

JOY GLOBAL UK LIMITED PRIVACY NOTICE – CANDIDATES

We are committed to protecting the privacy and security of your personal information. This privacy notice describes how we collect, store and use personal information about you during our recruitment and selection process. If you join us then we have an additional privacy notice relating to our employees and their working relationship with us.

WHO ARE WE?

"We", "our" or "us" means **Joy Global UK Limited (part of the Komatsu Mining Corp. group)**. Our company no. is 02546087. Our registered office is at Bromyard Road, Worcester, WR2 5EG. We are the controller of your personal information. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

Our Local Privacy Officer can be contacted at LPO.UK@mining.komatsu. If you have any questions about this privacy notice or the ways in which we use your personal information, please contact our Local Privacy Officer at LPO.UK@mining.komatsu or our HR Manager.

WHAT DOES THIS PRIVACY NOTICE APPLY TO?

- This privacy notice sets out how we use your personal information during our recruitment and selection process. It is important that you read this notice so that you are aware of how and why we are using the personal information we are collecting, storing and using about you. Your rights over your personal information and how to exercise those rights is also set out in this privacy notice.
- We have a separate privacy notice that sets out how we use your personal information if you join us as an employee.
- We carry out new starter medicals for all candidates who accept a job with us. The privacy notice relating to these will be made available to you when visiting the occupational health practitioner. You may request a copy of it in advance of the medical if you would prefer. Please contact our Local Privacy Officer or our HR Manager (see above for contact details) for this.

NAVIGATION

This privacy notice answers the following – please click on the links below to take you directly to the relevant section:

- [What personal information do we collect about you?](#)
- [How will we use the personal information we collect about you?](#)
- [What is our legal basis for using your personal information?](#)
- [Will we change the way we use your personal information?](#)
- [What happens if I don't provide the personal information you have asked for?](#)
- [Do we use your personal information to make automated decisions?](#)
- [How long will we keep your personal information?](#)
- [Who do we share your personal information with?](#)
- [Will you transfer my personal information outside the EEA?](#)
- [How do we ensure that your personal information is secure?](#)
- [What rights do I have over my personal information?](#)
- [How will you tell me about changes to this privacy notice?](#)
- [How you can contact us](#)

WHAT PERSONAL INFORMATION DO WE COLLECT ABOUT YOU?

1. The Application and Interview Stage

We will collect, store and use the following personal information about you as part of the application and interview stage:

Personal Information you give us:

We collect, store and use the following personal information:

- the personal information you have given us in your CV and covering letter;
- the personal information you have provided on our application form; and
- any personal information you provide to us during an interview.

This personal information will include your name, contact details, date of birth, gender, employment history and qualifications.

We may also collect, store and use the following “special categories” of more sensitive personal information:

- information about your health, including any medical condition or disability where this relates to the specific role applied for or where necessary to make appropriate provisions for you at an interview.

Personal Information we receive from other sources:

We collect, store and use personal information given to us by your recruitment agency (if relevant). This information may include personal information such as your name, CV, contact details, date of birth, gender, employment history and qualifications.

2. The Verification and Vetting Stage

Once we have offered you a job we will collect, store and use the following personal information about you as part of the verification and vetting stage of our recruitment and selection process:

Information you give us:

We will collect, store and use the following “special categories” of more sensitive personal information:

- a copy of your passport or other forms of identification and documentation relating to your right to work in the UK (which includes information relating to race, national or ethnic origin);
- information about your health, including any medical condition or disability where this relates to the specific role applied for. This information is collected from you by carrying out a new starter medical;
- information about your drug and alcohol use, this information is collected from you by carrying out a drug and alcohol test; and
- details of any criminal convictions (which are not spent). This information is collected from you. We do not carry out third party checks.

Personal Information we receive from other sources:

We collect, store and use personal information when we verify personal information you or your recruitment agency have given us such as your qualifications or employment history by contacting the relevant third party.

We also collect, store and use personal information from your named referees about your previous employment history, including your name, attendance record, capabilities, details of your appraisals and your dismissal if appropriate, as well as information about your character.

HOW WILL WE USE THE PERSONAL INFORMATION WE COLLECT ABOUT YOU?

We will use the personal information we collect about you to:

- comply with our employment law and other obligations to comply with laws;
- assess your skills, qualifications and suitability for the role;
- determine whether to interview you;
- where applicable, arrange and conduct interviews;
- communicate with you about the recruitment and selection process;

- decide and communicate the outcome of your application;
- determine the terms on which to employ you;
- carry out verification and vetting;
- obtaining references on you;
- deal with any legal disputes involving you; and
- keep records relating to our hiring processes.

