

Privacy Statement for Job Applicants

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1. INTRODUCTION

This Privacy Statement provides information on the processing of personal data by Kotahi Logistics LP and its group companies (referred to as “Kotahi”, “we”, “our” or “us”).

At Kotahi, we take the privacy of our job applicants seriously. When you apply for, or express interest in, a role with Kotahi, you may share personal data with us in some manner. The purpose of this Privacy Statement is to be upfront about the data we collect, how we use it, who we share it with, and how you can exercise your privacy rights.

For the purposes of this privacy statement:

- Personal data means any information relating to an identified or identifiable individual, which may be a potential employee or contractor including information provided about other individuals such as references or emergency contacts. Data about companies is not personal data. However, information about individuals acting as sole traders, employees, partners, and company directors where they are individually identifiable, and the information relates to them as an individual may constitute personal data.
- A contractor is a professional contingent worker whose rate is calculated on an hourly or daily rate and engaged either directly by Kotahi or via a third party (e.g. a recruitment agency).

If you have questions about our privacy practices or wish to access or request a correction to personal data we hold about you, please contact us (see ‘Contact us’ at the bottom of this statement).

There may be times where we need to update or revise this statement at any time. Any changes to this privacy statement will always be reflected here and will take effect either immediately or when we tell you. This privacy statement applies from March 2022 and was last updated on 14 March 2022.

2. WHO IS RESPONSIBLE FOR YOUR PERSONAL DATA?

Kotahi and its group of companies are the controllers of all personal data within the scope of this privacy statement.

3. FOR WHICH PURPOSES DO WE PROCESS YOUR PERSONAL DATA?

3.1 Answering your questions:

If you get in touch with us via a contact form or through an email address provided in relation to a vacancy, we’ll use your personal data in order to reply and answer your question(s).

We may also record questions you may have asked, and answers our recruitment team have provided, throughout the course of any recruitment process you have engaged in with us for monitoring and record-keeping purposes. For this purpose, we process your name, contact details, your correspondence with us and all other personal data necessary to answer your question.

3.2 Recruitment and selection:

If you’ve shown interest in a position at Kotahi, we store your personal data on our recruitment system and/or associated systems. We use this data to communicate with you and determine whether your qualifications and professional profile meet the requirements of the vacancy you have applied for. We may also use this information to let you know about other opportunities with us, or invite you to participate in recruitment activities or events.

Personal data can include your contact details, experience and qualification information (such as your CV/resume, employment history, references, visa status/right to work as applicable, education history etc.) and correspondence you’ve had with us about job applications.

We may also collect personal data such as your gender, ethnicity and, where applicable, iwi affiliations if you choose to provide this. Where we ask to collect this information, you will be able to opt-out of providing a response. A decision to provide information (and the information you provide) or a decision to opt out will not have any impact on your selection for any role. Personal data provided in these circumstances is used strictly for equal opportunities monitoring and reporting of role applicants and is anonymised when used for this purpose. It helps us to ensure we promote a diverse and inclusive working environment.

We process your personal data on the basis of your consent and/or for the purpose of potentially joining our team. We may also rely on third parties (e.g. recruitment agencies, background checking, psychometric testing, your nominated references and immigration agencies) to provide such data and proceed on the basis that they have your consent or another legal basis to collect, process and pass that data to us. If they do not have a legal basis for processing personal data, they must anonymise it.

3.3 Requesting background checks and employment agreements:

Before you are offered a position at Kotahi as an employee, we'll use your personal data to initiate employment processes such as assessments. When you are offered a position at Kotahi, we'll use your personal data to initiate processes such as requesting background checks and, if successful, providing an employment agreement or agreement for services. You can refuse to allow us to conduct checks, but this may affect our ability to offer you a role with Kotahi.

If you are employed or engaged by us, we'll continue to store your personal data in our HR systems to support employment and contractor engagement processes and the management of your employment or engagement throughout your time with Kotahi. Such storage will be in accordance with statutory requirements and Kotahi's policies.

For this purpose, we process your personal data, which may include contact details, date of birth, gender, nationality, ethnicity, ID card or passport details, driver license details, employment status, experience and qualification information (such as employment history, education history etc), results of background checks, visa/work permit details, availability, tax details, emergency contacts, references, payment and salary details including those related to bonus, insurance, and details about your location.

Following your selection, we may provide certain information to immigration and taxation agencies as required by law to monitor our compliance with relevant immigration and taxation laws.

If you're an independent contractor/contingent worker, we'll process your personal data, in the same way, to enter into and manage an agreement for services with you.

3.4 We also collect and process your personal data based on:

- Kotahi's legitimate business interests, for example, fraud prevention, maintaining the security of our data and systems, direct marketing (of employment opportunities with Kotahi), and improving our recruitment services. Whenever we rely on this lawful basis to process your data, we assess our business interests to make sure they don't override your rights. Additionally, in some cases, you have the right to object to this processing. For more information, refer to the section 'How can you exercise your privacy rights?'
- Compliance with mandatory legal obligations, including for example accounting and tax requirements, which are often subject to strict internal policies and procedures required by law.
- Your consent. In these situations, you can withdraw your consent at any time.

