

## **XTX Privacy Notice for Visitors, Applicants and Staff Dependants**

This privacy notice explains how and why XTX Markets Limited and its affiliates (XTX) collect your personal data, how XTX uses it and what your rights are with respect to it. XTX may amend this privacy notice from time to time. The latest version of this notice can be found at <https://www.xtxmarkets.com/regulatory-disclosures/>.

As a “controller”, as defined in the General Data Protection Regulation 2016/679 (**GDPR**), XTX collects personal information from and about its employees, officers or other staff members (**Personal Data**).

The following terms will apply to the processing of Personal Data by XTX.

### **(A) Who does this Privacy Notice apply to?**

- Visitors;
- Applicants; and
- Staff Dependants.

### **(B) Type of Personal Data XTX processes**

XTX typically collects and processes the following types of Personal Data:

#### **FOR VISITORS**

##### **1. Visit Information**

**Data:** XTX may collect your name, the name of the Company you work, your contact details, the time of your arrival and the time of your departure from the relevant XTX premises.

**Purpose:** XTX requires this data to comply with its legal and regulatory obligations to mitigate risks to the health and safety of staff and other visitors to its premises. The data will be used to track staff and visitors that attend the XTX office and will provide XTX with a secure way of contacting such staff and/or visitors if required.

**Legal Basis for Processing:** Processing is necessary for (i) the pursuit of XTX’s legitimate interests; and (ii) to protect the vital interests of the data subjects.

**Further Details:** One way in which the aforementioned data will be collected is through a “Virtual Check-In portal” which is a QR scanning system designed to keep records of employees, guests, visitors and customers who enter the XTX premises. When a member of staff or a visitor uses the Virtual Check-In portal for the first time, a cookie will be placed onto your electronic device that will enable the user to scan QR codes to enter or leave the premises without needing to login to the Virtual Check-In portal. These cookies (i) do not record identifiable personal information; and (ii) are essential for certain features of the Virtual Check-In portal to work. XTX does not need your consent to place these cookies on your device

##### **2. CCTV footage**

**Data:** Video footage of all entrances and exits to the offices, and certain other communal areas, is recorded on a continual basis.

**Purpose:** To secure the business premises and to protect both you and XTX's intellectual property from damage or theft.

**Legal Basis for Processing:** Processing is necessary for (i) the pursuit of XTX's legitimate interests; and (ii) to protect the vital interests of the data subjects.

### **FOR APPLICANTS**

#### **CVs**

**Data:** XTX collects all CVs provided to it by applicants.

**Purpose:** Collecting CVs is a necessary part of the recruitment process in order to screen suitable applicants in advance of holding interviews.

**Legal Basis for Processing:** Processing is necessary for the pursuit of XTX's legitimate interests.

**Further Details:** Data is held by HR on a drive, and by the staff member to whom the CV was sent by the applicant. HR controls access to this data. Please note that CVs may be distributed internally via email to other XTX Staff for consideration as related to your prospective employment by XTX.

### **Staff Dependants**

#### **Information provided by Staff for their Dependants**

**Data:** XTX collects the name, address, date of birth and contact details of dependants.

**Purpose:** XTX requires this personal data in order to fulfil its obligations under each Staff member service contract to provide certain contractual benefits to employees and their dependants (e.g. health insurance).

**Legal Basis for Processing:** Processing is necessary for the performance of a contract.

### **(C) Your Rights as a Data Subject**

#### ***Access to your information***

Under the GDPR you have a number of rights with respect to your Personal Data. If you wish to access the Personal Data, and any supplementary information, that XTX collects and that relates to you, or you wish to correct or update the Personal Data that XTX has stored that relates to you, please send a request by email to the Data Protection Office at [dataprotection@txmarkets.com](mailto:dataprotection@txmarkets.com). XTX will endeavour to comply with your request without undue delay and, at the latest, within one month of receipt, unless (a) the request is complex or there are multiple requests, in which case XTX will inform you of any likely delay or (b) with respect to a request to access the Personal Data, the request is manifestly unfounded or excessive, in which case XTX will inform you that a fee is payable or that XTX will be unable to comply with your request.

Where you have provided consent for the processing of your Personal Data (and XTX has specified no other legal basis for its processing), or where the sole legal basis provided for its processing is for the performance of a contract, the right to data portability enables you to request a copy of all of your Personal Data that XTX processes electronically, for transfer to another data controller. XTX will endeavour to comply with your request without undue delay and, at the latest, within one month of receipt, unless the request is complex or there are multiple requests, in which case XTX will inform you of any likely delay.

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In certain circumstances, you have the right to object to XTX's processing of your Personal Data if there is no reason for XTX to keep it, although please note that there may be legal, regulatory or other reasons why XTX would need to keep using your Personal Data, and XTX would inform you of those reasons if applicable.

