

PERSONAL DATA PROTECTION POLICY

IN THE COMPANY:

GOTECH
SPÓŁKA Z OGRANICZONĄ ODPOWIEDZIALNOŚCIĄ

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GOTECH Sp. z o.o.
PREZES
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Approved by

CHAPTER I: PRINCIPLES

I. PURPOSES OF PERSONAL DATA PROTECTION POLICY

1. The Personal Data Protection Policy has been established in connection with the requirements included in 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 the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) - hereinafter referred to as: **“GDPR”**
2. For the purposes of this document the following definitions shall apply:
 - a) **Policy** - this Personal Data Protection Policy.
 - b) **Company** - GOTECH Sp. z o.o. with its registered office in Gorzów Wlkp., ul. Podmiejska Boczna 6, 66-400 Gorzów Wlkp., entered into the register of entrepreneurs of the Nation Court Register under the number KRS 0000171772, Tax identification number (NIP) 5992107027, REGON number 210421093.
 - c) **Personal Data** - any information relating to an identified or identifiable nature person (“data subject”); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name and a surname, 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.
 - d) **Processing** - any operation or set of operations which is performed on personal data or on 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 making available, alignment or combination, restriction, erasure or destruction.
 - e) **Filing system** - any structured set of personal data which are accessible according to specific criteria, whether centralised, decentralised or dispersed on a functional or geographical basis.

II. EESSENTIAL PRINCIPLES

The Company is implementing this Policy to ensure that personal data collected to be processed shall be:

1. processed lawfully, fairly and in a transparent manner in relation to the data subject;
2. collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
3. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
4. accurate and, where necessary, kept up to date;
5. kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed;
6. processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

III. CONSENT TO THE PROCESSING OF PERSONAL DATA

1. The Company processes personal data for basic purposes on the basis of a consent given by the data subject.
2. The consent may be given in writing or by means of distance communication.
3. The data subject shall have the right to withdraw his or her consent at any time. However, the withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.
4. The consent to processing personal data may be given only by a person who has attained the age of 18. Where the person is below 18 years old, the consent must be given by his or her statutory representative who acts on their behalf.

IV. OTHER BASES FOR PERSONAL DATA PROCESSING

The Company may also process personal data if:

1. processing is necessary for the performance of a contract to which the data subject is a party or in order to take steps at the request of the data subject prior to entering into a contract;
2. processing is necessary for compliance with a legal obligation to which the Company is subject;
3. processing is necessary in order to protect the vital interests of the data subject or of another natural person;
4. 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 Company;

5. processing is necessary for the purposes of the legitimate interests pursued by the Company 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, in particular where the data subject is a child.

V. ACCESS TO PERSONAL DATA

1. The data subject shall have the right to obtain from the Company confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, access to the personal data and the following information:
 - a) the purposes of the processing;
 - b) the categories of personal data concerned;
 - c) the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations;
 - d) where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
 - e) where the personal data are not collected from the data subject, any available information as to their source;
 - f) the existence of automated decision-making, including profiling, and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.
2. At the data subject's request the Company shall provide a copy of the personal data undergoing processing. For any further copies requested by the data subject, the Company may charge a reasonable fee based on administrative costs.
3. Where the data subject makes the request by electronic means, and unless otherwise requested by the data subject, the information shall be provided in a commonly used electronic form.

VI. RECTIFICATION OF PERSONAL DATA

The data subject shall have the right to obtain from the Company without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

VII. ERASURE OF PERSONAL DATA ('BE FORGOTTEN')

1. The data subject shall have the right to obtain from the Company the erasure of personal data concerning him or her without undue delay and the Company shall have the obligation to erase personal data without undue delay where one of the following grounds applies:

- a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
 - b) the data subject withdraws consent on which the processing is based and where there is no other legal ground for the processing;
 - c) the data subject objects to the processing and there are no overriding legitimate grounds for the processing;
 - d) the personal data have been unlawfully processed;
 - e) the personal data have to be erased for compliance with a legal obligation in European Union or the Polish law;
 - f) the personal data have been collected in relation to the offer of information society services;
2. Where the Company has made the personal data public and is obliged pursuant to the above provision to erase the personal data, the Company, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform all other controllers which are processing the personal data that the data subject has requested the erasure by such controllers of any links to, or copy or replication of, those personal data.
3. The Company shall have the right to refuse to erase the personal data, in whole or in part, if the processing is necessary:
 - a) for exercising the right of freedom of expression and information;
 - b) for compliance with a legal obligation which requires processing by the Polish law to which the Company is subject;
 - c) or the establishment, exercise or defence of legal claims.

CHAPTER II: ESSENTIAL MATTERS

1. PERSONS ENGAGED IN THE PROCESSING OF THE PERSONAL DATA

1.1. PERSONAL DATA CONTROLLER

The Company is the personal data controller.

