



ByteDance European Applicant Privacy Notice

Effective Date: [2021.11.23]

ByteDance ("we" or "us") has prepared this European Applicant Privacy Notice ("Notice") for applicants to roles with ByteDance. This Notice describes how we handle and protect your personal data in connection with our recruiting processes and programmes. This Notice applies to the personal data of job applicants and potential candidates for employment. We think that it is very important that you understand who we are, how we use your personal data and that we take our obligations in this regard very seriously. The purpose of this Notice is therefore to give you information about how ByteDance collects, processes, stores and otherwise uses your personal data and your rights in relation to that data.

ByteDance needs to process your personal data in order to process your application for employment. There may also be statutory requirements we have to comply with in relation to your application. If we are not able to carry out the processing activities we describe in this Notice we may not be able to continue with your application.

For the purposes of this Notice, references to "ByteDance" comprises the following EEA/UK entities: TikTok Technology Limited, TikTok Information Technologies UK Limited, TikTok Germany GmbH, TikTok Italy S.r.l, TikTok Information Technologies Spain SL, TikTok Sweden AB, HYPERBOLA Sp. zo.o. and TikTok SAS. TikTok Technology Limited, TikTok Information Technologies UK Limited and the ByteDance entity that you are applying to are together the joint controllers of any personal data processed in connection with this Privacy Policy.

In addition, you will see several references to the "ByteDance Group", which includes all other ByteDance entities globally. As with many other ByteDance policies, we may update this document from time to time, for example if we implement new systems or processes that involve the use of personal data. Any material updates to this document which may affect you will be communicated to you through appropriate channels, such as on the ByteDance job applicant site or via ByteDance's communication tools.

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To help you find information on any particular question you might have, we have set out an index below:

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What categories of personal data does ByteDance collect about me?

"**Personal data**" means any information relating to you. ByteDance will typically collect, process and use your personal data because:

- you give it to us (for example, when you apply to us directly for a job);
- other people give it to us (for example, recruiters that share your CV with us, referees or pre-employment screening service providers); or
- it is disclosed on publicly available sources such as business and employment oriented social networking services and job boards.

ByteDance generally collects, processes and uses the following categories and types of personal data about you when you apply for a job, as may be required:

- **identification data**, such as your name, citizenship, passport data, photo, drivers' licence information, national insurance number and tax reference number;
- **general personal data**, such as your date and place of birth, emergency contact details, and gender;
- **contact details**, such as your home address, telephone number and email address;
- **education and work experience**, such as contact details of your current/former employer, information about your educational background, your work experience and other experience;
- **other application data**, such as the information included in your application form/CV;
- **information collected as part of the interview process**, such as notes taken from your interview(s) or information provided by recruitment agencies;
- **background check or other applicable screening information**, such as information obtained through reference checks and confirmation about your work/educational background (as permitted by applicable laws)

:- together "**Applicant Data**".

Personal data subject to special protections within the EEA and UK includes personal data related to physical or mental health; racial or ethnic origin; political or philosophical opinions; trade union membership; religious beliefs; sexuality or sexual life; and genetic and biometric data (“**special category data**”) and data related to criminal offences and convictions (together “**Special Data**”). In addition to the collection, processing and use of the Applicant Data, ByteDance collects, processes and uses the following Special Data which we describe as “**Sensitive Applicant Data**”:

- **health data**, such as information on illness or disability for the purposes of making reasonable adjustments to the workplace in order to facilitate job interviews; information, including health, symptoms and information pertaining to the ongoing SARS-CoV-2 (otherwise known as 'Coronavirus' or 'Covid-19') pandemic, as appropriate and where required to do so; and any other health or medical data you may disclose to us during the application process;
- **race or ethnicity data**, such as information contained in your passport or other citizenship and right to work documentation, information collected for visa and immigration purposes, information processed for the purpose of applicant diversity monitoring;
- **sexual orientation, religious, philosophical or political beliefs**, such as information voluntarily provided by you, for example in the context of an optional diversity and inclusion survey, in which case it will only be used and retained for the purpose disclosed to you at the time you provided the information;
- **criminal data**, such as suspicions, prosecutions, allegations or convictions of criminal offences where necessary to protect ByteDance’s interests and permitted by local law.

Why does ByteDance need to collect, process and use my Applicant Data and Sensitive Applicant Data and what is the legal basis for doing so?

We collect and use Applicant Data and Sensitive Applicant Data for a variety of reasons linked to managing your application for a role with us. However, we can only collect and use this data if we have a valid legal basis for doing so, and we are required to explain the various legal bases that we rely on to you. To give you the full picture, we have set out each of the reasons why we collect and use Applicant Data and Sensitive Applicant Data and explain the different legal bases that allow us to do so below. We appreciate that this is quite a lot of information to take in, so please bear with us.

