senningerberg, L-2633 Luxembourg (where the role is with our other areas of business)
- (d) Netherlands
 - (i) Maples Fiduciary Services (Netherlands) B.V., Tower A, Level 12, Strawinskylaan 1209, 1077 XX Amsterdam, Netherlands
- (e) United Kingdom
 - (i) Maples and Calder, 200 Aldersgate Street, London EC1A 4HD, United Kingdom (where the role is with our legal services business)
 - (ii) Maples and Calder, 75 St. Stephen's Green, Dublin 2, D02 PR50, Ireland (where the role is with the London branch of Maples and Calder's Irish partnership)
 - (iii) Maples Fiduciary Services (UK) Limited, 200 Aldersgate Street, London EC1A 4HD, United Kingdom (where the role is with our fiduciary services business)

2.2 If you have applied for a job which is advertised by our HR department in Europe but the location of the role is not specified in the job description (or the job description specifies multiple possible locations or the job description specifies a location outside Europe), the responsible entity will be:

- (a) Maples and Calder, 75 St. Stephen's Green, Dublin 2, D02 PR50, Ireland (where the role is with our legal services business)
- (b) Maples Fiduciary Services (Ireland) Limited, 32 Molesworth Street, Dublin 2, D02 Y512, Ireland (where the role is with any other part of our business)

3 What sort of personal information about me does Maples collect?

3.1 The types of personal information which we collect in connection with our recruitment process will vary depending on various factors, including your personal circumstances, the progress you make in the recruitment process, and the laws of the country in which the role you applied for is based, but it can include any combination of the following types of personal information about you:

- (a) your contact details such as title, name, home address, personal email address, and personal phone number;
- (b) information about your skills, experience, and qualifications, including academic history and employment history, and any other information you include in your CV or otherwise provide to us in connection with your job application;
- (c) information about your personality, character, temperament, and demeanour;
- (d) your performance in technical assessment(s), aptitude / psychometric test(s), and other assessments we may ask you to undertake;
- (e) recording of any interactive or non-interactive video interview we may ask you to take part in;
- (f) information about the expectations you have in respect of the position you applied for, such as the type of employment sought, type of work you wish to perform, and your desired salary level;
- (g) information about your personal circumstances, such as your availability for interviews, your notice period, your reasons for applying to Maples, and any adjustment you require in attending interviews or taking up a position within Maples;
- (h) technical information such as the IP address from which you access our website, the type and version of browser you use to access our website, type of device you use to access our website, and so on (to the extent you apply to us through our careers website); and
- (i) information about you which we are obliged to check or monitor for legal or regulatory reasons, such as information relating to your identity, nationality, visa / work permit, credit worthiness, bankruptcy record, criminal record, ethnicity, disability, sexual preference, and race / ethnicity (to the extent permitted under the laws of the country in which the role is based).

3.2 We will collect your personal information only where we are legally permitted to do so, and only to the extent it is appropriate and necessary for one or more of the purposes described in Section 4.

4 Why does Maples collect my personal information and what are the legal justifications?

4.1 We handle your personal information for the following purposes:

- (a) **HR Administration.** To ensure that we effectively manage and administer all aspects of our recruitment process, and to ensure the fairness in our recruitment process.
- (b) **Business Administration.** To facilitate our day-to-day business operation in general, including in relation to matters such as business planning and budgeting.
- (c) **Corporate Governance.** To manage our risks and safeguard the assets, reputations, and other rights and interests of the Maples Group as well as that of our workforce, clients, and other stakeholders.

- (d) **Legal and Regulatory Compliance.** To ensure our compliance with all relevant legal, regulatory and contractual requirements, including the following:
- (i) requirements that apply to us in our capacity as an employer, including those that relate to immigration, equal opportunity, anti-discrimination practices, health and safety at work, and integration of workers with disability or illness;
 - (ii) requirements that apply to us as a regulated business and which are imposed or enforced by regulators such as the Central Bank of Ireland and Commission de Surveillance du Secteur Financier;
 - (iii) requirements which are imposed or enforced by other public authorities, such as tax authorities, police and other law enforcement bodies, and courts and tribunals; and
 - (iv) any other legal duty which we owe to our workforce, clients, and other stakeholders, whether such duty is rooted in statute, contract, or tort.