The Company's processing activities are carried out by the Management Board in accordance with its authorization to represent the Company externally.

1.2. PERSONAL DATA FILING SYSTEM

The Company divides the personal data held and processed into filing systems that are created based on the key feature of the data subject, or the content of the system, or the method of obtaining data for a given system.

Only people authorized to process a given data filing system can have access to it.

The list of data filing systems is attached as **Appendix 1** to the Policy.

1.3. Persons authorized to process personal data

The Company keeps records of persons authorized to process personal data along with an indication of the purposes of the specific authorization and personal data filing systems to which the authorization applies.

Records of persons authorized to process personal data are kept in writing and may also be kept in electronic form.

Written form is attached as **Appendix 2** to the Policy.

Authorization shall be issued and withdrawn in writing.

The authorization template is attached as **Appendix 3** to the Policy.

Each person authorized to process personal data shall be obliged in writing to maintain confidentiality with regard to those data.

The declaration template of the authorized person is attached as **Appendix 4** to the Policy.

1.4. Processors

The Company may entrust the processing of personal data to another entity only by way of an agreement concluded in writing or electronically, in accordance with the requirements indicated for such agreements in art. 28 GDPR.

Before entrusting the processing of personal data, the Company, as far as possible, obtains information about the previous practices of the processing entity regarding the protection of personal data.

The list of processors with whom the Company cooperates is attached as **Appendix 5** to the Policy.

2. THE TYPES OF PERSONAL DATA PROCESSED

The Company, in various situations, processes or can process the following types of personal data:

1. Name and surname,
2. Address of permanent residence, domicile address, address for letters,
3. Personal Identification number (NIP, PESEL);
4. ID card number;
5. Contact details: telephone numbers, e-mails, business cards.;
6. Limited financial data - bank account number, bank name, information about mortgage;
7. Limited health data.
8. Limited data on the degree of disability.
9. IP addresses.
10. Occupational powers

It is not prohibited to process other data than only those indicated above, but each time it must be done either on the basis of the consent referred to in Chapter I Point III or on one of the other grounds indicated in Chapter I Point IV.

Furthermore, for the purposes of a contract to be concluded or a contract which has been concluded, the Company shall have the right to collect personal data of a specific nature concerning the data subject's health - for the purposes of concluding an employment contract or a similar contract. In such a case, prior to collecting and processing such personal data, the Company shall be obliged, each time, to obtain the data subject's consent in accordance with Article 9(2)(a) GDPR.

3. PERSONAL DATA CARRIERS AND COMPUTER SYSTEMS

As part of the processing of personal data, the Company will use the following data carriers:

1. Paper documentation;
2. Hard disks;
3. Mobile phones;
4. Flash drives;
5. DVD / CD discs.

IT systems and computer programs that are used or will be used:

1. Online mailboxes;
2. Web applications;
3. Office and specialist packages.

4. ROOMS WHERE PERSONAL DATA ARE PROCESSED

4.1 Rooms

In terms of organizational and technical security, this Policy applies to the registered office of the Company and all real estates under the direct control of the Company - trading posts, agencies, branches, field office etc.

The principles of rooms management in terms of personal data processing are as follows:

1. The rooms in which the personal data filing systems are located shall remain under personal supervision of the persons authorized to process the data.
2. The personal data are stored, kept and processed in files, indexes, books, lists and other similar filing systems.
3. Prior to leaving the room in which any personal filing systems are stored, the filing system shall be moved to an appropriately secured, lockable place (cabinet, locker, drawer etc.).
4. If it is known that a person who supervises the room in which personal data filing systems are located will be absent, the room shall be locked.
5. Only the persons authorized to process personal data have access to the keys of the cabinets where personal data are stored.

4.2 Video surveillance

The buildings, their immediate surroundings and internal common parts (excluding bathrooms and toilets) may be covered by audio-visual surveillance.

The principles of using audio-visual surveillance:

1. In terms of audio-visual surveillance which covers employees of the Company, the Company shall inform its employees about this video surveillance in a manner customarily accepted. This shall not apply to the audio-visual surveillance existing before this Policy came into effect.
2. The recording from audio-visual surveillance may be stored for 30 days.

3. The rooms and the building surroundings covered by audio-visual surveillance shall be visibly marked with information that they are covered by audio-visual surveillance.

4.3 Keys

The Company has implemented the internal key management rules to allow access only to authorized persons.

The Data Controller or an authorized person issues and controls keys.

4.4 Clear desk policy

Each person authorized to process personal data:

1. is obliged to keep on the desk only those documents which are necessary at the time of performing a given task;
2. shall not leave the documents used at work so that an unauthorized third party can read even some parts of these documents;
3. shall not keep food and drinks on the desk;
4. is obliged after work to secure the documents in an appropriate place, including, if required, in a lockable cabinet or in a locker;
5. is obliged to destroy unneeded document in a way which makes it impossible to reproduce the information included therein, e.g. using a shredder.