We will use your sensitive personal information as follows:

- we will use your personal information about your medical condition or disability status to consider fitness for work (relating to the particular role you have applied for) and whether we need to provide appropriate adjustments for you;
- we will use your passport information (which includes information relating to race, national or ethnic origin) in relation to whether you are eligible to work in the UK;
- we will use your personal information about Drug and Alcohol for the purpose of ensuring your suitability for the role applied for;
- we will use your personal information about whether you have committed a criminal offence or have any criminal convictions for the purpose of ensuring your suitability for the role applied for. For example if you are disqualified from driving you would be unable to be a driver for us. We will not use any spent conviction data; and
- for investigating, pursuing or defending any legal claims.

WHAT IS OUR LEGAL BASIS FOR USING YOUR PERSONAL INFORMATION?

Under data protection law we must have a legal basis to use your personal information. We have set these out below.

We collect, store and use the personal information provided to us in connection with our recruitment and selection process on the legal basis that it is necessary for taking steps prior to entering into a contract and for compliance with legal obligations to which we are subject.

We collect, store and use your sensitive personal information:

- about your medical condition or disability status on the legal basis that it is necessary for taking steps prior to entering into a contract and on the additional condition that it is necessary to evaluate your fitness to work and to enable us to carry out our obligations and exercise our rights in the field of employment law;
- from your passport (which includes information relating to race, national or ethnic origin) in relation to whether you are eligible to work in the UK on the basis that it is necessary to comply with a legal obligation to which we are subject and on the additional condition that it is to enable us to carry out our obligations and exercise our rights in the field of employment law;
- for investigating, pursuing or defending any legal claims on the legal basis that it is necessary to comply with a legal obligation and on the additional condition that it is to enable us to carry out our obligations and exercise our rights in the field of employment law;
- about drug and alcohol use on the legal basis that it is necessary for taking steps prior to entering into a contract and on the additional condition that it is necessary to enable us to carry out our obligations and exercise our rights in the field of employment law; and
- about whether you have committed a criminal offence or have any criminal convictions (where the law allows us to do so) on the legal basis that it is necessary for taking steps prior to entering into a contract and on the additional condition that it is necessary to enable us to carry out our obligations and exercise our rights in the field of employment law.

WILL WE CHANGE THE WAY WE USE YOUR PERSONAL INFORMATION?

We will only use your personal information for the purpose we have set out in this notice. We can only change the purpose we use it for without telling you where we need to use it for another reason and that reason is compatible with those set out in this notice. If we need to use your personal information for any other purpose, we will notify you and we will explain the legal basis which allows us to do so in a similar way to how we have done it in this notice.

WHAT HAPPENS IF I DON'T PROVIDE THE PERSONAL INFORMATION YOU HAVE ASKED FOR?

If you don't provide the personal information we need when we ask for it, we may not be able to continue with our

recruitment and selection process or a job offer e.g. if you don't give us details of your eligibility to work in the UK we cannot employ you. If you have any concerns about whether you need to provide the personal information please contact our Local Privacy Officer or HR Manager (see above for contact details).

DO WE USE YOUR PERSONAL INFORMATION TO MAKE AUTOMATED DECISIONS?

You will not be subject to decisions that will have a significant impact on you based solely on automated decision making (i.e. one without human intervention).

HOW LONG WILL WE KEEP YOUR PERSONAL INFORMATION?

If you do not join us we will keep your personal information for a period of 6 months after we have communicated to you our decision about whether to offer the job to you. We retain your personal information for that period so that we can show that we have not discriminated against candidates on prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way. If you join us as an employee then the personal information collected as part of the recruitment and selection process will be added to your HR file. We have a separate privacy notice in relation to employees which specifies how long we keep employee personal information for.

If a dispute arises between us, we will continue to retain your personal information for the purposes of responding to and dealing with this dispute and this may mean that we keep your personal information for longer than 6 months.

If you would like us to keep your details on record for the purposes of considering you for a suitable role in the future please let us know. We will then keep your details for a further 12 months.

We will ensure that your personal information is securely deleted after the retention periods stated above have expired.

WHO DO WE SHARE YOUR PERSONAL INFORMATION WITH?

We will only share the personal information that you give us with the following third parties and for the following reasons:

- Group companies: We will share your personal information with Komatsu Mining Corp., Komatsu America Corp., Komatsu Limited and all subsidiaries, operating units and divisions of it, including any parent group companies. This is because they provide us with assistance in managing recruitment and selection. We consider the use of your personal information in this way is in our legitimate interests. We have considered our legitimate interests carefully and have balanced our legitimate interests against your rights under data protection law. We consider that this is proportionate because we will only pass on personal information relevant to the recruitment and selection process, it is within your expectation and we enter into data sharing agreements with our group companies.
- With companies who provide support for our internal IT systems: We use reputable third parties to provide us with our IT systems and support for them. They may access your personal information to the extent that they need to in order to provide their services. We consider it is in our legitimate interests to be able to use reputable third party providers to facilitate us having well-functioning IT systems and to fix any issues with our IT systems. We have considered our legitimate interests carefully and have balanced our legitimate interests against your rights under data protection law. We consider that this is a proportionate use of your personal information because we only share the personal information that is necessary to enable our outsourced support to provide their services and we enter into a contract with them.
- With a company that we merge with or transfer our business assets to: In the event that we sell all or part of our business, or merge with another company, we may transfer personal information that we have collected as described in this notice, along with our other business assets, to the company that we are selling to or merging with. We do this on the basis of our legitimate interests in being able to merge or sell our business. We have considered our legitimate interests carefully and have balanced our legitimate interests against your rights under data protection law. We consider that this is a proportionate use of your personal information because we would

only share what was necessary in order to allow the other entity to consider entering into the transaction and we would enter into a contract with them.