4.2 As part of the aforementioned purposes, we may, depending on the role you have applied for and to the extent this is permitted under the laws of the country in which the role is based, use your personal information to perform the following:

- (a) background checks (including verifying your academic / professional credentials, employment history, credit history, and any criminal record you may have). We may conduct cursory background checks at any point during your application process, but we will conduct thorough background checks only if you are successful in your application, after you have accepted our offer. Please note that the background checks we perform include an internal reference check whereby existing staff members of certain seniority are invited to comment on your application;
- (b) technical assessments and psychometric assessments (aptitude tests). We may use such assessment to profile your abilities, personality traits, leadership potential and so on, with a view to better gauging your fit with our organisation. If we ask you to take part in such assessment, further explanation will be provided by our HR department. Please note that such assessment will never be fully automated and the outcome of such assessment will always be reviewed manually to ensure consistency and fairness;
- (c) video recording of your interview. To improve the consistency and efficiency of our hiring process, we may ask you to take part in one or more video interviews. This can be a one-way interview (where we ask you to record a video of your response to a set of standardised questions), or it can be a two-way interview (where we record your live interaction with our interviewer). If we ask you to take part in video interview, further explanation will be provided by our HR department; and
- (d) statistical analysis to inform our decision making, for example by measuring and benchmarking skills, experience, academic and professional qualifications, and salary expectations of our job applicants.

4.3 Where we handle personal information of a sensitive nature (such as information concerning your health or disability, sexual preferences, race / ethnicity, or any criminal record you may have), we will do so only where this is strictly necessary and legally permitted, for example to monitor our

compliance with laws concerning equal opportunity and anti-discrimination practices, or to discharge our regulatory obligation to ensure the fitness and probity of individuals we employ in certain roles.

4.4 In handling your personal information for the aforementioned purposes, we rely on the following legal justifications:

- (a) **Contractual Necessity.** This justification comes from Article 6(1)(b) of GDPR and we rely on it where we handle your personal information in order to evaluate your job application and make you an offer if you are successful. This is the case where we handle your personal information for the purpose of HR Administration;
- (b) **Legitimate Business Interest.** This justification comes from Article 6(1)(f) of GDPR and we rely on it where we need to handle your personal information in order to operate, manage, and develop our business (provided that we can strike the right balance between our interests and your interests; you can learn more about how we do this by contacting us – see Section 13). This is typically the case where we handle your personal information for the purposes of Business Administration and Corporate Governance;

Important Note: Where we rely on Legitimate Business Interest to handle your personal information and you feel that what we are doing with your personal information is unwarranted in light of your personal circumstances, you have the legal right to object. Please see Section 12 for further information.

- (c) **Legal and Regulatory Requirement.** This justification comes from Article 6(1)(c) of GDPR and we rely on it where we handle your personal information for the purpose of Legal and Regulatory Compliance; and
- (d) **Consent.** This justification comes from Article 6(1)(a) of GDPR and we rely on it where we handle your personal information based exclusively on your permission. We would not ordinarily rely on Consent, but occasionally, where none of the other legal justifications are available to us, we may choose to rely on Consent.

Important Note: Where we rely on Consent to handle your personal information, you can expect us to explain what you are being asked to agree to, and you will be able to decide freely without being penalised in any way for your choice. You can also withdraw your consent at any time should you subsequently change your mind.

5 How does Maples obtain my personal information?

5.1 We obtain much of your personal information directly from you, but depending on your circumstances and what is permitted under the laws of the country in which the role you have applied for is based, we may obtain your personal information indirectly from a range of sources.

5.2 Sources from which we might obtain your personal information include, without limitation, the following:

- (a) those who have put you forward as a candidate (e.g. recruitment agency or temporary staffing agency);

- (b) those who provide references for you (e.g. academic institutions you have attended, your former employer, or your previous client);
- (c) websites where you have voluntarily made your personal information publicly accessible (non-exhaustive examples of such websites include Blogger, Facebook, LinkedIn, Tumblr, Twitter, and Xing);
- (d) publicly accessible registers and databases, such as registers of shares, registers of companies and partnerships, database of journals and news articles, and so on; and
- (e) providers of background check and business risk screening services, including credit reference agencies and operators of criminal records database (in some cases they can include authorities such as government departments and the police).