3.5 How we collect your personal data:

- Through your correspondence with us, such as a note or recording of a call you make to a service centre, or with any of our employees or recruitment team, an email or letter sent, or other records of any contact or correspondence with us (including any correspondence and other submissions made directly on our website or to us via another third party platform, for example, a job seeker website).
- If you physically visit our premises, we may collect information about you on CCTV as part of our security and crime prevention measures. We may also collect your name and contact details and, where applicable, car registration for security and health and safety purposes, and your visiting history to our premises, and to provide facilities such as wifi (which will be on the terms and conditions notified to you at the time).

- From information we obtain from other sources, such as recruitment agencies and other third parties that may relate to your interactions with us.

4. WHO HAS ACCESS TO YOUR PERSONAL DATA?

4.1 Within Kotahi

- Only those Kotahi staff members or agents acting on behalf of Kotahi that are involved in the recruitment process(es) you are involved in will have access to your personal data. Such access will only be to the extent necessary to fulfill their respective tasks. These staff members and agents are, for example, our HR employees and the relevant hiring managers and interview panels.
- Your personal data may be accessed by other relevant Kotahi departments such as IT and Finance but only to the extent necessary to perform their jobs in relation to your onboarding as an employee or contractor (as applicable).
- All Kotahi employees and agents must comply with our Privacy Policy and Standards which cover the use and processing of personal data.

4.2 External parties

- We use third parties to support our recruitment process. These include but are not limited to recruitment agencies, background checking agencies, psychometric assessment services and digital interview services. These third parties may have access to or request, your personal data when relevant to ensure that we can complete our recruitment process.
- When external parties are given access to your personal data, we will take the required contractual, technical and organisational measures to ensure that they agree to process your personal data only to the extent that it is necessary, and in compliance with applicable law.
- We will only provide your personal data to regulatory bodies, tax authorities and/or investigating authorities if Kotahi is obliged to do so by law or regulation, or if you have provided instructions to Kotahi to allow this information to be disclosed.
- If you provide us with false information, such as a false visa or qualification, we may choose to share this information with legal/regulatory authorities or the relevant educational institution.

4.3 Transfer of your personal data

We may need to transfer your information to other Kotahi group companies or internal and external service providers, including those in other countries. We will take measures to ensure that your personal data is adequately protected during any transfer and is handled in accordance with this statement.

4.4 Processing of your personal data by data processors

When an external party processes your personal data following our instructions, solely on our behalf, it acts as a data processor. Examples include a data cloud company that provides a platform for recruitment-related activities where personal data is processed, or a recruitment company that provides advice on preferred applications. We enter into an agreement with data processors concerning the processing of personal data which includes obligations to safeguard your personal data so that it is provided solely to the data processor for the purposes of providing services to us and processed in accordance with this statement.

5. HOW IS YOUR PERSONAL DATA SECURED?

We make all reasonable efforts to secure our systems and ensure the confidentiality and security of your personal data. This includes putting in place technical, physical and organisational measures to protect your personal data against accidental or unlawful destruction or accidental loss, damage, alteration, unauthorised disclosure or access, and against all other forms of unlawful processing (including, but not limited to unnecessary collection) or further processing.

6. HOW LONG WILL WE RETAIN YOUR PERSONAL DATA?

We will keep your personal data for as long as it is required for the purpose it was provided, taking into account our need to answer queries or resolve problems, provide improved and new services, and comply with legal requirements.

This means we may retain your personal data for a reasonable period after your last interaction with us. When the personal data that we have is no longer required or is not required to be retained by law, we will destroy, delete or permanently anonymise it.

If you want to know specific retention periods for certain types of information, please contact us (see 'Contact us' at the bottom of this statement).

7. HOW CAN YOU EXERCISE YOUR PRIVACY RIGHTS?

You have the right to request access to your personal data, and in some circumstances, rectification and/or erasure of personal data. You may also have the right to restrict processing of your personal data, or to object to data processing or portability.

To invoke any of these rights, please contact us (see 'Contact us' at the bottom of this statement). We may ask for additional information to verify your identity and location.

If you have given your consent for us to process data for a certain purpose, you can withdraw your consent at any time (although not retrospectively – your withdrawal will be valid from the date of withdrawal rather than from the date of consent was given).

It is important to us that the personal data we hold is accurate, complete and current. If you're a registered user of a Kotahi account (e.g. on our recruitment system), you may log in to your account and update your personal data. If this is not possible you can contact us (see 'Contact us' at the bottom of this statement).

8. DO YOU HAVE A COMPLAINT?

If you want to complain about how we use your personal data, contact us (see 'Contact us' at the bottom of this statement).

If we cannot resolve your concerns, then you have the right to complain to the New Zealand Privacy Commissioner (or another applicable Data Protection Authority) about our actions.

9. HOW CAN YOU CONTACT US?

If you have any questions about the way we process your personal data, or want to request access to, deletion of, or correction of your personal data held by us, or want to make a complaint about breach of your privacy rights, please contact our Privacy Officer in writing at Kotahi, Privacy Officer, Private Bag 90885, Auckland 1010, New Zealand, or by email: privacyofficer@kotahi.co.nz