

Information on the collection and processing of your personal data in the scope of the application process

Thoroughness and transparency is the basis for trust-based co-operation. We therefore wish to inform you how we process your personal data within the scope of an application and how you can exercise the rights accorded to you by the Data Protection Regulation (GDPR) and the new Federal Data Protection Act (BDSG).

1. Who is responsible for data processing?

Controller is:
Maximilian Mertin
Senior Consultant Data Protection
Attorney, Cyber Security Practitioner (ISACA) intersoft consulting services AG
Beim Strohause 17
20097 Hamburg

2. How can you contact the data protection officer?

You can contact our data protection officer at:
Lars Wagener
Data Protection Co-ordinator
Dörken MKS-Systeme GmbH & Co. KG
Wetterstr. 58
58313 Herdecke
E-mail: datenschutz-mks@doerken.de

3. For what purpose do we process your data and on what legal basis?

We process personal data concerning you for the purpose of your application for an employment relationship to the extent that this is necessary for the decision on the establishment of an employment relationship. The legal basis for this is § 26 para. 1 BDSG. Furthermore, we can also process personal data concerning you where this is necessary as defence against enforced legal claims against us from the application procedure. Legal basis here is art. 6 para. 1 f GDPR, the legitimate interest is, for example, a burden of proof in a case under the Equal Treatment Act (AGG).

To the extent that we wish to save your personal data in order to take you into consideration for a possible position in the future, we shall obtain your consent for this in accordance with art 6 para. 1 a GDPR.

To the extent that an employment relationship is established between you and us, pursuant to § 26 para. 1 BDSG we may further process the personal data already received from you for the purpose of the employment relationship, if this is required for the realisation or termination of the employment relationship or for the exercising or fulfilment of the rights and obligations relating to the interests of the employee arising from a law or collective pay agreement, a company or service agreement (collective agreement).

4. Who do we forward your data to?

We may forward your personal data to affiliated companies, to the extent that this is permissible in the scope of the purposes and legal basis illustrated under section 3. Otherwise, personal data is processed on our behalf on the basis of contracts pursuant to art. 28 GDPR, in particular by host providers or providers of applicant management systems.

5. Is your data forwarded to countries outside of the European Union (so-called third countries)?

As a rule, your personal data will not be forwarded to countries outside of the European Union.

In the case of applications for job advertisements outside of the European Union (and the European Economic Area “EEA”) we treat the protection of personal data differently to countries within the European Union. For the processing of your data we may forward data to group-affiliated companies outside of the EU where necessary. There is currently no resolution of the EU Commission that these third countries as a whole offer an appropriate level of protection.

We have therefore taken particular measures to ensure that your data is processed as securely in the third countries as within the European Union. With group-affiliated companies in third countries we conclude standard data protection clauses provided by the Commission of the European Union. These clauses foresee suitable guarantees for the protection of your data with service providers in the third country.

To protect your personal data we in any case remain the contact for the exercising of your rights, including towards the recipients in third countries.

6. How long is my data stored for?

We save your personal data for as long as this is necessary for the decision regarding your application. If an employment relationship fails to come into being between you and us, we may also continue to store data beyond this time, to the extent that this is necessary to defend against possible legal claims. In this the application documents shall be deleted six months after the announcement of the rejection decision, unless longer storage is required due to legal disputes. If the storage is based on your consent, we shall save your personal data until you revoke your consent.

7. What rights do you have regarding the processing of your data?

You have a right to information, rectification, deletion and restriction of the processing. In the case of right to information and right to deletion, the limitations pursuant to §§ 34 and 35 BDSG apply. In addition, you also have the right to complain about the data processing to the data protection supervisory authority.

To the extent that processing occurs on the basis of a legitimate interest, you have the right, for reasons arising from your particular situation, to object to the processing. In the event of your objection we shall no longer process your personal data, unless we are able to show reasons worth being protected for the processing, which prevail over your interests, fundamental rights and fundamental liberties, or where the processing serves the establishment, exercise or defence of legal claims.

To the extent that the processing is undertaken on the basis of your consent, you have the right to revoke your consent with future effect at any time.

To exercise your rights, please contact us or our data protection officer.

8. Is there an obligation to provide your personal data?

The provision of personal data is neither statutorily nor contractually prescribed, nor are you obliged to provide your personal data. However, the provision of personal data is necessary for the conclusion of a contract regarding an employment relationship with us. This means that if you do not provide us with any personal data with your application, we shall not enter into an employment relationship with you.

9. Amendment of this information

Should the purpose or manner of processing of your personal data change significantly, we shall update this information in good time and inform you of the amendments in good time.