

EU CANDIDATE PRIVACY NOTICE

INTERCONTINENTAL EXCHANGE, INC. (ICE)

This privacy notice describes how the Intercontinental Exchange, Inc. group (“ICE”, “we” or “us”) collects and processes personal information about you, how we use and protect this information, and your rights in relation to this information, when you apply for a job at one of ICE’s locations in the European Economic Area (“EEA”).

Personal information is information, or a combination of pieces of information, that could identify you.

This privacy notice describes the handling of personal information obtained about job applicants during the recruitment process via one or more of the following means:

- through the ICE Group’s online recruitment system (the “**recruitment system**”), which links to this privacy notice;
- directly from applicants;
- from third party agencies and recruiters on behalf of applicants;
- from third party service providers who perform background checks on our behalf;
- publicly available professional profiles on websites or social media (e.g. LinkedIn); and
- from ICE employees who refer a contact for a position.

When you apply, the personal information you submit will be made available to ICE’s European HR team, which is based in the UK and coordinates recruitment activities across the EEA¹, and potentially to relevant individuals/departments within the ICE entity to whom you have applied or made an enquiry.

1. INFORMATION WE COLLECT

This privacy notice applies to all personal information we collect or process about you as an applicant. We collect personal information from you directly and also from other sources as explained in this notice.

We may be required by law or based upon our own legitimate interest to collect certain personal information about you for recruitment purposes. Failure to provide this information may result in you not being able to continue as a candidate for the job for which you have applied. The information we collect will vary depending on the country in which you are applying for a job position.

1.1 Information we collect directly from you

The categories of information that we collect directly from you (subject to applicable law) are:

- (a) personal details (e.g. name, date of birth);
- (b) contact details (e.g. phone number, email address, postal address or mobile number);

¹ As well as certain non-EEA jurisdictions -- currently Jersey, Switzerland and the United Arab Emirates (Dubai).

- (c) information contained in your resume or CV, and other documents related to the application or recruitment process (e.g. cover letter, transcripts, certifications);
- (d) educational details (e.g. educational history, qualifications, certifications, skills);
- (e) information about family and dependants (after an offer of employment has been accepted by you);
- (f) citizenship or immigration information (in order to determine your eligibility to work in the relevant hiring location); and
- (g) other information you may choose to submit to us in connection with your application.

1.2 **Information we may collect from other sources (subject to applicable law):**

The categories of information that we may collect about you from other sources are:

- (a) username and password for the recruitment system;
- (b) background check information from employment screening agencies or publicly available registers (after an offer of employment has been accepted by you), (as allowed by law). We may conduct the following background checks through an employment screening agency when relevant, necessary for a specific job or position and permitted by applicable law:
 - (i) Criminal record check that provides details of unspent convictions and cautions;
 - (ii) Financial integrity checks against county court judgments, bankruptcies and individual voluntary arrangements, decrees and sequestration orders;
 - (iii) Directorship checks for current or previously held directorships or company secretarial positions to check for potential conflicts;
 - (iv) ID document check to verify your identity;
 - (v) Compliance check against a database of UK and international public records to reveal any potential links to money laundering, bribery, terrorism, politically exposed persons, corruption, fraud or miscellaneous risk;
 - (vi) Regulatory checks, where relevant, against the UK's Financial Conduct Authority's Individual Register and Prohibited Persons Register;
- (c) publicly available professional profiles on websites or social media (e.g. LinkedIn);
- (d) information about your performance or conduct from referees, other ICE employees (where relevant), educational institutions (including academic records, qualifications and attendance rates), professional membership bodies and/or clients or service providers you worked with and who may provide feedback about you;

- (e) information about your relationship with previous employers, including prior work experience;
- (f) information about gaps in employment history in the past 5 years; and
- (g) information about any association you may have with any current or former ICE employees.

We may also collect information about you using cookies and similar technologies when you use the recruitment system. See our [Cookies Policy](#) for further information.

