



## EFGL PRIVATE BANK LIMITED – PRIVACY NOTICE

### 1. Introduction & General Terms

EFGL Private Bank Limited (Park House, 116 Park Street, London W1K 6AP) (“EFGL” and/ or “we”) gathers, stores and processes Personal Data (as subsequently defined) of its employees, in accordance with the applicable data protection legislation/ regulations (jointly the “Data Protection Legislation”). The present Notification (the “Notice”) covers Personal Data that is held electronically and also applies to paper-based filing systems.

As an employer, EFGL collects and processes the Personal Data of its employees in the ordinary course of business, and in some circumstances may transfer that data outside the country where it was collected. This Notice describes how EFGL collects, uses and processes Personal Data relating to its employees. EFGL is the data controller of these Personal Data. EFGL’s EU Representative is EFG Bank (Luxembourg) S.A. (<https://lu.efgbank.com/>).

### 2. Scope and Application of this Notice

This Notice applies to all Personal Data of current and former employees (“you”), which EFGL collects, uses, discloses, retains and in general processes.

### 3. What is Personal Data?

For the purposes of this Notice “Personal Data” means any information which relates to an identified or identifiable individual, or which could be used to identify an individual.

The types of Personal Data that EFGL may collect from or about you include, on a case-by-case basis:

(a) Personal and family information: name; surname; father’s name; mother’s name; spouse’s name (if applicable); home contact information (address and telephone number); date and place of birth; gender; entitlement to residency; nationality; citizenship; military status, as appears on military status certificates issued by the competent authorities (excluding motives of discharge for unfitness or deferment, if any); social security number(s), ID number, issue date, issuing authority; passport number; mobile phone number; e-mail address; tax number; competent tax office; criminal record (to the extent permitted by the applicable legislation); health data (including information about disabilities and special needs), racial or ethnic origin for equality and diversity purposes only, bank account details and other financial information; details of outside business activities and directorship(s) (where relevant for employment-related purposes); family status; details of dependants (name, date of birth, relationship to employee); and emergency contact name, address and telephone number; and

(b) Work related information: job title and/ or position and description of responsibilities/ duties; type of employment (fixed term or indefinite term); work schedule and shifts; voice; image; call data; location; band/ seniority; employee ID number; department; line and sub-line of business; work contact information (telephone number, address, fax number and email address); cost centre information; start date and end date (if applicable) of employment; data related to your access to or departure from work, supervisor/ manager/ team lead name and contact information; reporting structure; work eligibility status; benefits records and related information; compensation information (including base salary, incentive payment(s)); absence details (e.g., sickness, holiday and maternity leaves); performance related information (including assessments and ratings, performance goals

description); training attendance information; information related to retirement planning; preemployment references; employment history; academic record and educational record; professional training; licenses and certifications; language(s) spoken; talent management and succession planning data; career development information; employment disciplinary record, activities and investigations; information pertaining to any grievances raised; and technical information (including username and passwords, IP address, domain, browser type, operating system, click-stream data and system logs); employment termination grounds.

#### **4. Why does EFGL collect, use, disclose or retain Personal Data?**

EFGL collects, uses, discloses and retains Personal Data for the following purposes:

(1) Administering and managing the employment relationship; (2) general administration; (3) human resources information system and application support and development; (4) information technology and information security support (including firewall monitoring and anti-spam and virus protection); (5) management of internal business operations (including monitoring compliance with EFGL and/ or EFG Group (as subsequently defined) policies and procedures); (6) preparation, management, and use of an internal business telephone/ e-mail directory; (7) payroll and compensation administration and processing (including compensation decisions and bonus calculations); (8) compensation management; (9) budgeting; (10) benefits and insurance administration and management (including decisions regarding eligibility for staff loans); (11) fostering career planning and growth; (12) complying with applicable government reporting and other local law requirements; (13) defending, preparing for, participating in and responding to potential legal claims, investigations and regulatory inquiries; (14) disciplinary actions/ investigations (as allowed by applicable law); (15) training, advice and counselling purposes; (16) employee performance and productivity reviews/ assessments and general performance management; (17) complying with its contractual obligations; (18) facilitation of improved recruiting activities, talent management and succession planning; and (19) authentication/ identification of employees (e.g. for help desk purposes).

