

## PRIVACY POLICY – Career Module Version 1.2

The “Career Module”, accessible through the FreeHour App, allows students and registered users to submit CV’s to third parties that choose to advertise vacancies through the FreeHour app. For a better understanding of the functionalities and features of the Career Module, we encourage you to access and review the Career Module Terms of Service. We will be required to use and process personal data to be able to provide you with the functionalities of the Career Module and to generally provide you with the service that you expect of us. Since your privacy and the protection of personal data is fundamentally important to us, the following constitutes the privacy policy of FreeHour, prepared in accordance with the provisions of Article 13 and 14 of the GDPR, and essentially clarifies our data handling practices.

### 1. Who are we; what does this policy cover; who is the data controller?

**FreeHour Limited**, a company registered under the Laws of Malta, bearing company registration number C 82326 (“we”, “us” or “FreeHour”) operates a platform, accessible through a mobile application which is essentially aimed for students to keep the schedule of lectures (timetable) readily available in electronic format. Moreover, this application allows students to easily check and confirm the availability of their friends during specific hours. FreeHour has added a new feature to the FreeHour App which allows students and registered users to submit CV’s to third parties that choose to advertise vacancies through the FreeHour app. For ease of reference, we shall refer to (a) the mobile app as “the FreeHour App”, (b) to the functionalities and parts of the FreeHour App that deal specifically with job adverts and the upload of CVs as “the Career Module”, and (c) each third party that choose to advertise their job vacancies on the Career Module as “the Recruiting Entity”.

Unless otherwise stated (particularly in point 6 hereunder), FreeHour shall be deemed to be a data controller for the processing of personal data pursuant to the Career Module. Accordingly, the document applies to the processing of such personal data carried out by FreeHour in its capacity as data controller, and solely in those situations described in point 6 hereunder, as a joint controller.

This Privacy Policy is intended to solely govern and regulate the processing of personal data relating to the use of the Career Module. They should be viewed as supplementary to, rather than as replacing the Privacy Policy which govern the use of the FreeHour app in general. In the case of discrepancy between this specified Privacy Policy and the general Privacy Policy, this specified Privacy Policy take precedence and prevail.

This policy is intended to provide a high-level overview of the personal data that is collected by us whilst you are using the Career Module, and thus deals with:

- (a) how this personal data is collected;
- (b) why do we need to collect such personal data; and
- (c) how we comply with the provisions of laws relating to the protection of personal data as applicable to us, in particular Regulation (EU) 2016/679 (“GDPR”).

Throughout this document, we will be using certain specific terms. Since our intention is that this document is easily understood, we would like to clarify what these terms are intended to refer to. Naturally, if anything is unclear, please do not hesitate to get in touch with us.

In terms of the provisions of the GDPR, the term “personal data” is defined as ‘any information relating to an identified or identifiable natural person (‘data subject’)’. Furthermore, the term “processing” is also given a wide meaning and is defined as ‘any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means.’ This includes collection, recording, storage, adaptation, and use of personal data.

The personal data that we will be processing (always, in those situations relating to your use of the Career Module) can be divided into two broad categories, being:

- (i) personal data that relates to your details that you provided to us during the account opening process and/or registration details, specifically your (a) email, name and surname, (b) the school you are attending (or have attended) and details of the course you are reading for (or have graduated at) and (c) where you chose to do so, your profile picture (hereinafter "Account Personal Data"); and
- (ii) personal data that you upload, disclose, or otherwise choose to make available in order to apply for a job and/or submit your CV through the Career Module (hereinafter "the Additional Personal Data").

FreeHour is not responsible for the data processing practices of any Recruiting Entity, which may differ from the contents of this document. We encourage you to review the relevant privacy notices set out by Recruiting Entity before deciding to submit an application to a Recruiting Entity through the Career Module.

## **2. Do we process personal data? If so, what data and how?**

In order to provide a better answer to this question, we think that it will be beneficial if we first provided a high-level overview of how we have chosen to design the Career Module and the steps you need to take should you decide to apply for a job post.

The Career Module is divided into two (2) separate parts, as follows:

- (i) Each vacancy advert that we choose to publish for and on behalf of a Recruiting Entity can be viewed by accessing the "Vacancies" section in the FreeHour App. Each vacancy advert is displayed as any other advertisement. By clicking on a particular vacancy advert, you may seek and obtain more details about a particular vacancy;
- (ii) If you are interested to apply for a post and send your CV to the Recruiting Entity, you will be required to click on the "Submit your CV" button (or similar), which is a functionality that we enable and include within each vacancy advert. Once you do, you will be redirected to a separate website where you will be able to access more details about the Recruiting Entity, the vacancies which are available and, should you choose to do so, submit your CV (hereinafter "the External Page").

