

# Declaration of Data Protection

This is a declaration of data protection in accordance with Finnish Personal Data Act (523/1999) sections 10 and 24, and GDPR (General Data Protection Regulation) of EU. Compiled 25 April 2018. Updated 22nd November 2018.

## 1 . Controller

BearIT Oy, Åkerlundinkatu 11 D, 33100 Tampere  
Business ID: 2529594-1, info@bearit.fi

## 2. Controller's representative

Anne Tervakari, anne.tervakari@bearit.fi , phone. +358 50 5118 125  
BearIT Oy, Åkerlundinkatu 11 D, 33100 Tampere.

## 3. Filing systems

- Customer Records
- Job Applicant Records
- Employee Records
- Applicant Records for LearnIT
- Trainee Records for LearnIT

## 4. Purposes of processing of personal data and the legal basis for the processing

### Customer Records

BearIT processes personal data for customer agreements and billing information management. BearIT has contracted with the data subject, which is considered as the legal basis for processing of personal data under GDPR.

In addition, BearIT processes personal data of the contact persons of current and potential business customers as well as business partners in order to prepare contracts, maintain and analyze customer and partner relationships and plan and develop business continuity. Processing of personal data concerning contact persons of business customers and business partners is a part of communication and marketing activities intended to advertise events and activities of BearIT, and to acquire new customers. Processing of personal data is necessary for the purposes of the legitimate interests of BearIT (right to pursue business), which is considered as the legal basis for processing of personal data under GDPR.

### Job Applicant Records

The personal data of job applicants is processed during the recruitment process for evaluation and comparison of the applicants, and for selection of the candidates. The personal data can also be processed for preparing employment contract, and for announcing vacancies and trainings. Processing of personal data for recruitment purposes is justified on the basis of legitimate interest of BearIT as well as on the relationship between data subjects and the controller.

### Employee Records

BearIT processes personal data of the employees in order to fulfil the legal obligations of the employer. Processing is based on the Finnish Employment Contract Act (55/2001).

### Applicant Records for LearnIT

The personal data of the applicants for LearnIT labour market training is processed in order to evaluate and select trainees for the training. The personal data is also processed for informing the applicants of selection results and for announcing trainings. Processing of personal data is based on the relationship between data subjects and the controller as well as on the legal obligations of the BearIT as a training service provider under

- the Act on public employment and business service (916/2012)
- the Government Decree on public employment and business service (1073/2012)
- the Act on vocational education and training (531/2017).

### Trainee Records for LearnIT

The personal data of the trainees of LearnIT labour market training is processed for fulfilling the obligations of BearIT as a training provider, such as organisation and administration of training, creating personalised learning plans (PLPs), assessment of the trainees, reporting and providing certificates. Processing of personal data is based on the relationship between data subjects and the controller as well as on the legal obligations of BearIT under

- the Act on public employment and business service (916/2012)
- the Government Decree on public employment and business service (1073/2012)
- the Act on vocational education and training (531/2017)
- the Government Decree on Vocational Adult Education (812/1998).

The personal data processed by BearIT will not be used for automated decision-making or profiling, which can produce legal effects concerning the data subject.

## 5. Personal data stored in the filing system and periods for storing the personal data

### Customer Records

The information collected and stored in the filing system contains the following personal data: name, title, company or organization, phone number, email address, mail address, website, information in social media profiles, feedback and complaint messages, billing information, and information about contracts, service ordered and customer relationship.

- Customer contracts will be stored for ten years beginning from the expiring date of the contract.
- Accounting material, such as billing information, is stored for the period required by the Accounting Act (1336/1997).
- Personal data related to the contact persons of companies, organizations and partners and used in customer communications and marketing is stored for four years at most from the last contact or for the period necessary for marketing or cooperation.

### Job Applicant Records

Job Applicant Records contain the personal data of the employment applicant, such as name, home address, phone number and email address, information on education, degrees completed as well as applicant's work experience, competencies, special knowledge and language skills. In addition, the personal data includes information from the informal application, information on personal and suitability assessment as well as other information delivered and considered necessary by the applicant itself.

- Personal data contained in the Job Applicant Records is stored for one year, which is the period for appealing the decision of the recruitment. If the applicant is selected for a position, his or her personal data will be transferred into the Employee Records.

### Employee Records

Employee Records contain the basic information on the employee that consists with the following personal data: name, social security number, home address, phone number and email address, information on employment relationship, nature of employment as well as taxation and salary payment, degrees completed, competencies and information regarding statistics.

- The personal data of the Employee Records is stored ten years after the employment relationship has ended.
- Accounting material, such as payslips, is stored for the period required by the Accounting Act (1336/1997) and the Tax Prepayment Act (1118/1996).

### Applicant Records for LearnIT

Applicant Records for LearnIT training contain the personal data of the person applying for the labor market training provided by BearIT. The personal data consists of name, social security number, home address, phone number and email address, information on the education, degrees completed, work experience, competencies, special knowledge and language skills of the applicant, information from the informal application, information on personal and suitability assessment as well as other information delivered and considered necessary by the applicant itself.

