
Applicant Privacy Policy

1. Introduction

Sims Limited, and its global group of companies (collectively, the “**Sims Group**”), respect your privacy and are committed to protecting your Personal Data. The purpose of this platform (the “**Platform**”) is to provide you with information regarding open employment opportunities and to allow you to apply for them. This Applicant Privacy Policy (the “**Policy**”) will inform you as to how any entity within the Sims Group (in each case “**we**”, “**our**”, “**us**”, or “**Sims**”) looks after your Personal Data when you visit the Platform, including potential or actual job applicants (collectively referred to as “**you**”, “**your**” and “**yours**”), or when you apply for a role with us.

The Sims Group is made up of different legal entities or business divisions, including **Sims Metal**, **Sims Lifecycle Services**, and **Sims Global Trade**.

You should read this Policy, so that you know what we are doing with your Personal Data. Please note that nothing in this Policy is intended to restrict Sims Group Processing your Personal Data in any manner authorised, permitted or required by law, and we may undertake such Processing despite the content of this Policy. In addition to the functions described in this Policy, Sims may also maintain other policies from time to time, for example if you are successful in your application and become a Sims member of staff, our Staff Privacy Policy will apply to our use of your Personal Data. These policies are available on request and will be notified to you where necessary to comply with relevant privacy laws. Please read any other privacy policies and notices that we give you, that might apply to our use of your Personal Data in specific circumstances in the future.

This Policy does not form part of any contract of employment or any other contract to provide services that we may enter into with you.

2. Sims' data protection responsibilities

“**Personal Data**” is any information that relates to an identifiable natural person. Your name, address, contact details, application details and Curriculum Vitae/résumé are all examples of your Personal Data, if they identify you.

The term “**Processing**” means any activity relating to Personal Data, including, by way of example, collection, storage, use, consultation and transmission.

The “**Controller**” of your Personal Data is a legal term – it means the entity that makes decisions about how and why it Processes your Personal Data and who is responsible for making sure it is used in accordance with data protection laws.

The member of Sims Group that is the Controller of your Personal Data is the member of the Sims Group you are interacting with. It is important that you are aware which Sims Group entity you are dealing with.

3. Personal Data we collect

We collect information about you in various ways for lots of reasons. We cannot administer any potential employment or other relationship with you without your Personal Data. Where we don't need your Personal Data, we will make this clear, for instance we will explain if any data fields in our application are optional and can be left blank.

We collect Personal Data in different ways, including through your voluntary submissions (e.g., job application forms/curricula vitae/résumés and when you correspond with us), and during your

interviews/assessments/meetings with us (which may include pre-employment medical screening), through your use of the Platform and through cookies and other tracking technology. We also create some Personal Data ourselves and obtain some Personal Data from other sources. We obtain it from other people and organisations (for example referees and previous employers/education institutions), including some public sources, such as publicly available directories and online resources, your emergency contacts, your use of Sims provided assets, systems and platforms, your interviewers/assessors and your dependants and beneficiaries.

If any of the personal information you have given to us changes, such as your contact details, please update the information in your applicant profile.

We may collect the following Personal Data:

"Personal Information": name, telephone numbers, email address, address, country of residence, date of birth, gender, next of kin or other dependants, details of spouse/partner and dependants, marital or relationship status, lifestyle and social circumstances, emergency contact information, statements of opinion or intention, feedback/survey responses, Curriculum Vitae (CV) or résumé, professional profile, application form, company currently working for (including if you are an internal or external candidate), title, employment history, salary history (including benefit entitlements), remuneration/benefit expectations, educational background, qualifications, certifications/licenses, geographic work preferences, other work preferences, entitlement to work in the country where the employment opportunity applied for is located, residency and/or other visa information (where unrelated to your race or ethnicity), passport information, driving licence information, national insurance number and/or other governmental identification numbers, psychometric and aptitude test results, image or photographs, references, evaluative notes and decisions from applications and interviews, expense and reimbursement details, conflicts of interests (including where related to family networks), your preferences in relation to our use of your Personal Data, communication preferences, employment tribunal/court records, your use of Sims equipment, applications and technologies, information captured by CCTV and other security control systems.