1.3 Sensitive data

We may also collect more sensitive information about you, as necessary and in accordance with applicable law, after an offer of employment has been accepted by you, including:

- (a) information about race, ethnic origin, religion or sexual orientation for diversity monitoring purposes (for the avoidance of doubt, this will not form part of the selection process and you will not be penalised if you choose not to provide this information);
- (b) photograph, fingerprint or other biometric identifier for identification purposes;
- (c) health or disability information to provide reasonable accommodations/adjustments (you may also choose to provide such information to us during the recruitment process); and
- (d) criminal background check information for employee vetting purposes (as described in section 1.2 above).

2. HOW WE USE YOUR PERSONAL INFORMATION AND THE BASIS ON WHICH WE USE IT

Subject to applicable law, we use your personal information to:

- (a) manage the recruitment system and applicants;
- (b) assess your skills, qualifications and application against the position applied for or other positions within ICE;
- (c) communicate with you in relation to your application and the recruitment process;
- (d) send you information about other positions with ICE which may be of interest to you;
- (e) operate, evaluate and improve the recruitment system, our application tracking and recruitment activities and communications (this includes analysing our job applicant base, our hiring practices or trends, identifying qualifications or skills shortages, and using information to match candidates and potential opportunities);

- (f) detect, prevent and respond to fraud or potentially illegal activities, misuse of the recruitment system, intellectual property infringement or other violations of law or other ICE policies;
- (g) comply with legal obligations to which we are subject and cooperate with regulators and law enforcement bodies; and
- (h) deal with your enquiries and requests.

ICE will typically use a third party service provider to verify the personal information you submit in the course of your application, including through reference checks and, where applicable, background checks. Please contact us using the details in section 8 of this notice if you require any further information.

We must have a legal basis to process your personal information. In most cases the legal basis will be one or more of the following:

- (a) to fulfil our pre-contractual obligations to you in connection with your seeking of employment with us, and if you are hired, to fulfil our contractual obligations to you in connection with your employment contract with us;
- (b) to comply with our legal obligations, for example obtaining proof of your right to work status to enable us to meet relevant obligations;
- (c) to comply with our legal obligations to you, for example health and safety obligations that we must comply with, or to a third party (e.g. the taxation authorities);
- (d) to meet our legitimate interests, for example to conduct our recruitment processes efficiently and fairly, or to manage our employees effectively and protect us against theft or other crime. When we process personal information to meet our legitimate interests, we put in place robust safeguards to ensure that your privacy is protected and to ensure that our legitimate interests are not overridden by your interests or fundamental rights and freedoms. For more information about the balancing test that we carry out to process your personal information to meet our legitimate interests, please contact us at the details below; or
- (e) to protect your or another person's vital interests, for example by providing your health information to a doctor in a medical emergency.

As required and in accordance with applicable law, we may obtain your explicit consent to collect and use certain types of personal information (for example, when we process some categories of sensitive personal information). If we ask for your consent to process your personal information, you may withdraw your consent at any time by contacting us using the details at the end of this privacy notice.

3. YOUR RIGHTS OVER YOUR PERSONAL INFORMATION

Please let us know if any of the personal information that we hold about you changes so that we can correct and update the information on our systems.

You have certain rights regarding your personal information, subject to applicable law. These include the rights to:

- access your personal information;
- rectify the information we hold about you;
- erase your personal information;
- restrict our use of your personal information;
- object to our use of your personal information;
- receive your personal information in a usable electronic format and transmit it to a third party (right to data portability); and
- lodge a complaint with your local data protection authority in the European country where you work, reside, or where the subject-matter of your complaint or concern arises.

We will contact you if we need additional information from you in order to honour your requests.

If you would like to discuss or exercise such rights, please contact us using the details in section 8 of this notice.

