



# *Employee and Candidate Privacy Notice*

March 2025



**CAYMAN  
NATIONAL**

A Subsidiary of  Republic Financial Holdings Limited

## 1. BACKGROUND

- 1.1. This Notice ("**Notice**") applies to Cayman National Corporation Ltd. ("CNC", "Us", "We") and its subsidiaries in the Cayman Islands. Reference to CNC or "Cayman National" includes CNC itself and any of its subsidiaries, and the board of directors and management of each subsidiary is responsible for implementing this Notice for each relevant subsidiary.
- 1.2. This Notice applies to all directors, employees, and contractors ("You" or collectively "employees") who provide services to CNC in the Cayman Islands. This Notice also applies to all persons who apply for employment or an office with CNC, in which case the term "employees" includes such candidates for the purposes of this Notice, even if a candidate is not or was never employed by CNC.
- 1.3. Cayman National is committed to protecting the privacy and security of your personal information. This Notice describes how we collect and use personal information about you during and after your working relationship with us, in accordance with the relevant data protection legislation.
- 1.4. We will be the "data controller" in respect of your employment or employment application. 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.
- 1.5. This Notice applies to current and former employees, workers, and contractors. It does not form part of any contract of employment or other contract to provide services. We may update this Notice at any time.
- 1.6. It is important that you read this Notice, together with any other privacy notices we may provide on specific occasions when we collect or process personal information about you, so that you are aware of how and why we are using such information.

## 2. CONTACT

- 2.1. Until further notice, we have a central point of contact for data protection queries via email at [data.protection@caymannational.com](mailto:data.protection@caymannational.com).

## 3. THE KIND OF INFORMATION WE HOLD ABOUT YOU

- 3.1. Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data). There are also "special categories" of more sensitive personal data which require a higher level of protection.

3.2. We will collect, store, and use the following categories of personal information about you:

- a) Personal contact details such as name, title, addresses, telephone numbers, personal email addresses, and personal online profiles;
- b) Date and place of birth;
- c) Gender;
- d) Marital status and dependants;
- e) Next of kin, parental and emergency contact information;
- f) Particulars relating to your bank and other financial accounts, and payroll records, or securities accounts;
- g) Salary, annual leave, pension and benefits information;
- h) Start date;
- i) Location of employment or workplace;
- j) Copy of driving licence, passport, birth certificate and other identification;
- k) Recruitment information (including copies of right to work documentation, immigration status, references, academic and professional qualifications, and other information included in a CV or cover letter or as part of the application process);
- l) Employment records (including job titles, work history, working hours, training records and professional memberships);
- m) Remuneration history;
- n) Performance information;
- o) Disciplinary and grievance information;
- p) Monitoring information obtained through electronic means such as swipe card records;
- q) Information about your use of our information and communications systems;
- r) Photographs, and electronic and video; and
- s) Information about your existing insurance coverage, and, where required by local law, details of any coverage held by your dependants.

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

- a) Information about your health, including any medical condition, health and sickness records including:

- where you leave employment and the reason for leaving is determined to be ill health, injury or disability, the records relating to that decision;
  - details of any absences (other than holidays) from work including time on maternity or other statutory leave and sick leave; and
  - where you leave employment and the reason for leaving is related to your health, information about that condition needed for pensions.
- b) Information about criminal convictions and offences or alleged offences; and
- c) Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.

#### **4. HOW IS YOUR PERSONAL INFORMATION COLLECTED?**

- 4.1. We collect personal information about you through the application and recruitment process, either directly from candidates or sometimes from an employment agency or referees. We may sometimes collect additional information from third parties including former employers, credit reference agencies or third parties who undertake background checks.
- 4.2. We will collect additional personal information in the course of job-related activities throughout the period of you working for us. We will use all CNC applications, systems, devices to obtain such information.
- 4.3. We may collect personal information about your dependants from you as described in 3.2 above, and it is your responsibility to ensure that you have the consent of those dependants to share their personal information with us.