"Technical Information": IP address and other online and physical device identifiers, username, password, applicant platform account details, computer name, login data, browser type and version, information collected by cookies or other identifying information, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access the Platform.

"Geolocation Information": We may collect geolocation information generated by your computer, mobile or other device in order to provide you with employment opportunities specifically tailored to your location.

"Special Category Information": Racial or ethnic origin (including your nationality and visa information), political opinions, religious or philosophical beliefs, membership of a political association or professional or trade union or association, biometric data (including fingerprint and retinal scans), biometric templates, sexual orientation or practices, data concerning physical and/or mental health (including disability status (to determine whether we need to make reasonable adjustments during the recruitment process), occupational health requirements, accident reports, day-to-day health concerns such as diabetes or epilepsy conditions which we should be aware of, dietary requirements and allergies), sexual orientation, health and safety and accident records and reports, information relating to actual or suspected criminal convictions and offences.

"Automatic Information": We may collect general, statistical information about the use of the Platform automatically such as how many visitors visit a specific page, how long they stay on that page, hyperlinks users click, usage of tools provided on the Platform or downloaded by users, the functionality used within the tools, the frequency of the use of the functionality within the tools, or similar information. We collect this information by using cookies, web beacons, and other technologies. This information represents a generic overview of our users and allows us to modify and enhance the Platform based on user traffic and behaviour to improve user experience.

"Monitoring Information": Please see **section 6** below for further details.

Cookies are small text files that a website uses for things like enabling functionality, security and accessibility, recognising repeat users, tracking user behaviour, and targeting advertising and content. Like most websites, we may use cookies to store and track information about users of the Platform. You may set your browser to notify you when you receive a new cookie or to disable cookies. However, this may hinder performance of the Platform and prevent you from using some of the features of the Platform.

Other tracking technologies may record information such as domain and host names, IP addresses, browser and operating system types, clickstream patterns, and dates and times the Platform is accessed.

4. **Providing us with information**

Please note that it is your responsibility to make sure that your referees are happy to be contacted for the purpose of providing a reference before providing their contact details to us. For the avoidance of doubt, we do not wish to receive any confidential or proprietary (or patented) information which you have received from your previous employers.

5. **How we use Personal Data**

We are required by law to always have a permitted reason or justification (called a “**lawful basis**”) for Processing your Personal Data. We have explained the different purposes for which we Process your Personal Data and the relevant lawful basis on which we rely for that Processing below.

Please note that where we have indicated below that our Processing of your Personal Data is either:

- necessary for us to comply with a legal obligation; or
- necessary for us to take steps, at your request, to potentially enter into an employment arrangement with you, or to perform it,

and you choose not to provide the relevant Personal Data to us, we may not be able to enter into or continue our contract of employment or engagement with you.

Personal Information: We use the Personal Information we collect to process and review submitted employment application(s), consider your suitability for the relevant role(s) (either to which you have applied or which we believe will be of interest to you based on your stated preferences), to communicate with submitted references or past employers or for similar purposes, to review your right to work in the relevant country/countries, to conduct verification and vetting including criminal background checks and credit checks where required by law, or where not required by law but needed to assess your suitability for your applied role, to communicate with you in connection with your application(s), to make a job offer to you and enter into a contract of employment with you, to analyse recruitment and retention objectives and processes, to develop, operate and collect feedback on recruitment activities and employee selection processes, to respond to employment and industrial relations matters where permitted by applicable law, to investigate and mitigate suspected misuse of Sims assets, systems and platforms, to manage and administer our equal opportunities reporting, to respond to binding requests or search warrants or orders from courts, governmental, regulatory and/or enforcement bodies and authorities or sharing information on a voluntary basis with the same, to comply with disclosure orders arising in civil proceedings, to comply with our legal obligations (e.g., respecting your preferences in relation to how we treat your Personal Data), to deal with other issues relating to your application or potential application for a role with us and as otherwise authorised, permitted or required by law.