We collect and use your personal data for legitimate human resources and business management reasons, including:

- **Administering and processing your application (including processing a job offer should you be successful)**, including identification data, contact details,

education and work experience, information obtained during your interview and information contained in your CV.

- **To determine your eligibility for the role you applied for**, including identification data, contact details, education and work experience, information obtained during your interview and information contained in your CV.
- **Conducting background, reference, sanctions and other applicable screening checks** as part of your application, including identification data, contact details, information about your qualification(s) and employment history (to the extent permitted under applicable law).
- **Complying with applicable laws, policies and procedures**, including employment and immigration laws and employment-related policies and procedures, which involves the processing of identification data and contact details.
- **Communicating with you, employees within the ByteDance Group and third parties regarding your application and onboarding**, including informing you of future opportunities with ByteDance, which involves the processing of identification data and contact details.
- **Responding to and complying with requests and legal demands from regulators or other authorities** in or outside of your home country, which involves the processing of identification data and contact details.
- **Complying with corporate financial responsibilities**, including audit requirements (both internal and external) and cost/budgeting analysis and control, which involves the processing of identification data, contact details, information about the role you have applied for, including the role's salary and benefits.
- **Ensuring Diversity and Inclusion**, using the information you may choose to provide, such as your gender and ethnicity, during the application process where we offer candidates the opportunity to self-identify for diversity and inclusion purposes.
- **Improving our recruitment and hiring process** using aggregated or anonymised data in order to improve our hiring process and to enhance our ability to attract and retain candidates.
- **Emergency situations** where the health or safety of one or more individuals may be endangered.
- **To accommodate your application and interview and for compliance with legal obligations around equality and disability legislation**, we may use health and medical data concerning any disabilities, your physical or mental health or medical conditions which may mean you require additional support.
- **Ensuring compliance with legal requirements**, including immigration and/or employment laws and regulations, right-to-work checks, diversity and inclusion requirements and practices (to the extent permitted by applicable law).
- **Conducting criminal history checks** as permitted by applicable law.

As mentioned, we are required to have a lawful basis to process Applicant Data. ByteDance processes Applicant Data for various business purposes including:

- **to take steps prior to entering an employment contract with you**, where you are considered for employment;
- **for our and/or a third party's legitimate interests where these are not overridden by your** interests or fundamental rights and freedoms;
- **to comply with applicable laws**, including immigration and/or employment laws and regulations;
- **for the performance of a task in the public interest** where these are not overridden by your interests or fundamental rights and freedoms, including where ByteDance is subject to national or EU measures put in place by public health and other relevant authorities;
- **where we have your consent to do so**. For example, we may need your consent to collect and use certain Special Data in the context of conducting voluntary diversity and inclusion initiatives. If we need your consent, we will notify you of the personal data we intend to use and how we intend to use it. You do not have to give us consent. Where you have given us consent to collect, use or disclose your personal data in a certain way, you may withdraw your consent at any time. If you wish to withdraw any consent that you have given us, please contact us using the details set out below (**Who can I contact about this Notice?**).

We may also process Applicant Data on a lawful basis relating to the processing of personal data for purposes of recruitment which may be available under applicable local law. For information on whether this applies in your jurisdiction you can contact us as set out below (**Who can I contact about this Notice?**).

We appreciate that there is a lot of information to take in, and we want to be as clear with you as possible over what this means. Where we talk about the "legitimate interests" of ByteDance or relevant third parties, this can include (each as permitted by applicable law):

- Assessing your suitability for employment/engagement with ByteDance;
- Improving our recruitment and selection processes;
- Group-wide information sharing;
- Physical and IT systems security;
- Dealing with any legal disputes or claims involving you or other prospective, current or former employees, workers or contractors;
- Carrying out applicable screening checks;
- Protecting your health and safety while visiting ByteDance premises for interviews and meetings;
- Carrying out surveys;
- Retaining records to take or defend against a legal dispute or claim involving you or

other prospective, current or former staff members; and

- Where we may choose to sell, transfer or merger parts of our business or our assets.

When relying on the legitimate interests basis to process your personal data, we will balance the legitimate interest pursued by us and/or any relevant third party with your interests and fundamental rights and freedoms in relation to the protection of your personal data to ensure it is appropriate for us to rely on legitimate interest and to identify any additional steps we need to take to achieve the right balance.

Sensitive Applicant Data

We process limited amounts of Sensitive Applicant Data in order to comply with our legal obligations, when necessary for the purposes of carrying out our obligations and exercising specific rights in the field of employment and social security laws, including applications or where you have made the information public or provided your explicit consent. Processing of Sensitive Applicant Data may also be necessary to protect the vital interests of individuals (e.g., for health and safety reasons) or for the establishment, exercise or defence of legal claims. We will only collect information about criminal convictions or allegations of criminal behaviour where it is appropriate given the nature of the role and where we are legally able to do so. We may conduct sanctions screening but only where it is necessary for your role and where we are legally able to do so.