The personal data that we get or otherwise process depends entirely on how you choose to use the Career Module and interact with us, specifically as follows:

- (i) If you click on (a) the Vacancies section on the FreeHour App and/or (b) a particular vacancy advert displayed in our application and/or (c) access an External Page, we will keep a record that you have accessed that section or page and other data which we use to better optimise our service and your experience. We will retrieve this data automatically, meaning that you do not need to provide it to us. This personal data will consist of all that personal data that you provided to us during the account opening process and/or registration details, specifically your (a) email, name and surname, (b) the school you are attending (or have attended) and details of the course you are reading for (or have graduated at) and (c) where you chose to do so, your profile picture (hereinafter "Account Personal Data"). We will not share your Account Personal Data with any Recruiting Entity under any circumstance. This means that we will never inform any of the Recruiting Entity that a particular individual has accessed their vacancy advert on our FreeHour App and/or accessed an External Page. On the other hand, we may provide aggregated data to Recruiting Entities but this will consist entirely of anonymous data which falls outside the scope of the GDPR (this will show, for example that a particular advert and/or a specific External Page was accessed x number of times, 40% of which by University of Malta students and 60% by Junior College students);

- (ii) When you access an External Page, you will be asked again to (a) provide certain personal details, typically your name and contact details, (b) choose which job position you want to apply for and (c) upload your CV. For ease of reference, we shall refer to all the personal data you choose to upload or provide through the External Page as “the Additional Data”. Please keep in mind that the Additional Data will be submitted to the Recruiting Entity and thus make sure that you are comfortable with this before clicking on the “Submit” button (or similar).

In addition to the above, please note that we will also collect certain data about your device or browser automatically via log files, such as your Media Access Control (MAC) address, device ID, operating system name and version, browser type, and device manufacturer and model. We may also collect your IP address. We use data about your device to ensure our solutions (including the FreeHour App) functions properly, diagnose server problems, and administer our software solutions (including the FreeHour App) and the services we provide.

**IMPORTANT** – If you insert, upload, or otherwise provide us with personal data concerning third-party data subjects (such as in your CV), it is your responsibility to ensure that we are duly authorised to process such personal data, and that each third-party data subject has reviewed and agreed to the contents of this policy.

Do **not** include details that reveals your race or ethnic origin, political opinions, religious or political beliefs, trade union membership, genetic or biometric data, data concerning health or data concerning your sexual life or sexual orientation.

### 3. Why do we collect personal data and what is the legal basis for doing so?

The main scope of the Career Module is to (i) capture and collect data (including personal data) from users of the Career Module (including you, when you choose to do so) and (ii) facilitate the sharing of candidate details with a prospective employer (Recruiting Entity), as better explained and set out in the terms of use of the Career Module.

Subject to what is stated in point 2 above, the personal data that will be made processed for such purpose consists of Account Personal Data and Additional Details.

We need to process this type of personal data to administer and perform our services, including to carry out our obligations arising from the Career TOS.

Our legal basis to process such personal data is performance of a contract, in accordance with the provisions of Article 6(1)(b) GDPR.

Moreover, we will process other personal data when we have a proper reason for doing so, and particularly to manage your use of the Career Module, as further set out hereunder:

Purpose	Description	Legal Basis
Management of client relationship & customer support	to administer and perform our services, including to carry out our obligations arising from the Career TOS and any agreements entered into, and to engage third party contractors	contract performance; legitimate interests (to enable us to perform our obligations and provide our services to you).

Business Intelligence & Analytics	To collect and anonymise data for statistical and benchmarking purposes.	Legitimate interest (to improve user experience and our solutions).
Safeguard of our interests	to keep our software solutions and 4 infrastructure secure, including through identity management and security monitoring to detect, prevent and respond to suspicious activity, fraud, intellectual property infringement, misuse of the FreeHour App, violations of our terms or law and for other similar purposes;	legitimate interest (to safeguard our interests).
Business take-over	To make certain information available to third parties that may be interested in acquiring our business (either prior to or as part of the transaction). This includes, amongst others, any merger, sale, restructure, acquisition, joint venture, assignment, transfer, or other disposition of all or any portion of our business, assets, or stock.	Legitimate interests (to ensure that we are able to sell our business, should we decide to do so).

Prior to relying on legitimate interest as a legal basis for data processing, we have conducted a balancing test in accordance with the provisions of the GDPR.

*If you fail to provide personal information*

Whilst we respect your choice not to share personal data, please note that if you decide not to provide personal data, you will not be required to apply for a vacancy through the Career Module.

Please note that even if you choose not to provide personal data, we may still collect certain data, as outlined in our privacy policy.

**4. Do we share or make personal data available to third parties?**

As better explained above, we will share personal data relating to you when you choose to submit an application to a Recruiting Entity, by following the necessary instructions in the External Page.

The details and information you submit through the External Page (including your CV) is only sent and made available to the Recruiting Entity you have chosen to interact with. We will not share your information with other third parties, even if they are similarly seeking to recruit personnel through our Career Module. Moreover, we will only access the details you submit through the External Page to facilitate the transmission of such information to that particular Recruiting Entity, or to provide technical support or troubleshooting. We will not store or keep a database of CVs for future use.