- Personal data contained in the Applicant Records is stored for two years. If the applicant is selected for the training his or her personal data is transferred into the Trainee Records for LearnIT.

### Trainee Records for LearnIT

Trainee Records for LearnIT contain the personal data of the participant of the labor market training provided by BearIT. The personal data consists of name, social security number, home address, phone number and email address, information on previous education, degrees completed, work experience, competencies, special knowledge and language skills of the trainee as well as information on the personal competence development plan, assessment information on competence development, information given by the company responsible for the on-the-job learning period and other information regarding the personalization of the training and assessment of the trainee.

- Personal data contained in the Trainee Records is stored for two years. Information on completion of the training (such as information of the participation and course certificate) is stored for ten years after the training has ended.

Regarding all the records, the information regarding the use of rights of the data subjects is stored for two years.

## 6. Regular sources of the personal data

### Customer Records

The personal data stored in the records is collected from the data subjects by email and phone, from messages sent through web forms, through social media, from contracts as well as in customer meetings and in other situations, where the customer gives his or her personal data.

In marketing and communications, we may, if necessary, collect personal data also from public sources, such as directory enquiries or websites.

### Job Applicant Records

The personal data stored in the records are delivered by the job applicant him or herself electronically or by paper documents. The personal data is also collected from the applicant through interviews and other contacts.

### Employee Records

The personal data stored in the records is delivered by the employee him or herself.

### Applicant Records for LearnIT

The personal data stored in the records is delivered by the applicant him or herself electronically or by paper documents. The personal data is also collected from the applicant through interviews and other contacts.

### Trainee Records for LearnIT

The personal data stored in the records is delivered by the trainee him or herself electronically or by paper documents. The personal data is collected through assessment and supervision discussions and other contact. In addition, information regarding assessment of the trainee and completion of the training is collected from the trainers and supervisors of the company responsible for the on-the-job learning period.

## 7. Regular disclosure of the personal data

The personal data may also be transferred or disclosed to BearIT's partner who processes personal data on behalf of BearIT in accordance with the contract between BearIT and the partner. The processor does not have the right to process the transferred or disclosed personal data for its own account, in its own filing systems. The partners processing personal data on behalf of BearIT are e.g.

- Accounting firms as well as the suppliers of the bookkeeping systems.
- The suppliers of the tasks and customer relationship management systems.
- Google as a supplier of communications and analytics services.
- Amazon Web Services as a provider of cloud computing services.

The personal data can also be disclosed or transferred to legal authorities or other third parties in accordance with current legislation. For example, the information on the LearnIT trainees regarding the completion of the labor market training is disclosed to the Ministry of Economic Affairs and Employment in Finland and the Centre for Economic Development, Transport and Environment (Vocational Education and Training Act 531/2017).

## 8. Transfer of the personal data outside of EU or ETA

The personal data is not disclosed or transferred by BearIT to third countries or international organizations or outside of EU or ETA countries.

## 9. Security of the register

The personal data collected is processed carefully and the data as well as the information systems are protected properly. Whenever the personal data is stored on Internet servers, both physical and digital security are being taken care of properly. The personal data in digital form is protected by using the technical means generally accepted in the security industry, such as firewalls, encryption methods and data access control.

Only particular employees have access to the data in the filing systems with a data access granted by BearIT. The personal data in manual form is stored in a locked space and access to this data is restricted with access control. The personal data is processed only by those employees whose responsibilities include processing of the personal data.

## 10. Right to access and to rectification

The data subject has the right to know whether his or her personal data is processed or not, and right to access to the personal data concerning him or her. The data subject has also the right to obtain rectification of inaccurate personal data and have incomplete personal data to be completed. For demanding access to the personal data or rectification of the inaccurate data the data subject has to send a written request to BearIT's representative (see item 2). If necessary, BearIT may require the data subject requesting access or rectification to confirm their identity. BearIT will respond to the request within the timescale regulated in the General Data Protection Regulation (mainly within one-month timescale).

## 11. Other rights regarding processing of the personal data

- The data subject has the right to obtain the personal data concerning him or her to be deleted ("right to be forgotten") if the data is redundant or outdated or if his or her personal data has been processed against the law. However, the data subject does not have this right if it is necessary to process personal data in order to fulfil the legal obligations of BearIT (such as employer obligations or obligations of training provider).
- The data subject has the right to object the processing of personal data, except if BearIT is able to demonstrate that the purpose for processing of personal data overrides the interests or the rights of the registered person (e.g. BearIT's legal obligations). The data subject also has the right to restrict processing of his or her personal data for a certain period of time due to, e.g., resolving a disagreement.
- Every data subject has the right to lodge a complaint with the supervisory authority if the person considers that the processing of his or her personal data is against the General Data Protection Regulation.

For using these rights, the data subject has to send a written request to BearIT's representative (see item 2). If necessary, BearIT may require the data subject to confirm his or her identity.