

Data Processing Principles for Job Applications at

Trench Group GmbH

To fulfill our information obligations under Articles 12 et seq. of the General Data Protection Regulation (GDPR), we are pleased to provide you with the following information regarding data protection:

Who is responsible for data processing?

The controller within the meaning of data protection law is

Trench Group GmbH
Sachsendamm 63-64
10829 Berlin
Email: contact@trench-group.com

For what purposes is the data processed, and on what legal basis?

We process personal data about you for the purpose of your application for employment, to the extent necessary to decide whether to establish an employment relationship with us. The legal basis for this is Article 6(1)(b) of the GDPR, Section 26(1) in conjunction with Section 8(2) of the BDSG.

Furthermore, we may process personal data about you to the extent necessary to defend against legal claims asserted against us arising from the application process. The legal basis for this is Article 6(1)(f) of the GDPR; the legitimate interest is, for example, a burden of proof in proceedings under the General Equal Treatment Act.

If an employment relationship is established between you and us, we may, pursuant to Article 6(1)(b) of the GDPR, § 26(1) in conjunction with (8) sentence 2 BDSG, further process the personal data already received from you for the purposes of the employment relationship if this is necessary for the performance or termination of the employment relationship or for the exercise or fulfillment of the rights and obligations of the employee representative body arising from a law or a collective bargaining agreement, a works or service agreement (collective agreement).

How long is the data stored?

We will store your personal data for as long as is necessary to make a decision regarding your application. If an employment relationship between you and us is not established, we may continue to store data to the extent necessary to defend against potential legal claims. In this case, the application documents will be deleted six months after the conclusion of the application process, unless longer storage is required due to legal disputes or statutory retention periods.

To whom is the data disclosed?

Within the company, your data is provided to those departments that need it to fulfill our contractual and legal obligations. Processors engaged by us (Art. 28 GDPR) may also receive data for the aforementioned purposes. These are companies in the categories of IT services, logistics, printing services, telecommunications, debt collection, advisory and consulting services, as well as sales, marketing, and address verification.

With regard to the transfer of data to recipients outside the company, please note that we only share your data if legal provisions permit or require it, you have given your consent, you are applying for a position at a company within our group, or we are authorized to provide information. Under these conditions, recipients of personal data may include, for example:

- Public authorities and institutions (e.g., public prosecutors, police, regulatory agencies) where there is a legal or regulatory obligation.
- Companies within our corporate group, provided you are applying for positions at these companies. The specific company is explicitly named in the respective application.
- Other companies to which we transfer personal data in order to conduct our business relationship with you (depending on the contract: e.g., banks, credit bureaus, suppliers, sales representatives).

Other recipients of data may include those entities for which you have given us your consent to transfer data.

Where is the data processed?

We generally process your personal data within the EU. However, we may use service providers operating outside the EU. In such cases, we ensure that an adequate level of data protection, comparable to the standards within the EU, is established prior to the transfer of your personal data, for example through EU standard contractual clauses.

Automated Decision-Making/Profiling

Automated decision-making/profiling within the meaning of Art. 22 GDPR does not take place.

Your Rights as a “Data Subject”

a) Right of access pursuant to Article 15 of the GDPR:

You have the right to receive information free of charge upon request, **in particular** regarding whether and what data is stored about you and for what purpose it is stored, to which categories of recipients

your personal data has been or will be disclosed, and the planned duration for which your personal data will be stored.

b) Right to rectification pursuant to Art. 16 GDPR:

You have the right to request the immediate rectification of your inaccurate personal data. Taking into account the purposes of the processing, you have the right to request the completion of incomplete personal data—including by means of a supplementary statement.

c) Right to erasure (“right to be forgotten”) pursuant to Art. 17 GDPR:

You have the right to request that your data be erased without undue delay. We are obligated to erase personal data without undue delay if any of the following grounds apply:

- a. The purposes for which the personal data was collected no longer apply.
- b. You withdraw your consent to the processing and there is no other legal basis for the processing.
- c. You object to the processing and there is no other legal basis for the processing.
- d. The personal data was processed unlawfully.
- e. The erasure of the personal data is necessary for compliance with a legal obligation under Union law or the law of the Member States to which I am subject.
- f. The personal data was collected in connection with information society services offered pursuant to Art. 8(1) of the GDPR.

d) Right to restriction of processing pursuant to Article 18 of the GDPR, Section 35 of the BDSG:

You have the right to request restriction of processing if one of the following conditions is met:

- a. You contest the accuracy of the personal data.
- b. The processing is unlawful, but you object to erasure.
- c. The personal data is no longer needed for the purposes of processing, but you require the data to assert, exercise, or defend legal claims.
- d. You have objected to the processing pursuant to Art. 21(1) GDPR. Until it is determined whether my legitimate grounds override yours, processing will be restricted.

e) Right to data portability pursuant to Art. 20 GDPR:

You have the right to receive the data you have provided in a structured, commonly used, and machine-readable format. may not prevent the transfer of this data to another controller.

f) Right to object pursuant to Art. 21 GDPR:

You have the right to object to the processing of personal data concerning you that is processed on the basis of Art. 6(1)(e) or (f) of the GDPR, where applicable in conjunction with Art. 9(2)(f) of the GDPR, for reasons arising from your particular situation. The processing of personal data will be discontinued unless there are compelling legitimate grounds for further processing or the processing serves to assert, exercise, or defend legal claims. In the case of direct marketing, if you object to this, your personal data will no longer be processed for these purposes.

g) Right to lodge a complaint with the supervisory authority pursuant to Art. 13(2)(d), Art. 77 GDPR in conjunction with § 19 BDSG:

If you believe that the processing of your data violates the GDPR, you have the right to lodge a complaint with the supervisory authority. To do so, please contact the competent supervisory authority.

For us, the competent authority is generally the Berlin Commissioner for Data Protection and Freedom of Information, Alt-Moabit 59-61, 10555 Berlin, Phone: +49 30 13889-0, Fax: +49 30 2155050, Email: mailbox@datenschutz-berlin.de.

h) Withdrawal of consent pursuant to Art. 7(3) GDPR:

If the processing is based on your consent pursuant to Art. 6(1)(a) GDPR or Art. 9(2)(a) of the GDPR (processing of special categories of personal data), you are entitled at any time to withdraw the consent given for the specific purpose without affecting the lawfulness of the processing carried out on the basis of the consent prior to its withdrawal. Declaring the withdrawal will not result in any further disadvantages for you.

Our Data Protection Officer

We have appointed a Data Protection Officer within our company. You can reach him via the following contact details:

Mr. Sascha Weller, Attorney at Law, IDR – Institute for Data Protection Law
Ziegelbräustraße 7
85049 Ingolstadt
Phone: +49 (0)841 – 885 167 15
Fax: +49 (0)841 – 885 167 22
E-Mail: ra-weller@idr-datenschutz.de
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