#### **5. TRACKING**

- 5.1. We reserve the right at any time to access and review all information stored on CNC PCs hard drives, mobile devices, laptops and other devices as necessary which remain under the ownership of CNC or one of its subsidiaries.
- 5.2. We may monitor communications you issue such as letters, emails or telephone calls where a dispute or query has arisen with a client. We may use these communications to check client's instructions to us, to assess responses issued by you, to monitor for training purposes, to manage risk and to prevent and detect crimes such as fraud or money laundering.
- 5.3. Staff are reminded that in accordance with the Staff Handbook of Benefits and Policies employees should not have an expectation of total privacy regarding information that is created, stored, sent or received on any networked system.

- 5.4. For security and to prevent and detect crime we may collect recordings, images and sound using CCTV in and around our premises. These recordings are not used for monitoring purposes.

### **6. HOW WE WILL USE INFORMATION ABOUT YOU**

- 6.1. We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:
- a) Where we need to perform the contract of employment we have entered into with you, or where we need to determine whether to offer employment or office to you and preparatory steps related thereto;
  - b) Where we need to comply with a legal obligation; or
  - c) Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- 6.2. In addition, we may also use your personal information where you have given us consent to do so or in circumstances where we need to protect your or someone else's interests.
- 6.3. We may also use your personal information in order to make a decision to create or terminate an employment or service arrangement with you.
- 6.4. Before we enter into an employment contract with you, we need all the categories of information in the list in section 3 above primarily to consider your application, including but not limited to putting together an offer letter (contractual performance), establishing your right to work (legal obligation), evaluating your suitability for the role (legitimate interests), and undertaking a criminal records search (consent).
- 6.5. If we enter into an employment contract with you, we need all the categories of information in the list in section 3 above primarily to allow us to perform our contract with you and to enable us to comply with legal obligations. In some cases, we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. Some of the grounds for processing will overlap and there may be several grounds which justify our use of your personal information. As examples, some of the situations in which we will process your personal information below may be:
- 6.6. *Performance of a contract:* Examples include:
- a) Paying you;

- b) Providing with benefits which may include pension, health insurance, life insurance, preferential banking and other financial services;
- c) Considering holiday requests;
- d) Administering the contract we have entered into with you.

6.7. *Legal obligation.* Examples include:

- a) Deducting and making contributions related to pension, health insurance, etc.;
- b) Checking you are legally entitled to work;
- c) Investigating complaints and/or gathering evidence for grievances;
- d) Dealing with disputes involving you, or other employees, workers and contractors, including accidents at work;
- e) Complying with health and safety obligations, including ascertaining your fitness to work;
- f) To prevent money laundering, terrorist financing and fraud;
- g) Dealing with actual or potential claims of any sort.

6.8. *Legitimate Interests.* Examples include:

- a) Conducting performance reviews, managing performance and determining performance requirements;
- b) Gathering evidence for possible disciplinary hearings;
- c) Making decisions about salary reviews and compensation;
- d) Assessing qualifications for a particular job or task, including decisions about promotions;
- e) Managing sickness absence;
- f) Monitoring your use of our information and communication systems to ensure compliance with our IT policies;
- g) To conduct data analytics studies to review and better understand employee retention and attrition rates;
- h) Business management and planning, including accounting and auditing;
- i) Making a decision about your recruitment or appointment;
- j) Determining the terms on which you work for us;
- k) Making decisions about your continued employment or engagement;
- l) Making arrangements for the termination of our working relationship;
- m) Education, training and development requirements;

- n) To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution;
- o) Equal opportunities monitoring.

### **IF YOU FAIL TO PROVIDE PERSONAL INFORMATION**

- 6.9. If you fail to provide certain information when requested, we may not be able to proceed with your application (if applicable), perform the contract we have entered with you (such as paying you or providing a benefit), comply with our legal obligations (such as ensuring the health and safety of our employees), or be eligible for promotion or any bonus or additional benefit.