Who might ByteDance share my personal data with? And where?

As you may know, the ByteDance entity to which you are applying for a role is part of the global ByteDance Group, with offices located across the globe, which support HR administration and provide services such as cloud storage, research and development, analytics and security.

ByteDance may also transfer your personal data to third parties outside of the ByteDance Group. The types of third parties we share your data with, and the reasons why we share it, are as follows:

- **Regulators, authorities, business partners and other third parties.** We may need to share your personal data with regulators, courts, and other authorities (e.g., tax and law enforcement authorities), independent external advisors (e.g., auditors, accountants, lawyers and consultants), insurance, pensions and benefits providers (for successful applications), internal compliance and investigation teams (including external advisers appointed to conduct internal investigations).
- **Acquiring entities.** If the ByteDance business to which you are applying is sold or transferred in whole or in part (or such a sale or transfer is being contemplated), your personal data may be transferred to the acquiring entity as part of the transfer itself or as part of an initial review for such transfer (i.e. as part of any due diligence) limited to what is necessary. This is subject to any rights provided by applicable law,

including jurisdictions where the acquiring entity is located.

- **Service providers acting on behalf of ByteDance.** As necessary for the purposes of processing listed above, Applicant Data and Sensitive Applicant Data may be shared with third parties to process under appropriate instructions and on behalf of the relevant ByteDance entity ("**Data Processors**"). Data Processors may carry out processing activities based on ByteDance's instructions related to Applicant Data and Sensitive Applicant Data administration including, where applicable, external recruitment agencies and recruitment system providers (including support and maintenance), payroll, compensation & benefits (for successful applicants), training, health and safety, compliance, photography and videography, verification, screening or background checks (as permitted by applicable law) and other activities. Data Processors are subject to contractual obligations, including obligations to implement appropriate technical and organisational security measures to safeguard personal data and to process it only as instructed.

For more information on who we share your personal data with, and where it is transferred to, you can contact us as set out below (**Who can I contact about this Notice?**).

Some of the third parties we may share Applicant Data and Sensitive Applicant Data with may be located in countries outside of the United Kingdom and European Economic Area ("**EEA**") (together the "**European Region**").

For transfers to ByteDance Group entities outside of the European Region that are not deemed by the European Commission to provide adequate protection for personal data (an "**International Transfer**"), ByteDance takes measures to ensure your personal data is adequately protected, including that such International Transfers will be made subject to the appropriate EU Standard Contractual Clauses adopted by the European Commission, as updated from time to time.

For International Transfers to third parties, ByteDance will also take necessary measures to ensure that your personal data is adequately protected. This will also include using appropriate safeguards such as the EU Standard Contractual Clauses.

You can ask for a copy of the EU Standard Contractual Clauses or other appropriate safeguards by contacting us as set out below (**Who can I contact about this Notice?**).

How long will ByteDance retain my personal data?

It is ByteDance's policy not to store personal data for longer than is necessary and to retain such data on a basis proportionate to achieving the purposes prescribed above. This means that ByteDance retains personal data for: (i) the period of time required for the purposes for which it was collected; (ii) any compatible and lawful purposes subsequently established; (iii) any new purposes to which you subsequently consent; and/or (iv) compliance with legal and regulatory requirements.

What rights do I have in respect of my personal data?

“Data subjects” have a range of rights. Data subjects are defined as the identified or identifiable living individual to whom personal data relates. As a data subject, you have a number of rights in relation to your Applicant Data and Sensitive Applicant Data, which are summarised as follows:

(i) Right of access

You have the right to ask us for a copy of the personal data we hold about you and to check that we are lawfully processing it.

(ii) Right to rectification

You have the right to ask us to change or rectify inaccurate or incomplete personal data concerning you.

(iii) Right to erasure (right to be forgotten)

You have the right to ask us to erase your personal data.

(iv) Right to restriction of processing

You have the right to request that we restrict our processing of your personal data.

(v) Right to data portability

Where applicable, you have the right to request that your personal data be transferred in machine-readable format, to the extent this right is relevant in the employment context.

(vi) Right to object

You have the right to object to the processing of your personal data in certain circumstances including where we rely on legitimate interests or public interest as the legal basis for our processing.

(vi) Right to withdraw consent

You have the right to withdraw your consent at any time where our lawful basis for processing your personal data is based on consent.

These rights are not absolute and are subject to various conditions under applicable data protection laws and regulations.

To exercise any of these rights, please contact us as stated below (**Who can I contact about this Notice?**).

We encourage you to contact us if you are not satisfied with how we have responded to any of your rights requests. You also have the right to lodge a complaint with the Irish Data Protection Commission (TikTok Technology Limited’s lead supervisory authority) or with your local supervisory authority.

Who can I contact about this Notice?

If you have concerns or questions regarding this Notice or if you would like to exercise your rights as a data subject, you can get hold of the right person here: hrdataprotection@bytedance.com.