

Job applicant privacy statement

1. Introduction

In applying to join the Amstel Hotel Maatschappij (InterContinental Amstel Amsterdam) (the **Amstel Hotel** or **we**), you will be providing us with certain personal data about yourself. The Amstel Hotel respects and safeguards the privacy of all job applicants and will collect and process your personal data carefully and always in accordance with applicable rules and regulations.

This privacy statement describes how we (as a data controller) use your personal data in our business. We collect, use, disclose and otherwise process personal data that is necessary for the purposes identified in this privacy statement or as permitted by law.

In this privacy statement we use a number of terms that have a specific meaning under applicable privacy rules (such as “personal data” or “data controller”). Chapter 4 of this privacy statement contains an overview of these defined terms.

The Amstel Hotel has appointed a dedicated data protection officer (the **DPO**). Please do not hesitate to contact our DPO in case you have any questions in relation to the processing of personal data by the Amstel Hotel:

Name: Cor Hijlkema

E-mail: cor.hijlkema@ihg.com

Regular mail: Data Protection Officer
InterContinental Amstel Amsterdam
Prof. Tulpplein 1
1018 GX Amsterdam – The Netherlands

2. What do we do with your personal data?

What is personal data?

Personal data means any information relating to an identified or identifiable natural person, such as a name, address, e-mail addresses and e-mails, voice recordings, or a copy of a passport but also financial data and contracts, provided that such information relates to a natural person.

Which Personal Data do we collect and process about you?

As part of your recruitment process we may collect the following Personal Data about you:

- (a) **Your contact information** ► including your name, address (and proof of address) and other contact details (e.g. e-mail and telephone details);
- (b) **Your employment history and experience** ► including your CV or résumé (and any information you decide to include in it, such as a passport photograph), application form details, qualification certificates, training certificates, licenses, references from other employers and other data collected through interviews or other forms of assessment;

- (c) **Materials produced during recruitment** ► materials produced during the course of the recruitment processing, including any video and presentations you provide us for the purposes of a recruitment assessment and any contemporaneous interview notes (whether made by you or the interviewer, about you).

If you are taken on to work at the Amstel Hotel, other personal data will be collected and processed about you in accordance with our HR Privacy Notice.

What legal basis do we have for processing Personal Data?

The Amstel Hotel only processes your personal data for legitimate purposes. The use of your personal data will also be justified on the basis of one or more legal “processing grounds” that are provided for in the GDPR.

The table below contains an explanation of the scope of the various legal processing grounds available under the GDPR for processing of personal data on which the Amstel Hotel relies:

Contract performance: where the Amstel Hotel requires your personal data in order to enter into a contract with you and provide our services to you.
Legitimate interests: where the Amstel Hotel uses your personal data to achieve a legitimate interest and our reasons for using it outweigh any prejudice to your data protection rights.
Legal claims: where your personal data is necessary for the Amstel Hotel to defend, prosecute or make a claim against you, us or a third party.
Our legal obligations and rights: where we need to use your Personal Data to comply with our legal obligations under EU law.
Consent: where you have consented to our use of your personal data (in which case you will have been presented with a consent form in relation to any such use and you may withdraw your consent at any time by the method explained in the communication with you or, and in any event, by giving notice to our DPO).

In general, the Amstel Hotel processes your personal data in order to assess your application prior to entering into an employment contract with you, and pursuant to laws which the Amstel Hotel is subject to. This processing is a necessary pre-condition of entering into any future contract with you and for the Amstel Hotel to fulfil its obligations with respect to other employees and yourself (should you be employed by the Amstel Hotel).

The Amstel Hotel may also process personal data when we have a legitimate interest to do so and provided specific conditions are met. Where we rely on this legal processing ground, we will mitigate the effect(s) this may have on your privacy by appropriately minimising our use and putting in place adequate access and security safeguards to prevent unauthorised use.

For what purposes does the Amstel Hotel collect your personal data and what are our justifications of uses?

This section specifies the purpose for which the Amstel Hotel uses the various categories of personal data it collects from you. As mentioned above, the exact nature and scope of personal data we collect

from you will depend on the circumstances. For each use, we note the applicable legal processing grounds by which we justify the relevant use of your personal data:

- (a) **To handle your job application and to communicate with you** ► to communicate with you about the recruitment process and your application.
 - **Use justification:** (preparation of) contract performance.