### **CHANGE OF PURPOSE**

- 6.10. We will only use your personal information for the purposes for which we collected it unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.
- 6.11. Please note that we may process your personal information without your knowledge, in compliance with the above rules, where this is required or permitted by law.

## **7. HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION**

- 7.1. "Special categories" of particularly sensitive personal information require higher levels of protection. Examples of special category data are in section 3. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:
- a) Where we need to carry out our legal obligations and in line with where we need to carry out our legal data protection obligations;
  - b) Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards;
  - c) With your explicit written consent. Usually, this consent will be a one-off request and will not permit us to continue to process your special category personal data indefinitely. An

example of this would be when we require a medical report from your doctor to help facilitate a return to work after a period of long term sickness; and

- d) Where it is needed in the public interest, such as for equal opportunities monitoring and in line with our data protection obligations.

7.2. Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public. We may also process such information about members or former members in the course of legitimate business activities with the appropriate safeguards.

### **OUR OBLIGATIONS AS AN EMPLOYER**

7.3. We will use your particularly sensitive personal information in the following ways:

- a) We will use information relating to leaves of absence, which may include sickness absence or family related leaves, to comply with employment and other laws; or
- b) We will use information about your physical or mental health or disability status to ensure health and safety in the workplace and to assess your fitness to work, provide appropriate workplace adjustments, monitor and manage sickness absence and administer benefits; or
- c) We may use information to improve our diversity, equity, and inclusion in the workplace.

### **DO WE NEED YOUR CONSENT?**

7.4. We do not always need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In some circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data for example if we want you to undertake a medical examination in order to assess your fitness to work. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us, but in the case of a medical examination, we may need to make an assessment of your fitness to work without the benefit of this information.

## **8. INFORMATION ABOUT CRIMINAL CONVICTIONS OR ACTIVITY**

8.1 We may only use information relating to criminal convictions or allegations of criminal activity where the law allows us to do so. This will usually be where during the recruitment process, when we are undertaking background searches or to assess your suitability to work for us either at the



commencement of your employment or on an ongoing basis. This will only be undertaken either with your explicit consent or where such processing is necessary to carry out our obligations and provided, we do so in line with our data protection obligations.

8.2 We may use information relating to criminal convictions or allegations of criminal activity where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

8.3 Where searches have been undertaken, we will continue to hold such information about criminal convictions or possible activity as long as it remains relevant.

### **9. AUTOMATED DECISION MAKING**

9.1 We do not undertake any fully automated decision making that is relevant to your employment.

### **10. DATA SHARING**

10.1 We may have to share your data with third parties, including third-party service providers which may include jurisdictions outside of the Cayman Islands. We may do so where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

10.2 We require third parties to respect the security of your data and to treat it in accordance with the law and a similar degree of protection in respect of your personal information.

10.3 "Third parties" includes third-party service providers (including contractors and designated agents) and other entities within Cayman National, and possibly within Republic Financial Holdings Limited which owns a controlling interest, if applicable. The following activities are carried out by third-party service providers: companies undertaking background checks, pension administration, benefits provision and administration, IT services and employee engagement surveys.

10.4 All our third-party service providers and other subsidiaries of Cayman National 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.

- 10.5 We will share your personal information within Cayman National as part of our regular reporting activities on performance, to assist in arranging training or to explore secondment opportunities for you in other jurisdictions.
- 10.6 We may share your personal information with other third parties, for example in the context of providing services to current or marketing to prospective clients. We may also need to share your personal information with a regulator or to otherwise comply with the law.
- 10.7 We may transfer the personal information we collect about you to the countries where Cayman National and Republic Financial Holdings Limited have a presence, in the course of providing services to clients or to consider international transfers. Where we are transferring your personal data to a jurisdiction which does not have adequate data protection standards, we will ensure that your personal information is treated by those third parties in a way that is consistent with and respects the laws on data protection within the Cayman Islands through contractual measures. If you require further information about this protective measure, you can request it by using the contact details above.
- 10.8 In the course of general business activities, the type of information we may share includes:
- Your CNC contact details, email, phone number, details of your status and role held;
  - Your image;
  - Your Customer Due Diligence (CDD) to enable third parties to comply with their regulatory requirements;
  - Your ID in the form of your signature and position as part of an authorised signatory list, certification for a copy document or authorisation of an instruction, contract or correspondence.