4.5. The principles of setting monitors

Each monitor shall be set in view of the following conditions:

1. a monitor shall be set in a way which makes it impossible or to the maximum extent reduces the chance of reading information displayed on a computer screen by an unauthorized person;
2. a computer user should lock or change a display picture on a computer into neutral whenever an authorized third person could see information displayed on a computer screen;
3. each computer shall have a screen saver set up which activates after a computer is idle for 5 minutes and requires a password to wake a computer;
4. prior to leaving a room where computers and computer screen are located, a computer shall be turned off or locked in such a way that a password is required to wake it.

5. THE WAYS OF OBTAINING PERSONAL DATA

5.1. By phone

When personal data is obtained by phone, a representative of the Company who makes a telephone call is obliged:

1. to inform at the beginning of the conversation that it is necessary to collect and process the personal data for the purpose of concluding a contract and establishing future cooperation,
2. to indicate what personal data are necessary to conclude a contract,
3. to obtain, if necessary, an oral consent to the processing of personal data,
4. to inform where an individual may familiarize with the Information Notice on Personal Data Processing referred to in point 6 herein,
5. to deliver, during a subsequent contact with the data subject other than by phone e.g. personally, online or by mail, the Information Notice on Personal Data Processing referred to in point 6 herein or inform where an individual may download this document.

In case a consent to the processing of personal data is required:

- If a person with whom a representative of the Company contacts by phone gives an oral consent to the processing of the personal data, the establishment of cooperation is possible.
- If a person with whom a representative of the Company contacts by phone refuses to give an oral consent to the processing of the personal data, the establishment of cooperation is not possible and a representative of the Company is obliged to finish the conversation. In such a case, no personal data of this person shall be maintained and processed again in any form.

As a general rule, phone conversations are not recorded. In case of departure from this rule, a representative of the Company is obliged to inform the person at the very beginning of the call that the phone conversation is being recorded and that carrying on means that consent to the recording of the call has been given.

5.2. Online (particularly: by email)

When personal data is obtained online, in particular by email, text messaging, online communicators etc., a representative of the Company who uses this mean of communication is obliged:

1. to inform the data subject, at the earliest possible opportunity, that it is necessary to collect and process personal data for the purpose of concluding a contract and establishing future cooperation,
2. to indicate what personal data are necessary to conclude a contract,
3. to obtain, if necessary, a consent to the processing of personal data in electronic form,
4. to send in electronic form the Information Notice on Personal Data Processing referred to in point 6 herein or to inform where an individual may download this document.

In case a consent to the processing of personal data is required:

- If a person with whom a representative of the Company contacts online gives a consent to the processing of the personal data in electronic form, the establishment of cooperation is possible.
- If a consent to the processing of personal data has not been given in a certain form, the establishment of cooperation is not possible and a representative of the Company is obliged to remove all personal data of this person which might have already been downloaded.

5.3. Personally

When personal data is obtained personally, e.g. in the business office of the Company, a representative of the Company is obliged:

1. to orally inform the data subject that it is necessary to collect and process personal data for the purpose of concluding a contract and establishing future cooperation,
2. to indicate what personal data are necessary to conclude a contract,
3. to obtain, if necessary, an oral consent to the processing of personal data,
4. to give the Information Notice on Personal Data Processing referred to in point 6 herein in paper form.

In case a consent to the processing of personal data is required:

- If a person with whom a representative of the Company contacts personally gives a consent to the processing of the personal data, the establishment of cooperation is possible.
- If a consent to the processing of personal data has not been given, the establishment of cooperation is not possible and a representative of the Company is obliged to return all carriers of personal data which might have already been collected.

5.4. By mail

When personal data is obtained by mail, a representative of the Company who uses this way of obtaining personal data is obliged:

1. to ensure that the documents being sent include information about necessary personal data to be collected and processed for the purposes of concluding a contract and establishing future cooperation, which may take a form of a contractual clause,
2. to ensure that the sent documents allow to give a consent to the processing of personal data, which may take a form of an appropriate contractual clause,
3. to enclose to the letter the Information Notice on Personal Data Processing referred to in point 6 herein in paper form.

In case a consent to the processing of personal data is required:

- If a person to whom a representative of the Company has sent a letter responds in the same way and gives a consent to the processing of personal data in an appropriate way, the establishment of cooperation is possible.
- If a person to whom a representative of the Company has sent a letter does not respond in any way within 30 days after the letter was sent, it is presumed that the person has not given a consent to the processing of personal data. As a result, the establishment of cooperation is not possible and a representative of the Company is obliged to remove all personal data of this person which might have already been collected. This also applies when the data subject has responded in any way to the letter and has not given a consent to the processing of personal data.

