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## INCYTE PRIVACY NOTICE JOB CANDIDATES EUROPEAN UNION

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We use this Privacy Notice to tell you what personal data we collect from you and what we do with it when you apply for a job with Incyte. We also use this Privacy Notice to tell you what additional personal data we collect and what we do with it if your application is successful.

When we collect your personal data:

- We take or require appropriate technical, physical, and organisational measures (such as multifactor password authentication, encryption, access restriction, etc.) to protect your personal data from misuse or unauthorized alteration, loss, or access;
- We collect and use your personal data only for the purpose(s) for which we collect it;
- We only collect the personal data that we need; and
- We keep your personal data up to date and ensure that it is accurate.

This Privacy Notice was amended on August 1, 2019.

### What personal data do we collect and use?

#### 1) Candidates

- We collect and use the following personal data:
  - Your Personal Details – for example your name, nationality, second nationality, personal contact details (e.g. home address, telephone number, e-mail), and current role;
  - Qualifications – education (certificates, diplomas, degrees), professional experience, languages spoken, competencies, and skills;
  - Immigration or right to work status – legal ability to work within a certain location;
  - Assessment data – for example interview notes or test results;
  - Vetting and verification information – for example references;
  - Any other personal data which you choose to disclose to Incyte personnel during the application or interview process, whether verbally or in written form, including in particular any other information which you disclose on a CV / résumé; and,
  - Informal data including opinion data generated during the application or interview process.
- We collect this personal data in order to:
  - Assess your suitability and aptitude for potential employment with us;
  - Set up and conduct interviews and tests; and
  - Select an applicant to hire.
- We process your personal data in order to enter into an employment contract with you if you are the successful candidate.
- We will also process your personal data if you consent to us keeping it for longer if your application isn't successful but you want us to automatically consider you for other jobs that will become available in the future. We will ask you if you want to do this when you first apply with us and we



will only keep it for as long as the law tells us we can or have to which we explain below.

## 2) Successful Applicants

- We collect and use the following personal data but only as necessary, permitted, or required under local law:
  - Your Personal Details – date of birth, gender;
  - Immigration or right to work data – national ID number, social security or national insurance number, visa or work permit; and,
  - Vetting and verification information – birth certificate, driver’s license, background checks (including of publically available information and public social media profiles); criminal record disclosure.
- We collect this personal data in order to:
  - Review your eligibility to work;
  - Seek criminal record disclosure (where permitted by local law); and
  - Enter into a contractual relationship for employment with you.
- We process your personal data in order to enter into an employment contract with you and provide you with benefits, etc. We explain more about how your personal data will be used as an employee when we work with you to onboard you into the company.

## Do you need to give us your personal data?

You don’t have to give any personal data but we need to collect some information from you in order for you to apply for a job with us. Any personal data you share with us is on a voluntary basis as a candidate for a job with Incyte or an Incyte affiliate or as a successful applicant as part of the pre-employment contracting process.

## How do we use your personal data?

**Automated Decision Making and Profiling:** this means a decision which is taken solely on the basis of automated processing of your personal data like using a software code or algorithm that does not require human intervention which produces legal effects concerning you or significantly affects you. We sometimes, but not always, do this to screen your application out if you do not meet certain objective criteria required by the job and explained in the job description, such as experience, qualifications, education level, experience in the industry. We may use it instead to grade (profile) your application. If we are doing either of these, you will be asked to answer some pre-screening questions when you fill out the application on our website. You have the right to object to us using your answers like this and you can ask for a human to look at your application instead or in addition to. To do so, please contact Incyte’s Data Protection Officer using the contact information noted below. We will tell you if we use profiling in any other way before we do it.



## Sources of personal data

You provide most of the personal data we process when you fill out an application on our recruitment website but we sometimes get some of your personal data from a recruitment agency, cooptation, professional social network, a current employee as a referral, or by corresponding with you directly by post or email. During the recruitment process, we may also request references from third parties, for example references provided by you, and we may also carry out screening and vetting processes using third party sources who can tell us if you are legally able to work for us.