We Process Personal Information on the basis that:

- it is necessary in order to take steps at your request prior to entering into a contract of employment with you;
- it is necessary for compliance with a legal obligation we need to comply with;

- it is necessary for the purposes of our legitimate interests (to find suitable applicants for our vacancies, to analyse and improve our recruitment practices, and to defend ourselves against actual or threatened legal claims); or
- you have given your consent to the Processing.

Technical Information: We use the Technical Information we collect to provide Platform functionality, to personalise and improve the Platform (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data), and for internal business analysis or other legitimate business purposes and as otherwise authorised, permitted or required by law.

We Process Technical Information on the basis that Processing is necessary for the purposes of our legitimate interests (to maintain and improve the Platform, for network security and to prevent fraud).

Geolocation Information: We use the Geolocation Information we collect in order to provide you with employment opportunities specifically tailored to your location and as otherwise authorised, permitted or required by law.

We Process Geolocation Information on the basis that Processing is necessary for the purposes of our legitimate interests (to provide relevant details of vacancies).

Special Category Information: We use Special Category Information to conduct verification and vetting including criminal background checks (where required by law, or where not required by law but needed by us to assess your suitability for the role you have applied for, based on your consent), to determine whether any adjustments are necessary to enable you to apply for a role with us, to identify and authenticate you, to investigate and mitigate suspected misuse of Sims assets, systems and platforms, to manage and administer our equal opportunities reporting, to respond to binding requests or search warrants or orders from courts, governmental, regulatory and/or enforcement bodies and authorities or sharing information on a voluntary basis with the same, to comply with disclosure orders arising in civil proceedings, to investigate, evaluate, demonstrate, monitor, improve and report on Sims' compliance with relevant legal and regulatory requirements, to respond to employment and industrial relations matters where permitted by applicable law and to make reasonable adjustments as needed to help remove barriers faced by you in your application because of any disability you might have.

We Process Special Category Information on the basis that:

- you have given your explicit consent to the Processing;
- the Processing is necessary for your/our obligations and rights in the field of employment and social security and social protection law;
- the Processing is necessary for compliance with a legal obligation to which we are subject;
- the Processing is necessary for our establishment, exercise or defence of legal claims;
- the Processing is necessary for reasons of substantial public interest (to the extent authorised, permitted or required by law); or
- the Processing is otherwise authorised, permitted or required by law.

Automatic Information: We use the Automatic Information we collect to modify and enhance the Platform based on user traffic and behaviour to improve user experience (to maintain and improve the Platform).

We Process Automatic Information on the basis that Processing is necessary for the purposes of our legitimate interests.

Monitoring Information: Please see **section 6** below for further details.

6. **Monitoring**

Sims takes information security very seriously. We therefore reserve the right to monitor the usage of our systems, networks and assets and the activities of the users of those systems, networks and assets to check compliance with Sims' policies and procedures.

Users of Sims' systems, networks and devices should not have any expectation of privacy in relation to their use of such systems, networks and devices and should not assume that any message sent or received using Sims' information resources is confidential, and users must take appropriate care regarding messages of a confidential nature. Even when such a message is erased, it is still possible to retrieve and read that message.

Sims conducts surveillance as part of its ordinary business operations. You should expect to be subject to surveillance in the course of your involvement with Sims, including camera surveillance (audio and/or visual) at Sims facilities, surveillance of computer, device and other information technology system usage and tracking surveillance). Sims' surveillance practices may change over time. To the extent required (including surveillance taking place outside the EU - for example, in Australia), you consent to all such surveillance activities undertaken by Sims, including the handling of your Personal Information and Sensitive Information in the course of those activities.

6.1 **What information will Sims obtain from its monitoring?**

As part of our monitoring, we may collect and use details on URLs that users of our systems visit, system log data, user ID and password, contents and details of electronic/voice messages and online activity.