6. INFORMATION NOTICE ON PERSONAL DATA

The Company complies with all information duties concerning the processing of personal data specified in Article 13 and 14 GDPR by delivering the data subjects a standardized Information Notice on Personal Data.

The Information Notice on Personal Data may be given personally, sent online or by mail, depending on a chosen way of contact. Furthermore, an individual may familiarize with the content of this document by being informed about the place where it is possible to read and download it e.g. the Company's website.

The template of the Information Notice on Personal Data as of the date of the last review of the Policy constitutes **the Appendix 6**.

CHAPTER III: EMPLOYEES

This chapter is devoted to the special rules of personal data processing of employees. In the unregulated area, the provisions of Chapter I and II of the Policy are applicable.

1. The type of employees' personal data

The Company processes or can process the following types of employees' personal data:

- a) name and surname,
- b) contact details;
- c) identification number;
- d) bank account number;
- e) family data;
- f) basic health data;
- g) employment record;
- h) education;
- i) interests.
- j) Occupational powers

2. The types of personal data sub-systems which include the employees' personal data

The Company divides the filing system of employees data into sub-systems, which are created based on a distinctive key feature due to the content of this sub-system, or the method of obtaining data for a given sub-system.

Only people authorized to process a given sub-system can have access to it.

The following sub-systems have been created in the Company:

- a) Personal files,
- b) Payrolls,
- c) Working time register,

3. IT systems and computer programs that are used or will be used:

Additional IT systems and computer programs that are used or will be used in the processing of employees' personal data:

- a) Płatnik;
- b) HR and payroll system
- c) Accounting system

4. Rooms where employees' personal data are processed

Employees' personal data shall be able to be processed in the administration-office department.

It is allowed to transfer the employees' personal data to a third party for processing - an external accounting or HR company.

5. Activities of processing the employees' personal data

The Company undertake the following activities of processing the employees' personal data:

- a) Recruitment - downloading a CV questionnaire, a covering letter, a consent to the processing of personal data.
- b) Employment - signing of the contract, preliminary medical examination, health and safety training, employee questionnaire, declaration of being informed about health and safety regulations, downloading employment certificates from previous employment periods, ZUS registration form.
- c) Provision of work - verification of attendance, working time registration, payment of salaries, payment of public and legal liabilities, supervision of employee duties, use of holidays.
- d) Termination of work - issuance of a work certificate, payment of due benefits, ZUS de-registration form.

6. The description of the recruitment process

Recruitment takes place by placing an advertisement on a selected website or/and in the press or/and on the Company's website.

Based on the documents sent, the candidates are pre-selected.

Selected persons are invited for interviews to the head office of the Company.

The job interview is conducted by the Management Board and the head of the department which is recruiting.

Once the decision is made to employ a candidate, he/she is referred to the HR Department to accomplish all formalities.

The employment contract is signed by the Management Board or an authorized person.

7. The description of activities related to the termination of employment relationship

After the termination of the employment relationship, an employment certificate is issued immediately.

Personal files are archived at the head office of the Company.

The e-mail account is deactivated, the access keys are taken away.

Any Company property which an employee has in his/her possession are taken away.

8. The documents required from the employees during the employment

The documents required from the employees during the employment:

- a) Employment certificates,
- b) Diplomas, Certificates and Occupational Powers
- c) Statements about family members subject to insurance registration
- d) Medical certificate on the absence of contraindications as to the work
- e) Declaration on disability, on the willingness to exercise the right to care for a child, on familiarizing themselves with health and safety regulations, on transferring salary to a bank account

Documents are completed in the HR department of the Company.

Personal files are created and kept in paper form.

Personal files are stored in a lockable cabinet.

9. Pay slips

The pay slips are distributed in a way that prevents third persons from reading them.

They are distributed individually to each employee by an authorized person.

CHAPTER IV: REGISTERS AND RECORDS

1. The register of activities concerning the processing of personal data

Pursuant to Article 30(5) GDPR the Company is freed from the obligation of creating and maintaining the register of personal data processing. The Company employs fewer than 250 persons and the processing it carries out is not likely to result in a risk to the rights and freedoms of data subjects, the processing does not include special categories of data or personal data relating to criminal convictions and offences.

2. The register of persons authorised to process personal data and their powers

The Company creates and maintains a register of persons authorized to process personal data, which constitutes **Appendix 1** to the Policy.

CHAPTER V: SAFETY MEASURES

The Company creates and maintains the following registers on an ongoing basis:

- a) the measures of personal data protection other than the information systems of persons authorized to process personal data, which constitutes Appendix 7 to the Policy.
- b) the means of protection personal data in the information systems, which constitutes **Appendix 8** to the Policy.