You also have the right to restrict XTX's processing of your Personal Data, meaning that without your consent, XTX may only use it where they have a legitimate interest in doing so, or to establish, exercise or defend a legal claim or to exercise certain limited legal rights, in the following circumstances:

- It is inaccurate;
- You have already contacted XTX to object to the processing of it, and XTX are still considering whether or not to agree to your request;
- It has been processed unlawfully and you would prefer XTX to restrict the processing of it, rather than to delete it; and
- XTX no longer needs the data, but you require it to be restricted rather than deleted to exercise, establish or defend a legal claim.

You also have the right to request the deletion or removal of your Personal Data, and subject to relevant law or regulation, XTX has to comply with that request in the following circumstances:

- Where the Personal Data is no longer necessary in relation to the purpose for which it was originally collected;
- If you have provided consent for the processing of your Personal Data and you decide to withdraw that consent (where XTX has specified no other legal basis for its processing);
- Where there is no overriding legitimate interest for continuing the processing of it;
- Where it was unlawfully processed; and
- Where XTX needs to comply with a legal obligation to erase it.

### ***How XTX protects Personal Data***

XTX will comply with the GDPR when processing your Personal Data. In particular, XTX has implemented generally accepted standards of technology and operational security in order to protect Personal Data against accidental loss, destruction or damage.

Please note, however, that XTX does not guarantee that Personal Data will be 100% secure in all circumstances.

### ***Sending data outside of the UK and/or European Economic Area***

XTX will only send your data outside of the UK and/or European Economic Area ("EEA") in the following circumstances:

- To staff members of another entity in the XTX Group in Singapore or the US;
- To professional advisers such as accountants, auditors and law firms in the jurisdictions in which we operate or are proposing to operate;
- Where required or requested by financial institutions, exchanges, platforms, data centres or other entities or service providers in the jurisdictions in which we operate or are proposing to operate in order to progress XTX's business interests or for XTX to meet its contractual or regulatory obligations;
- Where required or requested by law, regulation, by a court of competent jurisdiction or by any regulatory body or governmental authority.

### ***Data sharing with third parties***

- XTX will share your personal information with third parties where required by law, where it is necessary to fulfil its obligations under a member of staff's service contract (in the case of a staff dependant) or where we have another legitimate interest in doing so.
- The following activities are carried out by third-party service providers: benefit and administration provisions (in the case of a Staff Dependants), recruitment services (in respect of Applicants) and IT services.
- All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

XTX may also store your personal data via third party web-based applications, cloud services or web-based storage providers, some of whom may be based outside of the EEA.

In the event that your Personal Data is sent outside the UK and/or European Economic Area (a "**Restricted Transfer**") in one of the above circumstances, and such transfer is not necessary for the performance of a contract or in relation to a legal or regulatory process, XTX will ensure that at least one of the following safeguards are in place to protect your data:

- The Restricted Transfer is to a non-UK/EEA country with equivalent data protection and privacy laws to the UK/EEA (as applicable);
- The entity receiving the Personal Data commits to maintaining sufficient levels of security and protection with respect to its handling of the Personal Data.

### ***Data retention***

#### **FOR VISITORS**

Unless one of the below exceptions apply, XTX will keep your data for five years following the date of your visit.

#### **FOR APPLICANTS**

Unless one of the below exceptions apply, XTX will keep your data for five years following the date that XTX informed you that an offer of employment will not be made or receipt of confirmation from you that you will not be accepting an offer of employment from XTX. Your data will be deleted promptly thereafter.

#### **FOR STAFF DEPENDANTS**

Unless one of the below exceptions apply, XTX will keep your data for three years following the date that you are no longer identified as a beneficiary of any benefit granted to a member of staff pursuant to their service contract.

#### ***Exceptions:***

- We are required to retain the data for a longer period of time in order to comply with a legal or regulatory obligation

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- We are unable or it is impractical, for technical or operational reasons, to delete the data. This exception generally applies to circumstances where the data has been written to offline storage such as back-up tapes. In such circumstances, it would be impractical to delete this data because to do so would involve a significant amount of work, including recalling the relevant tapes, restoring the data, deleting relevant sections, and rewriting new back-up tapes with the remaining data left intact. XTX therefore reserves the right to retain its back-up tapes indefinitely. XTX mitigates the risk of retaining such tapes by storing the data offline and ensuring that the tapes can only be recalled by a restricted group of authorised individuals in the Infrastructure team, who will only access the data where they have a legitimate interest in doing so, such as to comply with a legal or regulatory obligation.

If XTX retains your Personal Data for a longer period as described above, it will ensure that it continues to comply with the provisions of the GDPR with respect to securing and protecting your Personal Data.

### **Complaints and Further Information**

You have the right to lodge a complaint to the Information Commissioners' Office if you believe that XTX has not complied with the requirements of GDPR with regard to your Personal Data.

For further information on how Personal Data is used, how XTX maintains the security of Personal Data, and your rights to access your Personal Data, or if you have any concerns as to how your data is processed, please contact the Data Protection Office at [dataprotection@xtxmarkets.com](mailto:dataprotection@xtxmarkets.com).