6.2 **Will the information be 'special category' or criminal data?**

The information we collect may contain 'special category' or criminal data. For example, your usage of our systems could reveal information about you that falls into these categories, e.g., if you access a website that indicates your religious or philosophical beliefs.

In addition, where any use of our systems indicates potential criminal activity (e.g., a cyber-attack), this is criminal data and will be used to detect and prevent such criminal activity.

6.3 **What is our lawful basis for using this information?**

Our lawful bases for sharing the information include that:

- the processing is in our legitimate interests (to keep our systems, networks and assets safe and secure and to ensure compliance with our policies and procedures), and the legitimate interests of the people whose data we hold (to keep their data safe and secure);
- the processing is necessary for compliance with a legal obligation that Sims is subject to;
- the processing is necessary for the establishment, exercise or defence of legal claims; and
- the processing is necessary for the purposes of the prevention or detection of an unlawful act (and is therefore necessary for reasons of substantial public interest).

6.4 **How long will we keep the information that we collect for this purpose?**

We will only keep this information for as long as we need the information for any purpose which we can lawfully Process the information before securely deleting it.

6.5 **Who should I contact if I have any queries?**

If you have any questions about this use of your data, please contact the Legal Department at: DataPrivacy@SimsMM.com.

7. **How we share Personal Data**

Sometimes we need to disclose your Personal Data to other people.

Inside the Sims Group

We are part of the global, Australian publicly listed, Sims Limited group of companies. Therefore, we may need to share your Personal Data with other companies in the Sims Group for our general business and workforce management purposes, for authorisations/approvals with relevant decision makers, parental reporting, where systems and services are provided on a shared basis and as otherwise authorised, permitted or required by law. Your Personal Data will be made available for the purposes mentioned above, and only to responsible management, human resources, accounting, audit, compliance, information technology and other corporate staff who properly need to know these details for their functions within the Group. Please note that certain individuals who will see your Personal Data (for example Line Manager(s) and HR Advisors) may not be based in your country of employment/application (please see below).

Access rights between members of Sims Group are limited and granted only on a need-to-know basis, depending on job functions and roles. If you have asked us to notify you of jobs which may be of interest to you, we will use the Personal Data you have added to the Platform to identify and notify you of such relevant roles. If you wish to apply for any role other than one you originally applied for when registering on the Platform, then we will share your Personal Information and Special Category Information to the Sims Group entity that is seeking applicants for each such role.

Where any Sims companies Process your Personal Data on our behalf (as our processor), we will make sure that they have appropriate security standards in place to make sure your Personal Data is protected, and we will enter into a written contract imposing appropriate security standards on them.

Outside the Sims Group

From time to time, we may ask third parties to carry out certain business functions for us, such as the administration of our recruitment and our IT support. These third parties will Process your Personal Data on our behalf (as our processor). We will disclose your Personal Data to these parties so that they can perform those functions. Before we disclose your Personal Data to other people, we will make sure that they have appropriate security standards in place to make sure your Personal Data is protected, and we will enter into a written contract imposing appropriate security standards on them. Examples of these third-party service providers include service providers or sub-contractors, such as our outsourced HR and recruitment service providers, and our IT systems software, hosting and maintenance, back up and server hosting providers.

We may share aggregated user data with third parties in order to describe the use of the Platform to existing or potential business partners or in response to a government request.

In certain circumstances, we will also disclose your Personal Data to third parties who will receive it as Controllers of your Personal Data in their own right for the purposes set out above, in particular:

- if we transfer, purchase, reorganise, merge or sell any part of our business or the business of a third party, and we disclose or transfer your Personal Data to the prospective seller, buyer or other third party involved in a business transfer, reorganisation or merger arrangement (and their advisors); and
- if we need to disclose your Personal Data in order to comply with a legal obligation, to enforce a contract or to protect the rights, property or safety of our employees,

customers or others.