- (b) **To assess your suitability for the advertised role or other potential vacancies within the Amstel Hotel and within IHG Amsterdam (QO, Crowne Plaza Amsterdam South, Kimpton De Witt)** ► we and other organisations engaged by us may access and use your personal data to assess your skills, qualifications and interests against our roles and vacancies.
 - **Use justification:** (preparation of) contract performance, legitimate interests (to assess whether you are a suitable candidate for functions within our organisation or for the organisations of IHG Amsterdam (QO, Crowne Plaza Amsterdam South, Kimpton De Witt)).

- (c) **To defend our legitimate interests and to change our business structure** ► we may disclose personal data in connection with legal proceedings or investigations anywhere in the world to third parties, such as public authorities, law enforcement agencies, regulators and third party litigants (these third parties are not data processors on behalf of the Amstel Hotel and will process personal data for their own purposes). The Amstel Hotel may also provide your personal data to any potential acquirer of or investor in any part of the Amstel Hotel's business for the purpose of that acquisition or investment.
 - **Use justification:** contract performance, legal obligations and rights, legal claims, legitimate interests (to enable us to cooperate with law enforcement and regulators and to allow the Amstel Hotel to change its business).

How long is personal data retained?

We keep records of your data for no longer than is necessary for the purpose for which we obtained them and any other permitted linked purposes.

If your application for employment is unsuccessful, we will hold your data on file for four (4) weeks after the end of the relevant recruitment process. If you agree to allow the Amstel Hotel to keep your personal data on file, we will hold your data on file for a total of one (1) year for consideration for future employment opportunities. At the end of that period, or once you withdraw your consent, your data is deleted or destroyed. However, deletion of files may be suspended where required by law or to defend ourselves if we consider a complaint or dispute to be likely.

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your personnel file and retained during your employment. The periods for which your data will be held will be provided to you in our HR Privacy Notice.

From where do we collect your personal data?

We may obtain your personal data from you or from third parties such as employment agencies, past employers, and IHG Amsterdam (QO, Crowne Plaza Amsterdam South, Kimpton De Witt).

Where do we keep your personal data?

We primarily store your personal data on IT systems located in the Netherlands. Some of these IT systems are outsourced to third parties. We have also engaged IT service providers who are situated outside the European Economic Area (EEA), which means that your personal data may also be stored outside the aforementioned countries (please see below under “Do we share personal data?”). All IT service providers act as data processors on behalf of the Amstel Hotel.

How does the Amstel Hotel protect my personal data?

The Amstel Hotel has implemented appropriate technical and organisational measures to secure the processing of personal data. These safeguards will vary depending on the sensitivity, format, location, amount, distribution and storage of the personal data, and include measures designed to keep personal data protected from unauthorized access. If appropriate, the safeguards include the encryption of communications via SSL, encryption of information during storage, firewalls, access controls, separation of duties, and similar security protocols. We restrict access to personal data to personnel and third parties that require access to such information for legitimate, relevant business purposes.

All our staff members, contractors and third parties who will have access to personal data on the Amstel Hotel’s instructions will be bound to confidentiality and we use access controls to limit access to individuals that require such access for the performance of their responsibilities and tasks.

The Amstel Hotel has information security policies in place and its security policies and systems are frequently audited. The Amstel Hotel takes the security of its IT infrastructure very seriously.

Do we share your personal data?

The Amstel Hotel has engaged various data processors for the processing of your personal data on our behalf, including IT service providers and other business service providers. We may also share your personal data with other third parties as described in the “*For what purposes does the Amstel Hotel collect your personal data and what are our justifications of uses?*” section set out above.

Some of these third parties are situated outside the EEA. Service providers accessing the Amstel Hotel’s personal data act as data processors on behalf of the Amstel Hotel. Where we engage data processors, we will ensure that transfers of personal data outside of the EEA take place in accordance with data protection legislation and that there will be an appropriate level of protection. In addition, we will implement legal safeguards governing such transfer, such as model contractual clauses, individuals’ consent, or other legal grounds permitted by applicable legal requirements. Certain countries outside the EEA have been approved by the European Commission as providing essentially equivalent protections as EEA data protection laws. EU data protection laws allow the Amstel Hotel to freely transfer personal data to such countries. Please contact our DPO if you would like to see a copy of the safeguards we apply in relation to the export of your personal data.