6 Do I have to allow Maples to collect my personal information?

- 6.1 Where we handle your personal information by relying on the legal justification of Contractual Necessity or Legal and Regulatory Requirement, we will in most cases have to insist that you provide us with your personal information that we request.
- 6.2 In such cases, if you refuse to provide your personal information when requested by us, your refusal can adversely affect our ability to assess your job application and in an extreme case, we may have to reject your job application (as allowable by law).
- 6.3 In all other cases, it is not mandatory for you to provide any personal information which we ask you to provide or for you to agree to us handling your personal information in any particular way.
- 6.4 For the avoidance of doubt, where we handle your personal information by relying on Consent as the legal justification, you can revoke your consent at any time you wish without worrying about the consequences of your choice.

7 Does Maples share my personal information with others?

- 7.1 We will share your personal information with others only if and to the extent this is appropriate and necessary for one or more of the purposes outlined in Section 4. Recipients who might receive your personal information from us will vary depending on your circumstances, but the potential recipients can be grouped into the following categories:
 - (a) recruitment agency, temporary staffing agency, and other like third parties who put you forward as a candidate;
 - (b) academic institutions you have attended, your former employer, your previous client, and other like third parties we contact in order to obtain your reference and to validate your academic history and employment history;
 - (c) companies, trusts, and partnerships that belong to the Maples Group, including those who influence or determine the overall direction of the Maples Group's business as well as those who perform any of the support roles described in paragraph (d);
 - (d) those who support our business operation and HR Administration (e.g. data centre operators, IT service providers, providers of background check and business risk

screening services, providers of video interviewing platforms, providers of candidate assessment / testing services, etc.); and

- (e) government departments and agencies, police, regulators, courts, tribunals, and other like authorities with whom we are legally obliged to share your personal information, or with whom we voluntarily share your personal information (where this is legally permissible and there is a good business reason for doing so).

8 Does Maples transfer my personal information outside Europe?

- 8.1 Due to the international nature of our business operation and the markets in which we operate, your personal information may be transferred outside Europe to any of the different categories of recipients described in Section 7, who could be located anywhere in the world, including, without limitation, the Cayman Islands, the British Virgin Islands, Dubai, Canada, the USA, Hong Kong, and Singapore.
- 8.2 These overseas destinations, in particular those outside Europe, may not have laws that protect your personal information in the same way data protection laws of Europe do. This does not mean that your personal information is inevitably put at risk but it can mean that there is less formal legal protection for your personal information.
- 8.3 Where we share your personal information with recipients who are located outside Europe, we will, wherever possible, take all appropriate steps that are within our control to ensure that adequate legal safeguards are in place for your personal information which are shared with such recipients (for example, we may adduce such safeguards by obtaining contractual assurances from the recipients).
- 8.4 Where we are unable to put in place such adequate safeguards, we may nevertheless share your personal information with such recipients but we will do so only to the extent the applicable legal exemptions permit us, and we will ensure that any of your personal information we share with such recipients is kept to the minimum necessary.

9 Will my personal information be kept secure by Maples?

- 9.1 We take information security very seriously and we use a broad range of tools and techniques to prevent and detect incidents that might adversely affect our information, such as unauthorised access or disclosure, and accidental change or loss, whether they are caused by external factors or internal factors.
- 9.2 The tools and techniques we use include technical measures such as firewalls, backup and disaster recovery systems, antimalware, and encryption, as well as other measures such as vetting of suppliers who are entrusted with our information, awareness training for our workforce, and the continuous evaluation and enhancement of our information security controls.

10 What would Maples do if a data breach happens?

- 10.1 In the unlikely and unfortunate event your personal information under our control becomes compromised due to a breach of our security, we will act promptly to identify the cause and take the necessary steps to contain and mitigate the consequences of the breach. Where appropriate, we will also notify you of the breach in accordance with GDPR and any other applicable law which requires us to notify you of the breach.