EFGL may monitor its employees' use of EFGL's computers and email system in accordance with its Information Security Policies and all applicable laws.

#### **5. Legal basis for processing Personal Data**

We process your data: (i) for the performance of the employment contract; (ii) to be able to comply with our legal obligation as employer; (iii) for legitimate interests pursued by EFGL or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the employee; (iv) for the purpose of performing and exercising obligations or rights which are imposed or conferred by law on EFGL or you in connection with employment, social security or social protection; (v) for the establishment, exercise or defence of legal claims; (vi) for health or social case purposes (e.g. for the assessment of the working capacity of the employee); and/ or (vii) for equality and diversity purposes to the extent permitted by the applicable legislation. Otherwise, where you have provided your consent for such processing.

#### **6. Does EFGL share or transfer Personal Data?**

EFGL may from time to time disclose Personal Data to other entities in the EFG Group (i.e. the group of companies composed of EFG International AG and its worldwide affiliates (where an "affiliate" of, or a person "affiliated" with, a person is a person that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, the person specified and "control," including the terms "controlling," "controlled by" and "under common control with," means the possession, direct or indirect, of the power to direct or cause the direction of the management and

policies of a person, whether through the ownership of voting shares, by contract, or otherwise). A list of the countries in which EFG Group operates can be found here: <https://www.efginternational.com/Contacts.html>) or to third parties for any of the purposes listed above. Examples of relevant third parties to whom we may disclose Personal Data include governmental agencies or authorities, law enforcement authorities, public authorities, regulators, courts, mediators, arbitrators, tax authorities, other financial institutions, insurance companies, our auditors and professional advisors, social security bodies and third parties who render services in connection with (among other things) payroll, employee benefits and screening, training, security, organization of business trips and/ or any third parties providing services to us or to which we provides services as part of our activities.

When we disclose your Personal Data to third parties who perform services on our behalf, we ensure that such service providers agree to use Personal Data only in accordance with our instructions, and we do not authorise them to use or disclose Personal Data except as necessary to perform services on our behalf or to comply with applicable legal obligations.

EFGL may also disclose Personal Data to third parties:

- where such disclosure is required by law;
- for the purposes of, or in connection with, any legal proceedings to which it is a party, or otherwise for the purpose of establishing, exercising or defending its legal rights;
- who are law enforcement authorities or other government agencies and who have made a lawful request for such disclosure;
- where EFGL believes disclosure is necessary in connection with an investigation of suspected or actual criminal activity; or
- if EFGL sells or transfers all or part of its business or assets (including through a merger, reorganisation, spin-off, dissolution or liquidation).

## **7. International Transfers of Personal Data**

Due to the global nature of our operations, we may disclose your Personal Data to third parties (including other EFG Group entities) located outside the European Economic Area (“EEA”) and the United Kingdom (UK). In those cases, except where the relevant country has been determined by the European Commission to provide an adequate level of protection (currently Andorra, Argentina, Canada, Switzerland, Faroe Islands, Guernsey, Israel, Isle of Man, Jersey, New Zealand and Uruguay), we require such recipients to comply with appropriate measures designed to protect personal data. A copy of these measures can be obtained by contacting our Data Protection Officer (for contact details, see below under Section 14).

Any transfer of your Personal Data to EFG Group entities outside of the EEA and the UK is made on the basis of a data transfer agreement using standard contractual clauses approved by the European Commission. A list of the countries in which EFG Group operates (inside and outside the EEA) can be found here: <https://www.efginternational.com/Contacts.html>.

## **8. Third-party Personal Data**

Where you provide third-party Personal Data to EFGL (e.g. data from a spouse, civil partner and/ or family members), you are required to inform these persons about their rights in connection with the processing of their Personal Data (for example, by representing the present Notice to them). Moreover, it is your responsibility to obtain the consent of these persons, to the extent that their consent is required by law. At the time you provide the third-party Personal Data, EFGL considers this third-party consent as granted, if required.

