

PRIVACY STATEMENT



TRACKS EXECUTIVE INTELLIGENCE B.V.

(TRACKS EXECUTIVE SEARCH)

Privacy Statement

This document explains how, in what way and for what purposes we collect, process, edit and save personal information¹ and sensitive² information about our candidates, clients, suppliers and staff.

GENERAL DATA PROTECTION REGULATION

Tracks are a leading executive search firm and trusted partner to organizations in and sometimes outside the European Union. From our offices in Amsterdam, we are retained to provide executive search and related services (leadership assessments, salary surveys, executive

¹ "Personal Information": any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier.

² "Sensitive information": data consisting of racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic data, biometric data, data concerning health or data concerning a natural person's sex life or sexual orientation.

pipeline management, on-boarding services, leadership development etc.) to these organisations. Collecting, processing³ and assessing information of individual people (candidates) on behalf of organisations (clients) is therefore part of our core activity.

We respect the privacy both of our candidates and our clients and are committed to protecting their personal data and information in compliance with GDPR, the General Data Protection Regulation (in Dutch: AVG, de Algemene Verordening Gegevensbescherming) .

The GDPR applies to ‘controllers’ and ‘processors’ of personal information:

- A controller determines the purposes and means of processing personal data.
- A processor is responsible for processing personal data on behalf of a controller.

Tracks (full name: Tracks executive intelligence b.v.), Apollolaan 151-209, Amsterdam, registered with the Amsterdam Chamber of Commerce under registration number 33.26.43.41, is the legal entity that acts as the ‘controller’ in this context.

Legitimate interest

We are typically retained by organisations to search and place on their behalf candidates for permanent or interim executive and management positions. In the course of that process we might assess your potential qualification for client vacancies via publicly available sources, among which news sites, business publications, social media services (e.g. Facebook, Google, LinkedIn, Twitter, etc.), prior to our first point of contact with you. Such assessment is necessary to provide our services and we know of no alternative approach that could meet the same end without processing personal data. Any resulting information will be considered Personal Information and be processed with the same scrutiny and under the same security measures as described below.

We may retain this information for a prolonged period of time, but not longer than 36 months, after which we will either delete said information or contact you, inform you about the purpose for information retention and ask for your consent.

Consent

Either at your own initiative or at our specified request, you may voluntarily provide us with personal information regarding your professional background and ambitions, your business interests or any other personal information that you may consider relevant for the assessment of your suitability for certain vacancies. For the same assessment purposes, we may search for additional information on your background either through publicly available sources, among which news sites, business publications, social media services (e.g. Facebook, Google, LinkedIn, X, etc.), through confidential referrals or references or as

³ “Processing” (and variations such as “Process”) means any operation or set of operations which is performed on Personal Information

a part of client feedback obtained during the hiring process. Any resulting information will be considered Personal Information and, in so far relevant to our core activities be processed with the same scrutiny and under the same security measures as described below.

In the course of assessment or hiring processes we may conduct interviews with you or may otherwise engage in direct communication with you and we may take notes of such communications. Any resulting information will be considered Personal Information and, in so far relevant to our core activities be processed with the same scrutiny and under the same security measures as described below.

Purpose

We will process your Personal Information for the following purposes:

- To execute executive search assignments on behalf of clients
- To assess your qualifications for client vacancies
- To inform you of client vacancies that may match your ambitions and qualifications
- To introduce you to clients as a candidate for their current or future vacancies
- To verify your credentials through research and/or formal or informal reference checks.

Please be aware that such checks may include researching publicly available information obtained from social media or other public sources or information that you have disclosed to us on earlier occasions. Such information will only be collected and used insofar it is significant in relation to the assessment of qualifications for a specific vacancy.

- To provide on-boarding services to yourself and the client in which service you have been placed by us.
- To contact you as a (potential) client contact for our services
- To contact you as a source of information about industries/businesses you are familiar with or about potential candidates for third-party clients
- To operate the databases your Personal Information is stored in

Other than for the purposes mentioned above, your Personal Information will not be commercially exploited in any way.

Your Personal Information will be processed until

1. in the case of legitimate interest: the legitimate interest ceases to exist, in which cases we will delete your Personal Information within a period of six months, or
2. in the case of consent: until you revoke your consent. When you revoke your consent, we will delete your Personal Information from our databases.