11 How long will Maples retain my personal information?

- 11.1 If you are successful in your job application and you accept the offer we make, your personal information will be incorporated into and retained as part of records kept by our HR department.
- 11.2 If you are unsuccessful in your job application, then unless you object, we will retain your personal information typically for up to one year (as allowable by law) so that we may contact you in case we identify an alternative career opportunity at the Maples Group which we consider to be suitable for you.
- 11.3 Where we identify a need to retain your personal information for any other reason (e.g. to defend ourselves from any legal claim or dispute that arises in connection with your job application), we reserve the right to retain your personal information for a longer period, for as long as we are legally permitted to do so.

12 What rights do I have in respect of my personal information?

- 12.1 Under GDPR and equivalent data protection law that apply in Europe, you have certain legal rights in respect of your personal information handled by us. These include the following:
- (a) the right to ask us to confirm whether or not we handle any personal information about you;
 - (b) the right to ask us to provide you with copies of your personal information we hold (including, where applicable, the outcome of any assessment(s) we ask you to undertake and any footage of your video interview(s));
 - (c) the right to ask us to provide you with soft copy of personal information you provided to us (or to forward them to any other person you specify);
 - (d) the right to ask us to correct any inaccuracy or incompleteness in your personal information we hold;
 - (e) the right to ask us to delete your personal information we hold;
 - (f) the right to ask us to refrain from handling your personal information where you feel that the handling of your personal information by us is unwarranted, for example due to inaccuracies in your personal information or lack of proper legal justification; and
 - (g) the right to object to how we handle your personal information, for example by asking us not to use your personal information to profile you or to subject you to automated decision-making. You can also object to us using your personal information for direct marketing purposes.
- 12.2 Additionally, where we use your personal information by relying on your consent, you have the right to withdraw your consent at any time, but please note that if you revoke a consent you have previously given, we won't always be able to undo what we have done by relying on your consent.

Important Note: The rights you have in respect of your personal information are not absolute and are subject to a range of legal conditions and exemptions. If and to the extent a relevant legal condition or exemption applies, we reserve the right not to comply with your request. Additionally, while the rights you have can normally be exercised free of charge, the law allows us to charge you in certain limited circumstances. In such cases, we reserve the right to charge you a fee for processing your request.

13 Who can I contact about my personal information?

- 13.1 If you would like to exercise any of the rights you have in respect of your personal information, or if you have any question or concern regarding the way in which we handle your personal information, then in the first instance please contact the person from our HR department you have been liaising with. If you haven't had any direct contact with our HR department yet, please contact:
- (a) careers@maples.com if you have applied to work for the Maples Group legal services business; or
 - (b) careers.eu@maples.com if you have applied to work for any other part of the Maples Group.
- 13.2 If you have a complaint regarding the way in which we handle your personal information, please contact privacy@maples.com.
- 13.3 We will endeavour to respond satisfactorily to any request, query, or complaint you may have in respect of your personal information, but if you are dissatisfied with our response and wish to make a formal complaint, or if you simply wish to learn more about your rights, you can contact the data protection authority of the country in which you live or the data protection authority of the country in which the role you applied for is based:
- (a) Ireland
Data Protection Commission
Canal House, Station Road, Portarlinton, Co. Laois, R32 AP23, Ireland
<https://dataprotection.ie/>
 - (b) Jersey
Office of the Information Commissioner
Brunel House, Old Street, St Helier, Jersey JE2 3RG
<https://oicjersey.org/>
 - (c) Luxembourg
Commission Nationale pour la Protection des Données
1, avenue du Rock'n'Roll, L-4361 Esch-sur-Alzette, Luxembourg
<https://cnpd.public.lu/>
 - (d) Netherlands
Autoriteit Persoonsgegevens
Postbus 93374, 2509 AJ Den Haag
<https://autoriteitpersoonsgegevens.nl/>

(e) United Kingdom

The Information Commissioner's Office
Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF
<https://ico.org.uk/>