



**DATA PROTECTION**

**Privacy Notice – Current and former ubitricity Employee, Contractor and Dependents’ Personal Data**

This Policy sets out what personal data we collect, for what purposes and your rights in this respect

**What does this Privacy Notice cover?**

Every individual within ubitricity and the Shell group of companies (‘Shell’) is responsible for protecting personal data about each other as well as that of our customers, business partners and suppliers.

This Privacy Notice provides information about personal data processed by ubitricity and its affiliates in relation to individuals who are or were employees, interns or individual contractors as well as dependents listed as emergency contacts of ubitricity employees (‘ubitricity Staff’).

For individuals who are referred to, express interest in or apply to work for ubitricity, or who attend a recruitment event or undertake an assessment for ubitricity, please refer to the Privacy Notice - ubitricity recruitment at <https://www.ubitricity.com/privacy-policy/>

For individual end customers, members of ubitricity loyalty programs, visitors of ubitricity websites or users of ubitricity applications, please refer to the Privacy Notice - Customer at <https://www.ubitricity.com/privacy-policy/>.

As well as this Privacy Notice, bespoke privacy notices and supplementary privacy statements may contain further information about how we process your personal data in relation to specific HR processes. In those instances, such Privacy Notices will be communicated to you separately.

This Privacy Notice explains **what** personal data are processed about you, **why** we are processing your personal data and for **which purposes**, **how long** we hold your personal data for, **how to access and update** your personal data, as well as the options you have regarding your personal data and **where to go for further information**.

**What personal data do we process about you? Collection of information**

We process personal data necessary to manage the application process and employment relationship and to engage contractors and interns of ubitricity.

The categories of personal data we



collect about you.

This includes personal home contact information, date of birth, marital status, payroll and bank account information, wage and benefit information, emergency contacts, work history, qualifications, work performance information, information required to ensure you have the right to work in the country/ies you are engaged in, as well as any other information necessary for managing the employment relationship and engaging contractors.

### **Sensitive personal data**

We may also process some special categories of personal data ('sensitive personal data') such as data relating to an individual's health, their racial or ethnic origin, religious or philosophical beliefs, sexual orientation, political opinions and trade union membership. We will only process such personal data where it is necessary for the purposes of complying with employment and social security laws, for the establishment, exercise or defense of claims or where necessary for the purposes of providing occupational medical advice and support, to protect the vital interests of an individual (such as in an emergency), where necessary for reasons of public health or where the individual has provided their explicit consent.

### **Why do we process your personal data?**

We process your personal data:

- in order to satisfy our obligations to comply with local laws and regulations;
- for legitimate business interests (for example performance management in order to ensure we have qualified and competent personnel or for health, safety and security purposes to ensure that only authorised personnel can access certain sites or assets, litigation and defense of claims); or
- where we have your explicit consent.

Please note that as a general principle, ubitricity does not seek or rely on the consent of ubitricity Staff for processing personal data. However, there are limited circumstances when consent is required, such as if required by applicable local law.

Personal data requested from ubitricity Staff are the minimum required in order to fulfil legal and/or contractual requirements and to provide opportunities to take part in programs or to provide a benefit. Failure to provide us with the information requested may negatively affect your ability to remain in employment, internship or engagement as a contractor or from participating in a program or receiving a benefit.



The purposes for which we process your personal data.

In those cases where processing is based on consent you have the right to withdraw your consent at any time. This will not affect the validity of the processing prior to the withdrawal of consent. Withdrawal of consent may however impact your ability to remain employed or otherwise engaged or from participating in a program or receiving a benefit.

### **For what purposes do we process your personal data? How will we use your personal data?**

We process personal data covered by this Privacy Notice for the following purposes:

- **Human Resources, personnel management, business process execution, internal management, management reporting, organisational analysis and development** - including budgetary, financial and organisational planning, administration, compensation, performance management;
- **Health, safety and security** - including protection of ubitricity's Staff life or health, occupational health and safety, protection of ubitricity's assets and authentication of ubitricity Staff status and access rights; or
- **Legal and/or regulatory compliance** - including compliance with legal or regulatory requirements.

We may also process your personal data for a secondary purpose where it is closely related, such as:

- storing, deleting or anonymising your personal data;
- fraud prevention, audits, investigations, dispute resolution or insurance purposes, litigation and defence of claims; or
- statistical, historical or scientific research.

### **Monitoring**

All activities on ubitricity IT equipment and/or when connected to the ubitricity IT network may be monitored in line with relevant legislation and company policies for legitimate business purposes.

All ubitricity Staff may receive an access badge which allows ubitricity to record the date, time and access points made by individuals within ubitricity premises and assets. The data from the access and security systems may be used:



- for health, safety and security purposes, to prevent fraud and specifically the protection of ubitricity assets, ubitricity Staff and visitors to ubitricity premises;
- to comply with legal and regulatory requirements, specifically where there is a local legal requirement to provide information to government/regulatory authorities;
- to monitor the number of individuals entering, exiting and working in a ubitricity premises for human resources and/or real estate planning purposes.
- in the case of contractors (not ubitricity employees), the date and time of entering and leaving the ubitricity locations may be used for invoice verification purposes.

Premises and assets of ubitricity may be equipped with surveillance cameras (CCTV). Where ubitricity operate surveillance cameras, they will be identified. Surveillance cameras are used for health, safety and security and specifically the protection of ubitricity assets, ubitricity staff and visitors to ubitricity premises. All images are routinely deleted unless there has been a health, safety or security incident, suspected or actual criminal activity, in which case they may be viewed by ubitricity and Shell Group investigation teams and externally if legally required or permitted by law enforcement or other government authority.

