

# Personal Data Processing Policy

## PxP Shape sp. z o.o.

### 1. DEFINITIONS

- 1) **Data Controller** - PxP Shape Spółka z ograniczoną odpowiedzialnością seated in Krakow, entered in the Register of Entrepreneurs of the National Court Register under KRS no.: 0001011625, Kapelanka 12, 30-347 Krakow,
- 2) **Personal data (data)** - personal data is defined as any information about an identified or identifiable natural person ("**Data Subject**") - any information about an individual that allows him/her to be identified.
- 3) **Policy** - this Policy for the processing of personal data.
- 4) **GDPR** - General Data Protection Regulation - Regulation (EU) 2016/679 of the European Parliament and of the Council of April 27, 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC,
- 5) **Data Subject** - an individual to whom personal data processed by the Data Controller pertains,
- 6) **Data processing** - any operation on personal data, including collection, storage.

### 2. DATA PROCESSING BY THE DATA CONTROLLER

1. The Data Controller processes personal data in connection with its business activities, mutually in accordance with the relevant laws, including in particular the GDPR, and the data processing rules provided for therein.
2. The Data Controller implements this Policy in order to ensure transparency in the processing of personal data, in particular to inform about the purpose and basis of data processing when collecting them (entering into a contract or providing services).

### 3. SECURITY OF PERSONAL DATA

1. The Data Controller uses organizational and technical measures to ensure that the processing of personal data is carried out only by authorized people.
2. In order to ensure data integrity and confidentiality, the Data Controller has implemented procedures that allow access to Personal Data only to authorized people and only to the extent that it is necessary due to their tasks.
3. The Data Controller shall implement the necessary technical and organizational measures to ensure data security appropriate to the risks involved in data processing.

### 4. CONTACT THE DATA CONTROLLER

1. Contact with the Data Controller is possible through the correspondence address: PxP Shape Spółka z ograniczoną odpowiedzialnością, 12 Kapelanka St., 30-347 Kraków.
2. Contact with the Data Protection Officer through the e-mail address: [dataprotection@pxpshape.com](mailto:dataprotection@pxpshape.com) on any matter concerning the Data Controller's processing of Personal Data.

### 5. PURPOSES AND LEGAL BASIS FOR PROCESSING

#### E-MAIL CORRESPONDENCE, TRADITIONAL AND SOCIAL MEDIA CORRESPONDENCE

1. If the Data Controller is contacted via email, social media or mail for purposes unrelated to the services provided to the sender, the Personal Data contained in this correspondence is processed solely for the purpose of communication and resolution of the matter to which the correspondence relates.
2. The legal basis for the processing is the Data Controller's legitimate interest (Article 6(1)(f) of the GDPR), consisting of correspondence addressed to it in connection with its business activities.
3. The Data Controller processes only Personal Data relevant to the matter to which the correspondence relates. All correspondence is stored in a manner that ensures the security of the Personal Data (and other information) contained therein and is disclosed only to authorized people.

#### **PHONE CALLS**

1. When contacting the Data Controller by telephone, on matters not related to the concluded contract or services provided, the Data Controller may request Personal Data only if it is necessary to handle the matter to which the contact relates. The legal basis in such a case is the legitimate interest of the Data Controller (Article 6(1)(f) of the GDPR), consisting of the need to resolve the reported matter related to its business activities.

#### **SOCIAL MEDIA PROFILES**

1. The Data Controller has a public profile on the social network LinkedIn (or other social media networks). Accordingly, of the visitors to that profiles (including comments, likes, online IDs).
2. Personal data of such people are processed:
  - a) to enable them to be active on the profile;
  - b) in order to run the profile effectively, by presenting users with information about the Data Controller's initiatives and other activities, and in connection with the promotion of various events, services and products;
  - c) for statistical and analytical purposes;
  - d) may be processed for the purpose of claiming and defending against claims.
3. The legal basis for the processing of Personal Data is the Data Controller's legitimate interest (Article 6(1)(f) GDPR), consisting in:
  - a) Promoting its own brand and improving the quality of its services,
  - b) statistics and analyses purposes,
  - c) If necessary - pursuing claims or defending against claims