Where your image or personal information is to be used, we will advise you and, in certain circumstances, seek your consent through our marketing sign-off process.

## **11. DATA SECURITY**

- 11.1 We have put in place measures to protect the security of your information. Details of these measures are available upon request by using the contact details above.
- 11.2 Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.
- 11.3 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. Details of these measures may be obtained by using the contact details above.

- 11.4 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.

## **12. DATA RETENTION**

- 12.1 We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including to satisfy any legal, accounting, or reporting requirements. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

- 12.2 If you are unsuccessful as an applicant for employment or office, your job application documents, including your CV, will be retained until the end of the calendar year following the end of the year in which you were so notified, on the basis of legitimate interests in order to provide candidate feedback and defend legal proceedings.

- 12.3 For employees, as the specific requirements do differ between the different jurisdictions in which we operate, it is not possible to set these out exhaustively, but the following are some typical examples of the kind of information we retain, why we do so and the relevant periods:

- a) Personal profiles on any relevant HR software will be deleted by CNC seven years after the termination of your work employment. This is based on legitimate interests to defend legal proceedings and/or enforce rights such as confidentiality;
- b) Details of disciplinary warnings –for seven years after the termination of your employment, on the basis of our legitimate interest in managing performance at work and for litigation purposes;
- c) Health and safety accident records – for seven years after the termination of your employment, on the basis of our legitimate interest in managing performance at work and to comply with legal obligations;
- d) Pay records – Retained for seven years to comply with legal obligation;
- e) Personnel files – Core documents such as contracts of employment retained for seven years after the termination of employment on the basis of legitimate interests to defend legal proceedings and/or enforce rights such as confidentiality.

- 12.4 In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer an employee of the company we will retain and securely destroy your personal information in accordance with applicable laws and regulations.

### **13. RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION**

- 13.1 It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

- 13.2 Under certain circumstances, by law you have the right to:

- a) Request access to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it. If this request is made, then the data will be provided to you for free within four weeks of the request;
- b) Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected;
- c) Request erasure of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below). In this circumstance the data will be erased within four weeks of the request;
- d) Object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes;
- e) Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example, if you want us to establish its accuracy or the reason for processing it; and
- f) Request the transfer of your personal information to another party.

- 13.3 If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact us by using the details above.

13.4 You will not have to pay a fee to access your personal information (or to exercise any of the other rights). We may charge a reasonable fee if your request for access is clearly unfounded or excessive, or we may refuse to comply with the request in such circumstances.

13.5 We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

### **14. RIGHTS TO WITHDRAW CONSENT**

14.1 In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please do so by using the contact details above. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

### **15. DATA PROTECTION AUTHORITY**

15.1 You have the right to make a complaint at any time to the relevant supervisory authority for data protection issues.

Ombudsman Cayman Islands  
5<sup>th</sup> Floor, Anderson Square, 64 Shedden Road, George Town  
PO Box 2252, Grand Cayman KY1-1107, CAYMAN ISLANDS  
Email: [info@ombudsman.ky](mailto:info@ombudsman.ky)  
Call: +1 345 946 6283

### **16. CONFLICTS**

16.1 In relation to data protection, if there is any conflict between the terms of this Notice and any other provision in any other agreement or other terms concerning CNC or any of its services, the terms of this Privacy Notice shall prevail to the extent of the conflict.

### **17. CHANGES TO THIS NOTICE**

17.1 We reserve the right to update this Notice at any time, and we will provide you with a new Notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

17.2 If you have any questions about this privacy notice, please use the details in the “Contact” section at 2 above.

March 2025