4. AUTOMATED DECISIONS ABOUT YOU

Where we consider it necessary for certain roles, we may process your personal information by automatic means and without human intervention to make decisions or conduct 'profiling' about you (subject to applicable law). This involves using software that is able to evaluate your personal aspects and predict risks or outcomes. For example, we may ask candidates to complete psychometric tests or record videos of themselves answering questions. We carry out this automatic processing to assist us in assessing your eligibility for a role and in order to compare applicants fairly. The significance of our actions in this context is that depending upon the outcome of the processing you may not be eligible for a particular role. We base our decisions on a range of criteria, including standard and objective test score results.

If you require further information about automated decision-making, want to object to our use of automated decision-making, or request an automated decision to be reviewed by a human being, please contact us using the details in section 8 of this notice.

5. INFORMATION SHARING

Subject to applicable law, we may share your personal information with third parties under the following circumstances:

- Service providers and business partners. We may share your personal information with our service providers and business partners that perform business operations for us. For example, we may partner with other companies to operate our recruitment system, support email and messaging services, perform background checks (as described in

section 1.2 above), verify your employment history, education and professional memberships and analyse information to improve performance;

- We work closely with other businesses and companies that fall within the ICE group. We may share certain information, such as your job application details with other ICE group entities for human resource management and internal reporting purposes;
- Where permitted by law, to protect and defend our rights and property;
- When required to do so by law and/or by public authorities to comply with legal and/or regulatory requirements and cooperate with regulators and law enforcement bodies; and
- with any third party that purchases, or to which we transfer, all or substantially all of our assets and business. Should such a sale or transfer occur, we will use reasonable efforts to try to ensure that the entity to which we transfer your personal information uses it in a manner that is consistent with this privacy notice.

Because we operate as part of a global business, the recipients referred to above may be located outside the jurisdiction in which you are located. See the section on "Information Transfer" below for more information.

6. INFORMATION SECURITY

We have implemented generally accepted standards of technical and organisational security to protect personal information from loss, misuse, alteration or destruction. All ICE employees are required to keep personal information confidential and only authorised personnel have access to this information.

We will keep your personal information for no longer than is necessary for the specific recruitment period, after which we will typically retain your personal information for a period of time, in accordance with applicable law, that enables us to:

- Maintain business records for analysis, understanding market trends and/or audit purposes;
- Comply with record retention requirements under the law;
- Defend or bring any existing or potential legal claims;
- Ensure fraud detection and prevention;
- For the purposes of referring other ICE employment opportunities to you; and
- Deal with any queries or complaints you may have.

We will delete your personal information when it is no longer required for these purposes. If there is any information that we are unable, for technical reasons, to delete entirely from our systems, we will put in place appropriate measures to prevent any further processing or use of the information.

7. INFORMATION TRANSFER

Your personal information may be transferred to, stored, and processed in a country other than the one in which you have applied, which may not have the same level of data protection as your home country. For the avoidance of doubt, if you are resident in the European Economic Area ("EEA") this may include the transfer of your personal information from within the EEA to a country outside the EEA.

We have put in place appropriate safeguards (such as contractual commitments) in accordance with applicable data protection laws to ensure that your personal information is adequately protected. For more information on the appropriate safeguards in place and to obtain a copy of them, please contact us at the details below.

8. CONTACT US

If you have questions or concerns regarding the way in which your personal information has been used, please contact:

The ICE Data Protection Officer
Legal Department
Intercontinental Exchange
Milton Gate
60 Chiswell Street
London
EC1Y 4SA

Email: regulatory-dataprotection@theice.com

Phone: +44 (0)20 7065 7700

We are committed to working with you to obtain a fair resolution of any complaint or concern about privacy. If, however, you believe that we have not been able to assist with your complaint or concern, you have the right to make a complaint to your local data protection authority.

9. CHANGES TO THIS PRIVACY NOTICE

You may request a copy of this privacy notice from us using the contact details set out above. We may modify or update this privacy notice from time to time and so recommend that you check the ICE website from time to time, as needed.

Effective from January 2019