**The above information does not apply to the processing of personal data by social network Data Controllers.**

#### **RECRUITMENT**

1. As part of the recruitment processes, the Data Controller expects the transfer of Personal Data (e.g., CV) only to the extent specified in labor laws.
2. As a result, information should not be provided in a broader scope. In the event that the submitted applications contain additional data beyond the scope indicated by the labor legislation, their processing will be based on the candidate's consent (Article 6(1)(a) of the GDPR), expressed through the unambiguous affirmative action of the candidate sending the application documents. In the event that the submitted applications contain information that

is inadequate for the purpose of recruitment, they will not be used or taken into account in the recruitment process.

3. Personal data is processed:

- a) **in the case of an employment contract** - in order to comply with legal obligations related to the employment process, including primarily the Labor Code - the legal basis for processing is the necessity to fulfill a legal obligation imposed on the Data Controller (Article 6(1)(c) of the Data Controller in connection with labor laws);
- b) **in the case of a civil law contract** - in order to conduct the recruitment process - the legal basis for the processing of the data contained in the application documents is the necessity to take action before entering into a contract at the request of the data subject (Article 6(1)(b) of the DPA);
- c) **to carry out the recruitment process for data not required by law or by the Data Controller** - the legal basis for processing is consent (Article 6(1)(a) GDPR);
- d) **for the purpose of verifying the qualifications and skills of the candidate** and determining the terms of cooperation - the legal basis for data processing is the legitimate interest of the Data Controller (Article 6(1)(f) GDPR). The Data Controller's legitimate interest is to verify job candidates and determine the terms of possible cooperation;
- e) **in order for the Data Controller to establish or assert claims or defend against claims** made against the Data Controller - the legal basis for data processing is the Data Controller's legitimate interest (Article 6(1)(f) GDPR) in asserting and defending against claims.

4. Consent to the processing of personal data may be withdrawn at any time, without affecting the lawfulness of processing carried out before its withdrawal.

5. Provision of data to the extent specified in Article 22(1) of the Labor Code is required - in the case of employment based on an employment contract - by law, including primarily the Labor Code, and in the case of preference for employment based on a civil law contract - by the Data Controller. The consequence of failing to provide these data is that a given candidacy cannot be considered in the recruitment process. Provision of other data is voluntary.

#### **ACQUISITION OF DATA IN CONNECTION WITH THE PROVISION OF SERVICES OR THE PERFORMANCE OF OTHER CONTRACTS**

If data is collected for the purpose of performing a specific contract, the Data Controller shall provide the Data Subject with details of the processing of his/her personal data at the time of entering into the contract, or at the time of acquiring the personal data in case the processing is necessary for the purpose of taking action by the Controller at the Data Subject's request, prior to entering into the contract.

#### **PROCESSING OF PERSONAL DATA OF STAFF MEMBERS OF CONTRACTORS OR CLIENTS COOPERATING WITH THE DATA CONTROLLER**

- 1. In connection with the conclusion and execution of commercial contracts in the course of business, the Data Controller obtains from contractors/clients data of people involved in the execution of such contracts (e.g., persons placing orders, placing purchase orders, executing orders, etc.). The scope of the transferred data is in each case limited to the extent necessary

for the performance of the contract and usually does not include information other than name and business contact details.

2. Such Personal Data is processed for the purpose of realizing the Data Controller's and its contractor's legitimate interest (Article 6(1)(f) of the GDPR) in enabling the proper and effective performance of the contract. Such data may be disclosed to third parties involved in the performance of the contract, as well as to entities gaining access to the data on the basis of public information disclosure regulations and proceedings conducted on the basis of the public purchase order law, to the extent provided by such regulations.
3. The data is processed for the period necessary to realize the above interests and to fulfill regulatory obligations.