- With entities, organisations or individuals outside our group for legal reasons: We will share your personal information with entities, companies or individuals outside our group where this is strictly necessary to: comply with any law, rule, regulation, legal procedure or governmental request that is applicable to us. The legal basis for this is that sharing your personal information in this way is necessary in order for us to comply with our legal obligations.
- With entities, companies or individuals outside our group to obtain advice: We also share your personal information with external professional advisors such as lawyers or accountants in order to take advice and for the purposes of legal and tribunal proceedings. The legal basis of this is that it is in our legitimate interests as a business to be able to obtain professional advice from our external advisors about issues that may arise within our business. We have considered our legitimate interests carefully and have balanced our legitimate interests against your rights under data protection law. We consider that this is a proportionate use of your personal information because it is in your reasonable expectations that we would need to share your personal information with our professional advisors, we would only share what was necessary in order to allow our advisors to advise us or for the purposes of legal and tribunal proceedings and we enter into contracts with our advisors.

WILL WE TRANSFER YOUR PERSONAL INFORMATION OUTSIDE THE EEA?

We store your personal information in the United Kingdom or in countries within the European Economic Area (“EEA”).

We will only transfer your personal information outside the EEA as follows:

- Where we share your data with Komatsu Mining Corp., Komatsu America Corp., and Komatsu Limited, our group companies and any subsidiaries, operating units and divisions worldwide; and
- Where our third party service providers who we share personal information with (as set out above) are based outside the EEA, have support services located outside the EEA or host personal information outside the EEA.

The countries (outside the EEA) that your personal information may be transferred to or accessed from include the US and Russia.

If you would like further details about our transfer of your personal information outside the EEA please contact our Local Privacy Officer or HR Manager (see above for contact details).

We only transfer your personal information outside the EEA where we have a legal basis for doing so and where we require that your personal information is protected to the same standard as it would be protected in the UK. We do this by entering into data sharing agreements with the recipients of your personal information based outside the EEA which comply with the EU Commission’s standard clauses for the transfer of personal information.

HOW DO WE ENSURE THAT YOUR PERSONAL INFORMATION IS SECURE?

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need-to-know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

WHAT RIGHTS DO I HAVE OVER MY PERSONAL INFORMATION?

You have the right to make a complaint to the Information Commissioner's Office (ICO) if you are unhappy about the way your personal information is being used – please refer to the ICO website for further information about this (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO and so, if you are happy to do so, please contact our Local Privacy Officer or HR Manager (see above for contact details) in the first instance and we will try to resolve your issues.

You have a number of rights over your personal information, which are:

- the right to ask us what personal information we have about you and to have a copy of your personal information from us;
- the right to ask us to correct any errors in your personal information;
- the right to ask us to review and explain our legitimate interests to you;
- the right to ask us to delete your personal information where: (i) we don't need your personal information anymore; (ii) you withdraw your consent to our use of your personal information and we have no other legal basis to keep your personal information; (iii) you have asked us to review and explain our legitimate interests to you and we don't actually have a valid legitimate interest to do what we are doing; (iv) our use of your personal information is illegal; (v) we have to delete your personal information to comply with our legal obligations;
- the right to ask us to restrict the use that we are making of your personal information where: (i) you don't think the personal information we have about you is correct, so that we can check if it is correct; (ii) what we are doing with your personal information is illegal but you would rather we stop using your personal information rather than delete it; (iii) we don't need your personal information anymore, but you need us to keep it so that you can exercise any legal rights; and (iv) you have asked us to review and explain our legitimate interests to you, so that we can check whether we actually have a valid legitimate interest to do what we are doing; and
- the right to ask us to transfer your personal information in certain circumstances.

If you want to access, review, verify, correct or request erasure of your personal information, object to the processing of your personal information, or request that we transfer a copy of your personal information to another party, please contact our Local Privacy Officer or HR Manager (see above for contact details).

HOW WILL YOU TELL ME ABOUT CHANGES TO THIS PRIVACY NOTICE?

We keep our privacy notice under regular review. Any changes we make to our privacy notice in the future will be posted on our website and if the changes will have an effect on you or the way we use your personal information we will bring them to your attention by email where appropriate.

HOW YOU CAN CONTACT US

If you have any questions about this privacy notice or about the ways we use your personal information, please contact our Local Privacy Officer or HR Manager (see above for contact details).