

Data protection information about how your application data are used

Status: September 2020

Below we explain how we process your personal data as part of an application and provide further relevant information in this context.

1. Who is responsible for processing your personal data?

The Liebenau Foundation (hereinafter referred to as “We”), is the controller within the meaning of Section 4, No. 9, of the German Church Data Protection Act (KDG).

2. Data protection officer

You can contact our data protection officer at thomas.kaldenbach@stiftung-liebenau.de should you have any questions related to the processing of your personal data or the exercising of your rights in accordance with KDG .

3. For what purposes and on what legal basis do we process personal data?

Application procedure

We process your personal data for the purpose of processing your application, insofar as this is necessary for the decision about establishing an employment relationship with us. The legal basis for this is Section 53, KDG.

Unsolicited application

If you send us an unsolicited application, We assume that you agree that your application may also be forwarded to our subsidiaries or other legal entities for which We advertise vacancies. In that respect the legal basis is Section KDG or your consent in accordance with Section 6(1), letter b), and Section 13(2), letter a), KDG.

Internal application processing

As part of the application process, your data shall be processed by internal employees of the human resources department, the respective department and the relevant body (works council, where applicable, representative body for severely disabled persons). Your data shall only be used by a limited group of users. Your personal data shall not be forwarded to third parties in any form by us or by persons commissioned by us or processors unless We undertake to forward such data due to compulsory legal regulations (e.g. to state institutions).

Further processing in the case of acceptance

If an employment relationship is established between you and us, We may, in accordance with Section 53, KDG, further process the personal data already received from you for the purposes of the employment relationship if this is necessary to implement or terminate the employment relationship or to exercise or honour of the rights and obligations of the employee representative body resulting from a law or a company agreement.

Talent pool

If you cannot be offered a suitable position at the time of your application, the data you stated / forwarded during the application process may be collected, processed and used in our talent pool, including once the application process has been completed. This is done to establish contact for professional purposes and for potential consideration in a subsequent job allocation. You agree to this use separately. Section 6(1), letter b), KDG, forms the legal basis in this context. Insofar as We also process special categories of personal data in that respect, this is done on the basis of 11(2), letter a), KDG.

Furthermore, We may process your personal data insofar as this is necessary for the defence of asserted legal claims against us arising from the application process. Section 6(1), letter g), KDG, forms the legal basis in this respect. Our legitimate interest results from the need for proper documentation for the purpose of any required evidence.

4. What categories of personal data do we process?

We process data that you provide as part of and in conjunction with the application. This may be the following data:

- General master data about you (such as your name, address and contact details)
- Details about your professional qualifications and school education
- Details about your continuing professional development
- Details of your curriculum vitae (e.g. professional career, sideline activities and leisure activities)
- Results of selection procedures (e.g. tests, interviews)
- Other details that you make available to us in conjunction with your application.

In other respects, We may process job-related information that you have made publicly available, such as from profiles on professional social networks.

5. For how long will your data be stored?

In the absence of a statutory storage period, the data shall be deleted as soon as storage is no longer necessary or the justified interest in storage has expired. If you are not employed, this is usually no later than six months following the end of the application process. In the event of legal disputes, We keep the documents for as long as is necessary. In individual cases, individual data may be stored for a longer period (e.g. travel expense reports). The duration of storage shall then depend on the statutory storage obligations, e.g. resulting from the German Fiscal Code (6 years) or the German Commercial Code (10 years). If you have granted us your consent to store your application, We shall delete your data if We no longer require them or if you withdraw your consent.

6. What rights do you have?

As an applicant you have the following rights, depending on the situation in an individual case. To exercise these rights, you can contact us or our data protection officer at any time using the details set out in points 1 and 2:

a. Information

You have the right to obtain information about your personal data processed by us and request access to and/or copies of your personal data. This includes information about the purpose of the use, the category of used data, the recipients of such data and persons authorised to access them and, if possible, the planned duration of data storage or, if this is not possible, the criteria for determining such duration.

b. Rectification, erasure or restriction of processing

You have the right to ask us to rectify any inaccurate personal data relating to you without delay.

Taking into account the processing purposes, you have the right to request that incomplete personal data be completed, including by means of a supplementary declaration.

c. Right to object

Insofar as your personal data are processed on the basis of Section 6(1), letter g), KDG, you have the right to object to the processing of such data at any time on grounds relating to your particular situation. We will then no longer process such personal data unless We can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing is aimed at asserting, exercising or defending legal claims.

d. Data portability

Following an express request, personal data made available by you and processed automatically can be made available in a common format in accordance with Section 22, KDG, or can be forwarded to a third party on request (e.g. in the event of a change of job).

e. Withdrawal Right

If the processing is based on granted consent, you have the right to withdraw the consent at any time without such action affecting the legality of the processing that applies on the basis of the consent up until withdrawal. To that end you may contact us or our data protection officer at any time using the details above.

f. Right to erasure

You have the right to request that We delete your personal data without delay and, in turn, We undertake to delete personal data without delay if one of the following reasons applies:

- The personal data are no longer required for the purposes for which they were collected or otherwise processed.
- You object to the processing in accordance with Section 6, letter c), above and We have no overriding legitimate grounds for processing.
- The personal data have been processed unlawfully.
- The erasure of the personal data is necessary for compliance with a legal obligation in accordance with state and church law to which We are subject.

This does not apply insofar as the processing is required:

- To comply with a legal obligation that requires processing in accordance with the state and ecclesiastical law to which We are subject.
- To establish, exercise or defend legal claims.

g. Right to restriction of processing

You have the right to ask us to restrict processing if one of the following conditions is met:

- You contest the accuracy of the personal data for a period of time that enables us to verify the accuracy of the personal data;
- The processing is unlawful and you oppose the erasure of the personal data and request the restriction of use of the personal data instead;
- We no longer need the personal data for the processing purposes but you need such data for the assertion, exercise or defence of legal claims, or you have objected to the processing in accordance with Section 6, letter c), above, as long as it has not yet been determined whether our legitimate grounds override yours.

If processing has been restricted in accordance with Section 6, g), above, such personal data may – apart from being stored – only be processed with your consent or for the assertion, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important ecclesiastical interest.

If you have obtained a restriction on processing, we shall inform you before the restriction is lifted.

h. Right to complain

Irrespective of any other administrative or judicial remedy, you have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your residence, place of work or place of the alleged infringement, if you believe the processing of your personal data infringes upon KDG. The competent supervisory authority is:

Catholic Data Protection Centre
Haus am Dom
Domplatz 3, D-60311 Frankfurt
Tel.: +49 69 800871-8000
E-mail: info@kdsz-ffm.de