#### **DATA COLLECTION IN OTHER CASES (NETWORKING)**

1. In connection with its operations, the Data Controller also collects Personal Data in other cases - e.g. by building and using lasting mutual business contacts (networking) during business meetings, at industry events or by exchanging business cards - for the purposes of initiating and maintaining business contacts. The legal basis for the processing in this case is the Data Controller's legitimate interest (Article 6(1)(f) of the GDPR), consisting in networking in connection with its business activities.
2. Personal data collected in such cases shall be processed only for the purpose for which it was collected, and the Data Controller shall ensure its adequate protection.

#### **6. DATA RECIPIENTS**

1. In connection with the conduct of activities requiring processing, Personal Data is disclosed to external entities, including, in particular, suppliers responsible for the operation of IT systems and equipment, entities providing legal or accounting services, couriers, marketing or recruitment agencies.
2. The Data Controller may provide data or selected information concerning the Data Subject to competent authorities or third parties who make a request for such information, based on the relevant legal basis and in accordance with the provisions of applicable law.

#### **7. TRANSFERRING DATA OUTSIDE THE EOG**

The Data Controller transfers Personal Data outside the EEA only when necessary and with an adequate degree of protection, primarily through:

- a) Cooperation with processors of Personal Data in countries for which a relevant decision of the European Commission has been issued regarding the determination of ensuring an adequate level of protection of Personal Data,
- b) use of standard contractual clauses issued by the European Commission, provided that an adequate level of personal data protection is ensured;
- c) application of binding corporate rules approved by the relevant supervisory authority,
- d) The Data Controller always informs about its intention to transfer Personal Data outside the EEA at the stage of collection.

#### **8. PERIOD OF PROCESSING OF PERSONAL DATA**

1. The Data Controller's processing period depends on the type of service provided and the purpose of the processing. The period of data processing may also result from regulations when they provide the basis for processing.
2. In the case of data processing based on the Data Controller's legitimate interest (e.g., for security reasons), the data are processed for a period of time that enables the fulfillment of this interest or until an effective objection to the data processing is made.
3. When processing is based on consent, data are processed until the consent is withdrawn. When the basis for processing is necessity for the conclusion and performance of the contract, the data are processed until the contract is terminated
4. The period of data processing may be extended if the processing is necessary for the establishment or assertion of claims or defense against claims, and after this period - only if and to the extent required by law.

## **9. RIGHTS RELATED TO THE PROCESSING OF PERSONAL DATA**

### **RIGHTS OF DATA SUBJECTS**

1. Data subjects have the following rights:
  - a) The right to information about the processing of personal data,
  - b) The right to obtain a copy of the data,
  - c) The right to rectify data that is incorrect or outdated,
  - d) The right to erasure - on this basis, you can request the erasure of data, the processing of which is no longer necessary to carry out any of the purposes for which they were collected,
  - e) The right to restrict processing - if such a request is made, the Data Controller shall cease performing operations on Personal Data - with the exception of operations given consent by the Data Subject, and storage of data,
  - f) The right to data portability - The Data Controller shall issue the data provided by the data subject in a computer-readable format,
  - g) The right to object to the processing of data for marketing purposes,
  - h) The right to object to other purposes of data processing,
  - i) The right to withdraw consent

### **MAKING DEMANDS RELATED TO THE EXERCISE OF RIGHTS**

1. A request for the exercise of Data Subjects' rights can be made by e-mail on: [dataprotection@pxpshape.com](mailto:dataprotection@pxpshape.com).
2. A response to the request should be provided within 30 days of receipt. If it is necessary to extend this period, the Data Controller shall inform the applicant of the reasons for this action.
3. The answer will be provided in the form in which the inquiry was sent.
4. The Company shall store information regarding the request made and the person who made the request in order to ensure that compliance can be demonstrated and for the purpose of establishing, defending or asserting claims by data subjects. The register of requests shall be stored in a manner that ensures the integrity and confidentiality of the data contained therein.

## **10. CHANGES IN PERSONAL DATA PROCESSING POLICY**

The policy is reviewed on an ongoing basis and updated as necessary.

## **11. Document Control**

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