## **9. Retention of Personal Data**

We will retain Personal Data for as long as necessary to fulfill the purpose for which it was collected or to comply with legal, regulatory, accounting, reporting or internal policy requirements. To determine the appropriate retention period for Personal Data, we consider the applicable legal requirements, as well as the amount, nature, and sensitivity of the Personal Data, the potential risk of harm from unauthorized use or disclosure of your Personal Data, the purposes for which we process your Personal Data and whether we can achieve those purposes through other means.

More specifically, in principle EFGL retains Personal Data relating to its employees for up to 6 years following the end of employment with EFGL.

The retention periods described above may be extended if we are required to preserve your Personal Data in connection with litigation, investigations and proceedings, or if a longer retention period is required by applicable law.

Further information on the retention periods of Personal Data can be requested from our Data Protection Officer (for contact details, see below under Section 14).

## **10. Consequences in case of failure to provide Personal Data**

Where we are obliged to collect Personal Data, or its collection is necessary to permit EFGL to discharge the duties which it owes to you as employer, it is EFGL process that the employee must disclose certain Personal Data to EFGL for the purposes set out above. Employees are obliged to provide their minimum necessary Personal Data to EFGL; if an employee does not wish to disclose the requested minimum necessary Personal Data then EFGL will review whether in the circumstances it will be possible to continue to employ the person refusing to disclose the requested Personal Data.

## **11. Employee's Obligations and Rights**

EFGL expects employees to update their Personal Data through the relevant procedures and systems established by EFGL. EFGL will take such other reasonable steps as necessary to ensure that Personal Data is accurate and complete for the purposes for which it was collected, used, disclosed or retained.

Under certain circumstances, and subject to applicable law, you have the right to:

- Request access to your Personal Data (commonly known as a “data subject access request”).
- Request correction of the Personal Data that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- Request erasure of your Personal Data. This enables you to ask us to delete or remove Personal Data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your Personal Data where you have exercised your right to object to processing (see below).
- Object to processing of your Personal Data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground.
- Request the restriction of processing of your Personal Data. This enables you to ask us to suspend the processing of Personal Data about you, for example if you want us to establish its accuracy or the reason for processing it.

- Where your data is processed by automated means and:
  - where we process your personal data on the basis of your consent; or
  - where such processing is necessary for entering into or performing our obligations under a contract with you, request the transfer of your Personal Data to you or to another party (also known as “data portability”).
- Where we process your personal data on the basis of your consent, withdraw that consent at any time. Please also note that the withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.
- In certain circumstances, request not to be subject to automated decision-making, including profiling.

Certain of these rights are not absolute under the applicable legislation (as sometimes there may be overriding interests that require the processing to continue, for example); nonetheless we will consider your request and respond to you.

If you want to exercise your rights, as per above, you may contact our Data Protection Officer (for contact details, see below under Section 14).

Finally, you have the right to lodge a complaint with the supervisory authority in the jurisdiction where you live or work, or in the place where you think an issue in relation to your data has arisen (for the UK: <https://ico.org.uk>).

## **12. Origin of Personal Data**

In principle any Personal Data relating to you is collected from you personally. EFGl may also obtain your Personal Data from sources such as the following:

- An employment or recruitment agency;
- Any third party performing screening checks for us;
- Public registers that contain your Personal Data, other public sources such as search engines and public sections of social media accounts to the extent permitted by the applicable legislation; and
- Your management, as part of the feedback provided to us, and the systems that you are using, which are monitored in accordance with EFGl’s Information Security Policies and applicable laws.

## **13. Updates**

We may update this Notice from time to time due to changes in laws and regulations on in internal procedures and systems and will notify employees of any significant changes through internal publications, or via other appropriate communication channels. All changes are effective from the date of publication unless otherwise noted.

## **14. Contact Us**

If you have any questions or concerns about this Notice, or would like to exercise any of your rights, please contact our Data Protection Officer James Jackson by sending a letter to the mailing address (EFG Private Bank Ltd. Park House, 116 Park Street, London W1K 6AP, to the attention of the Data Protection Officer) or at [dpo@efgl.com](mailto:dpo@efgl.com).