Personal Information Processing

Your Personal Information might contain

contact details (name, address, phone number, email address, etc.),

biographical data,

information on your professional qualifications, employment history, compensation data, data that may help determine suitability for specific vacancies which we collect during our assessment of your professional background or personal life, including information from publicly available sources, among which news sites,

business publications, social media services (e.g. Facebook, Google, LinkedIn, X, etc.), through confidential referrals or references or as a part of client feedback obtained during the hiring process and any Sensitive Personal Information you might choose to disclose to us.

Your Personal Information will be controlled by Tracks, but will be processed with third parties. It will or may be:

- stored in databases operated by Ezekia, database systems provided by Executives Place Ltd (t/a Ezekia) Churchill House 137-139 Brent Street London NW4 4DJ. The databases are hosted on a secure server in The Netherlands, other EU countries or the United Kingdom.
- accessible to Tracks consultants, researchers and administrative staff, either on payroll or contracted via a management company. In either case, they will be held to secrecy by contractual confidentiality clauses; For efficiency reasons Tracks consultants or researchers may
 - o retain and use your contact information on personal devices such as smartphones
 - o transfer your Personal Information through secured channels (currently Microsoft OneDrive or via Microsoft Outlook) and temporarily store it on separate devices (e.g. laptops) for the purpose of producing and editing confidential reports with regards to your candidacy for (a) client vacancy(ies)
- disclosed to clients in order to assess, together with such clients, your qualifications for a particular vacancy.

We will limit the information thus shared to what is necessary for this purpose. We will not disclose the entirety of your Personal Information or otherwise introduce you to any client in detail without first obtaining separate and specific consent from you.

Please be aware that some of the service providers referred to above, (e.g. Microsoft Azure and in the future maybe other similar service providers) and some of our clients we might disclose parts of your Personal Information to are located or may have legal entities in countries outside of the European Union and are themselves not bound by GDPR. Countries your Candidate Information, or parts thereof, might be transferred to in accordance with the above may not be found to provide an adequate level of protection by jurisdictions outside of the European Union. By declaring your consent as set forth below you therefore explicitly and unambiguously (a) agree that your Candidate Information, or parts thereof, may be disclosed or otherwise transferred, as described above, to recipients in countries that may provide different, less or even inadequate protection of personal data as compared to the standards applicable under GDPR, and (b) waive protection according to such standards with respect to the information so disclosed or transferred.

Data Security

Protecting your Personal Information is important to us. We use appropriate technical and organizational measures and safeguards designed to help prevent unauthorized access, unlawful Processing, and unauthorized or accidental loss of your Personal Information. This includes, for example, the encryption of your data on Microsoft servers and the use of a GDPR compliant processor such Executive Places Ezekia.

Your Right to Information

You have the right to request from us access to your own personal information. This is sometimes known as 'Subject Access Request'. Additionally, you have the right to request from us:

- that any inaccurate information we hold about you is corrected
- that information about you is deleted in certain situations
- that we stop using your personal information for certain purposes
- that your member profile is provided to you in a portable format
- that decisions about you are not made by wholly automated means

Many of the rights listed above are limited to certain defined circumstances and we may not always be able to comply with your request. We will tell you if this is the case. You also have the right to ask us not to process your personal data for direct marketing. We do not disclose your information to any third party for this purpose. If you choose to make a request to us to exercise any of these rights, we will aim to respond to you as soon as we reasonably can but no later than one month. We will not charge a fee for dealing with any reasonable request.

If you are unhappy with how we are using your personal information or if you wish to complain about how we have handled a request, then please contact our Data Protection Officer via WKN@tracks.nl and we will try to resolve your concerns. You also have the right to complain to your local Data Protection Authority. A full list can be found here http://ec.europa.eu/justice/data-protection/article-29/structure/dataprotectionauthorities/index_en.htm

Amendments to This Policy

From time to time we may change our business activities and/or our policies and procedures with respect to the Processing of Personal Information. Where appropriate in these cases, we will, subject to applicable law, revise, supplement, or replace this Policy. When the Policy changes, we will post the substitute version and change the effective date listed at the beginning of the Policy.

When required by applicable law, however, we may provide you with advance notice of any changes to this Policy and with an opportunity to object to such changes. If you exercise your right to object, the changes will not become effective with respect to your Personal Information, but your ability to use our Services may be terminated or impaired. We will explicitly notify you of the consequences of the objection or non-objection to the extent and in the manner required by law.

How to Contact Us

We encourage your questions and comments about this Policy and our privacy practices. Please contact us using the information below, and we will respond to you as soon as reasonably possible:

Tracks executive search
c/o Data Protection Officer
Apollolaan 151-209
1077 AR Amsterdam
privacy@tracks.nl