### **Screening**

In order to comply with legal and regulatory obligations, to protect ubitricity's assets and employees/contractors and specifically to ensure that ubitricity can comply with trade control, anti-money laundering and/or bribery and corruption laws and other regulatory requirements, we carry out screening on all employees and contractors on a periodic basis. This screening takes place against publicly available or government issued sanctions lists and is compared with information held about you by Shell (for example from the Conflict of Interest register).

Any personal data collected through the screening will not involve profiling or automated decision-making regarding suitability for continued employment, internship or engagement as a contractor.

### **Who is responsible for any personal data collected?**

ubitricity Gesellschaft für verteilte Energiesysteme mbH, a German limited liability company, registered with the Commercial Court Charlottenburg under no. HRB 113 258 B, with offices located at EUREF-Campus 7-8, 10829 Berlin, Germany, will be responsible



for processing your personal data, either solely or jointly with its affiliates within the Shell group of companies.

In the case of individual contractors, the company within the Shell group is responsible that has contracted your services solely or jointly with its affiliates within the Shell group of companies and your external contracting/employing company/agency.

### **Who will we share the personal data with?**

Your personal data are exclusively processed for the purposes referred to above and will only be shared on a strict need to know basis with:

- Other companies within the Shell group of companies, including to those which may be located outside of your location;
- Authorised third party agents, service providers, external auditors and/or subcontractors of ubitricity;
- A competent public authority, government, regulatory or fiscal agency where it is necessary to comply with a legal or regulatory obligation to which the relevant ubitricity company/companies is subject to or as permitted by applicable law; or
- Any person to whom ubitricity proposes to transfer any of its rights and/or duties.

Your personal data may be transferred outside of your country, subject to appropriate safeguards.

### **Transfers of your personal data to other countries**

Where your personal data have been transferred to companies within the Shell group and/or to authorized third parties located outside of your country (including outside of the European Economic Area) we take organizational, contractual and legal measures to ensure that your personal data are exclusively processed for the purposes mentioned above and that adequate levels of protection have been implemented in order to safeguard your personal data.

Shell is committed to safeguarding your personal data.

### **Security of your personal data**

We have implemented technology and policies with the objective of protecting your privacy from unauthorised access and improper use and will update these measures as new technology becomes available, as appropriate.



Shell only holds your personal data for a defined period of time.

### **How long do we hold your personal data for?**

All information, including personal data, is managed in line with the Shell group standards for Information and Records Management and securely deleted once no longer required for a legitimate business purpose or for a legal/regulatory purpose.

With some exceptions required to comply with local legal requirements:

- information contained within personnel files is held for no longer than 10 years once your employment has terminated;
- information relating to retirement benefits are held for no longer than 99 years from the commencement of employment;
- any personal data gathered as part of the screening against publicly available or government issued sanctions lists and media sources are held for no longer than 15 years after they were first gathered;
- the names, date, time and access points for all individuals entering ubitricity premises may be held for 3 years from each access;
- where an individual has been dismissed or had their contract terminated due to serious misconduct, including breaching the Shell Life Saving Rules or breaching the Shell Code of Conduct, that information is held for up to 30 years post termination.

In all cases information may be held for (a) a longer period of time where there is a lawful reason to do so (in which case it will be deleted once no longer required for that purpose) or (b) a shorter period where you object to the processing of the personal data and there is no longer a legitimate business purpose to retain it.

Your rights and how to exercise them.

### **Your rights in relation to your personal data**

We aim to keep our information about you as accurate as possible. You can request:

- access to your personal data;
- correction or deletion of your personal data (in the case of deletion, only where it is no longer required for a legitimate business purpose);
- that the processing of your personal data is restricted; and/or
- that you receive personal data that you have provided to ubitricity, in a structured, digital form to be transmitted to another party, if this is technically feasible.



If you are a contractor you should speak with your external contracting/employing company/agency. For former and current employees or dependents, please contact [dataprotection@ubitricity.com](mailto:dataprotection@ubitricity.com)

**Who can you contact if you have a query, concern or complaint about your personal data?**

If you have any issues, queries or complaints regarding the processing of your personal data please contact [dataprotection@ubitricity.com](mailto:dataprotection@ubitricity.com)

You may also contact the Shell Group Chief Privacy Office at Shell International B.V. The Hague, The Netherlands - Trade Register No. 27155369 Correspondence: PO Box 162, 2501 AN, The Hague, at [privacy-office-SI@shell.com](mailto:privacy-office-SI@shell.com).

If you are unsatisfied with the handling of your personal data by Shell, then you have the right to lodge a complaint with the German Federal Data Protection Commissioner or the German States Data Protection Commissioners responsible for you or the Dutch Data Protection Authority whose address is Prins Clauslaan 60, 2595 AJ The Hague, The Netherlands. Please visit <https://autoriteitpersoonsgegevens.nl/en> or [https://www.bfdi.bund.de/DE/Infothek/Anschriften\\_Links/anschriften\\_links-node.html](https://www.bfdi.bund.de/DE/Infothek/Anschriften_Links/anschriften_links-node.html) more information.

**Cookies and similar technologies**

ubitricity uses cookies and similar technologies. For more information, please refer to the ubitricity Cookie Policy at <https://www.ubitricity.com>

**Changes to this Privacy Notice**

This Privacy Notice may be changed over time. You are advised to regularly review this Notice for possible changes. This Privacy Notice was last updated on October 8th 2021.