All External Pages are created and hosted on Typeform.com, a reputable third-party platform provider. In giving us access to the platform and the functionalities of this solution, the said third party will inevitably have access to and process the personal data that you provide or upload whilst using the External Pages. For more information on the security measures implemented by Typeform.com, you may access their website or the following page directly: <https://www.typeform.com/help/a/security-at-typeform-360029259552/>. In terms of GDPR, the said third party is deemed to be a data processor.

Please note that we have executed a data processor agreement with the said third party operator in terms of Article 28 GDPR.

In addition to this, we will also share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you, and as otherwise provided hereunder.

We also share personal data with:

- (a) Third party service providers – from time to time, and always subject to us complying in full with Article 28 GDPR, we engage a number of third parties to provide us with certain services and in doing so, certain types of personal data may be required to be provided to such third-party service providers. These include third parties providing accountancy services, sales, and customer & IT support;
- (b) Regulatory authorities, departments or law enforcement agencies, when we are required, or permitted to do so by law;
- (c) Any other person or entity but solely when we are expressly authorised to do so, such as when you provide us with your consent; and
- (d) A prospective buyer or any of its advisors, where relevant, in the course of a due diligence exercise or as part of a corporate transaction.

## **5. Is the information transferred outside of the EEA?**

Currently, all personal data is processed in Malta and the European Economic Area (EEA). It is however possible that personal data will be made available or otherwise processed outside of the EU, namely when we engage third-party contractors.

If we do so, we will take adequate measures to ensure that personal data is safeguarded to the same standards as it would have been if processed in the EU, by relying on one of the following:

- (a) We will ensure that personal information is sent to a country that is considered to provide an adequate level of data protection, in terms of any adequacy decision adopted by the European Commission, in accordance with the provisions of article 45 of the GDPR;
- (b) We will enter into agreements that impose a legal obligation on the recipient to protect personal data in accordance with the provisions of the GDPR.

## **6. Joint Controller**

In legal terms, FreeHour and the Recruiting Entity are considered to be joint controllers in certain situations, but this is solely in relation to the processing of the Additional Data (and no other data) that may be made available by users when submitting an application through the External Page. For the avoidance of doubt, the Recruiting Entity is the sole controller of any processing that is carried out subsequently in relation to the hiring procedure (vetting, organisation of interviews, conclusion of contract, hiring etc).

An agreement has been entered between FreeHour and each of the Recruiting Entity complying with Article 26 GDPR. If you would like to exercise any of the data subject rights (as set in point 7 hereunder) you may get in touch directly with us, and we will handle any communication with the Recruiting Entity as may be necessary. Naturally this solely relates to situations where we are deemed to be joint-controllers along with the Recruiting Entity.

## **7. Data Subject Rights**

The GDPR grants data subjects a number of rights that can be exercised in certain circumstances, including:

- (a) Right of access (subject access request)
- (b) Right of rectification
- (c) Right of erasure
- (d) Right of restriction
- (e) Right to object
- (f) Right of data portability.

We do not carry out any automated decision-making or profiling.

In those occasions where we have indicated that we are basing our processing on our legitimate interest, please note that in terms of Article 21 GDPR, you have the right to object to that processing. Whilst we will fully respect your decision, please note that we will not be able to provide you with the full functionalities of the Career Module without being able to process your personal data.

Where the legal basis of processing is based solely on your consent, you may withdraw such consent at any time by notifying us accordingly. This shall be without prejudice to the lawfulness of processing based on consent before such withdrawal.

For more information about these rights and how to exercise them (when we are acting in our capacity as data controllers/ joint controller), kindly contact our data protection officer on the contact details set out hereunder.

#### **8. For how long do we retain personal data?**

The length of time for which we hold personal data depends on a number of factors, such as regulatory rules and any legal requirements. If you would like further information about our data retention policies, please get in touch with our data protection officer on the contact details set out hereunder.

#### **9. Where can I get more information about your data handling policies?**

We have appointed a data protection officer (in terms of the GDPR), to oversee compliance with the GDPR and general data protection related queries. If you need more information about this privacy notice or how we handle personal information, please contact the data protection officer, Zach Ciappara on zach@freehour.eu.

Our registered address is situated at:

FreeHour Limited  
Salis Residence,  
Blk A, 12 Triq Il Qala  
St. Paul's Bay SPB 1640  
Malta

#### **10. Can I file a complaint?**

If you are not satisfied with the way we manage personal data, you have the right to file a complaint with any relevant data protection authority (particularly the one situated where you habitually reside). Contact details of the competent authority in Malta are as follows:

Address - Information and Data Protection Commissioner, Floor 2, Airways House, High Street, Sliema, SLM 1549, Malta.

Telephone - (+356) 2328 7100

Email - idpc.info@idpc.org.mt

Version 1.2

Date: 18th May 2023

*Changes to the Privacy Policy - We may alter these terms at any time, but in any case we will inform you accordingly, by means we deem reasonable in the circumstances. In the event of any conflict between the current version of these terms and any previous version(s), the provisions current and in effect shall prevail unless it is expressly stated otherwise.*