When you applied via a system, please be aware that your data are kept in this system as well.

Changes to this privacy statement

The Amstel Hotel may from time to time implement changes to this privacy statement. The most recent version will at all times be available on the Amstel Hotel's website.

3. What are your rights?

Under the GDPR, you have certain rights in relation to your personal data. These rights are listed below. Please contact our DPO should you wish to exercise any of the rights below. Depending on the nature of the relationship you have with or services you receive from the Amstel Hotel, you may also be able to exercise these through or as directed by the account portal to which you have access; however you will always also have the right in any event to contact our DPO for this purpose. More generally, any questions regarding the Amstel Hotel's privacy statement can be directed to our DPO. Please be aware that certain exceptions apply to the exercise of these rights and so you may not be able to exercise these in all situations:

- (a) **Subject Access:** You have a right to be provided with access to any Personal Data held about you by the Amstel Hotel.
- (b) **Rectification:** You can ask us to have inaccurate Personal Data corrected.
- (c) **Erasure:** You can ask us to erase personal data in certain circumstances and we will take reasonable steps to inform data processors that are processing the personal data on our behalf that you have requested the erasure of any links to, copies or replication of your personal data.
- (d) **Restriction:** You can require certain personal data to be marked as restricted whilst complaints are resolved and also restrict processing in certain other circumstances.
- (e) **Portability:** You can ask us to transmit the personal data that you have provided to us and we still hold about you to a third party electronically insofar as permitted under the GDPR.
- (f) **Raise a complaint:** You can raise a complaint about our processing with the data protection regulator in your jurisdiction (in the Netherlands, the Dutch Data Protection Authority (*Autoriteit Persoonsgegevens*)).

In addition, under certain conditions, you have the right to:

- where processing is based on consent, withdraw the consent; and
- object to any processing of personal data that the Amstel Hotel justifies on the "legitimate interests" legal ground, unless our reasons for undertaking that processing outweigh any prejudice to the individual's privacy rights.

These rights are subject to certain exemptions, including safeguarding the public interest (e.g. the prevention or detection of crime), our interests (e.g. the maintenance of legal privilege) and possible third party interests. We will deal with requests within one month. When it will take longer than that, we will contact you to explain why it actually takes us longer than the prescribed one month.

4. Some legal terms

Under the applicable privacy legislation (including, but not limited to, the GDPR), the below terms have a defined meaning as set out in the table below:

GDPR	The European General Data Protection Regulation, EU 2016/679. The GDPR is applicable in all EU member states as of 25 May 2018
Personal Data	Any information relating to an identified or identifiable natural person (e.g. a person whose identity can be established reasonably without disproportionate effort by means of name, address and date of birth). By way of example but not limitation, video and voice recording is also personal data if the video images or the voice recording are identifiable to a natural person. If financial data (such as bank statements) relate to an identifiable natural person, such information is considered personal data
Processing of Personal Data	Any operation or any set of operations concerning personal data, including in any case the collection, recording, organisation, storage, updating or modification, retrieval, consultation, use, dissemination by means of transmission, distribution or making available in any other form, merging, linking, as well as blocking, erasure or destruction of personal data
Data controller	The legal person, administrative body or any other entity which, alone or in conjunction with others, determines the purpose of and means for processing of personal data
Data processor	The person or body which processes personal data on behalf of the data controller, without being subject to the data controller's direct control
Criminal personal data	Any personal data that provides information on persons' criminal convictions, offences, or related security measures
Special Categories of Personal Data	Any personal data that provides information on persons' religious or philosophical beliefs, race, political opinions, health, sexual life or membership of trade unions, or, for the purpose of this privacy statement, criminal convictions or offences

4. Questions?

The Amstel Hotel has appointed a dedicated data protection officer (DPO) who should be contacted if you have any queries regarding the use of your personal data by us or in relation to this Job applicant privacy statement or want to exercise any of your data subject rights.

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