## Who do we share your personal data with?

Your personal data is shared by Incyte with:

- Other companies in the worldwide Incyte Group, wherever located (a list of all Incyte companies is available under: <http://www.incyte.com/contact-us/headquarters.aspx>) in order to make decisions about your application or, if you provided consent, for future applications. Within Incyte, your personal data can be accessed by or may be disclosed internally on a need-to-know basis to the hiring manager and any other relevant business colleagues responsible for managing or making decisions in connection with your potential employment with Incyte.
- Third parties that help support our recruitment and, for successful applicants, our hiring and onboarding activities. These third parties may have access to or merely host your personal data or support and maintain the framework of our recruitment system. Incyte expects these third parties to process any personal data disclosed to them in accordance with applicable law, including with respect to data confidentiality and security. This processing on Incyte's behalf will also be conducted as outlined in contractual obligations between Incyte and its service provider.
- Third parties, such as government agencies, regulators, or public authorities, but only when they require us to.

## Where is your personal data used or stored?

We transfer your personal data to countries outside of the European Union.

For instance, your personal data will be transferred to Switzerland, a country which is considered to provide adequate data protection standards (for further details see here <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32000D0518&from=EN> ).

2. To Incyte companies in the United States. We rely on the Privacy Shield for these transfers. Transfers made in reliance upon Privacy Shield certification are considered as providing adequate data protection standards ((for further details see here for EU-US and UK-US (<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016D1250&from=EN>) and



here for Switzerland-US: <https://www.admin.ch/gov/en/start/documentation/media-releases.msg-id-65210.html> ).

3. To countries where data protection standards have not been determined to be adequate by the European Union: these countries include the United States (where not made under Privacy Shield), the United Kingdom, India, and China. In these cases we will ensure that any recipients of your personal data are bound by contract to European Union data protection standards.

## How long is your personal data used and stored?

Incyte uses and keeps your personal data as long as necessary for the administration of the recruitment process or, for successful applicants, to enter into an employment contract. Our general approach is to only retain applicants' personal data for as long as is required to satisfy the purpose it was collected for which we have determined is two years. In certain cases, legal or regulatory obligations require us to retain specific records for a set period of time or permit us to retain the specific records for a set period of time, including following the end of the recruitment process (which we consider the end of the probation period of the successful applicant):

- In the Netherlands – 4 weeks
- In Portugal – 5 years
- In Germany – 6 months

We use the country where the position that you are submitting your application to is based to determine the retention period.

In some cases, we may also retain your personal data in order to resolve queries or disputes that may arise from time to time but we will provide additional notice to you at that time if we do.

## What are your rights?

You have a number of rights which apply to our use of your personal data. The availability of some of these rights depends upon our lawful basis for processing your personal data and your rights may also be subject to certain conditions and restrictions. You may have the right:

- to obtain access to your personal data together with information about how and on what basis that personal data is processed;
- to rectify inaccurate personal data (including the right to have incomplete personal data completed);
- to erase your personal data in limited circumstances where it is no longer necessary in relation to the purposes for which it was collected or processed;
- to restrict processing of your personal data where:
  - the accuracy of the personal data is contested;
  - the processing is unlawful but you object to the erasure of the personal data;



- we no longer require the personal data for the purposes for which it was collected, but it is required for the establishment, exercise, or defense of a legal claim;
- to challenge processing which we have justified on the basis of a legitimate interest;
- to withdraw your consent for processing where the legal basis relied on is consent;
- to object to decisions which are based solely on automated processing (to the extent that these are taken);
- to obtain a portable copy of your personal data, or to have a copy transferred to a third party controller;
- to obtain more information as to safeguards under which your personal data is transferred outside of the EEA (if relevant); or,
- to lodge a complaint with the data protection/supervisory authority noted below.

We may ask you for additional information to confirm your identity and for security purposes, before disclosing the personal information requested to you.

## Who can you contact regarding your rights?

**Data Controller:** The entity that determines why and how your personal data is processed is called a Controller. For recruiting activities, this is the Incyte organisation or affiliate to which you are submitting your application. A list of all Incyte companies is available at <http://www.incyte.com/contact-us/headquarters.aspx>. For Incyte organisations or affiliates located outside of the EEA, Incyte has elected Incyte Biosciences, B.V. as its legal representative.

**Data Protection Officer Incyte:** [privacy@incyte.com](mailto:privacy@incyte.com)

**Data Protection Authority/Supervisory Authority:** The Data Protection Authority/Supervisory Authority for the processing of your personal data is the authority located in the country of the Incyte organisation or affiliate to which you are submitting your application or the country where you live or work. More information about how to contact these authorities can be found here: [https://edpb.europa.eu/about-edpb/board/members\\_en](https://edpb.europa.eu/about-edpb/board/members_en).