We have set out below a list of the categories of recipients with whom we are likely to share some or all of your Personal Data:

- agents, suppliers, customers and clients;
- consultants and professional advisors including legal advisors, auditors, compliance managers and accountants;
- courts, court-appointed persons/entities, receivers and liquidators;
- business partners and joint ventures;
- trade associations and professional bodies;
- insurers; and
- state/regional departments/agencies/authorities, local authorities, statutory and regulatory bodies including regulators and law enforcement.

If any of our Processing activities require your Personal Data to be transferred outside the European Economic Area, we will only make that transfer if:

- the country to which the Personal Data is to be transferred ensures an adequate level of protection for Personal Data;
- we have put in place appropriate safeguards to protect your Personal Data, such as an appropriate contract with the recipient (Please contact the Legal Department by sending an email to: DataPrivacy@SimsMM.com, if you wish to obtain a copy of these);
- the transfer is necessary for one of the reasons specified in data protection legislation, such as the performance of a contract between us and you; or
- you explicitly consent to the transfer.

For example, Sims may, from time to time, transfer information about you such as your name, application details and position applied for to Sims Group companies in the United Kingdom, USA, Singapore and Australia, where lawfully permitted and deemed necessary for the purposes set out above or as otherwise authorised, permitted or required by law. The appropriate safeguard in place in relation to these transfers is that we have put in place standard contractual clauses between the relevant parties.

8. **Updating your information**

You can always choose not to provide certain information to us, although this may prevent you from using some features of the Platform or limit our ability to consider your application for a specific employment opportunity. Some portions of the Platform may also permit you to access and update your Personal Data or manage email preferences, though you may always do so by contacting us as provided in **section 13 (Contact)** below.

9. **Data security**

We take the protection of your Personal Data seriously and have implemented appropriate technical and organisational controls to protect your Personal Data against loss, theft, and unauthorised access, disclosure, copying, use, or modification. Employees who have access to your information are made aware of the importance of keeping it confidential.

Where we use service providers who might have access to your Personal Data, we require them to have privacy and security standards comparable to ours. We use contracts and other measures with our service providers to maintain the confidentiality and security of your Personal Data, to

prevent it from being used for any other purpose, and to govern its transfer.

However, since no method of electronic storage is 100% secure, we cannot guarantee the absolute security of the information stored. We also cannot guarantee that information you supply will not be intercepted while being transmitted to us over the internet, so you provide it at your own risk.

In most instances, you may be required to choose a username and password when registering for the Platform. You should keep this confidential and choose a password that you do not use on any other site. You should not share your password with anyone else, including anyone who works for us.

10. **Use by minors**

We do not intend the Platform to be used by individuals under the age of eighteen. We also do not knowingly collect any Personal Data about children under the age of thirteen.

11. **How long do we keep your Personal Data for?**

If you are successful in your application with us and you become our employee/member of staff, we will keep your Personal Data during the period of your employment and then, after your employment with us ends, for as long as is necessary in connection with both our and your legal rights and obligations. Please see our Staff Privacy Policy for further information (you will be provided with a copy if you become a Sims member of staff, but please let us know if you would like to see a copy in advance). This may mean that we keep some types of Personal Data for longer than others.

If your application is not successful, typically, we will keep a copy of your application details for eighteen months (twelve months for applicants in the Netherlands and thirty-six months for applicants in Poland). However, we will keep your Personal Data for as long as is necessary in connection with both our and your legal rights and obligations.

We will only retain your Personal Data for a limited period of time. This will depend on a number of factors, including:

- any laws or regulations that we are required to follow;
- whether we are in a legal or other type of dispute with each other or any third party;
- the type of information that we hold about you; and
- whether we are asked by you or a regulatory authority to keep your Personal Data for a valid reason.

Any Personal Data contained in any work-related correspondence or records may be retained for longer, dependant on the retention period of the file that your Personal Data is held on.

12. **What are your rights in relation to your Personal Data and how can you exercise them?**

If you are a resident of the European Union/United Kingdom you have certain legal rights, which are briefly summarised in the table below, in relation to any Personal Data about you which we hold. You may have some similar rights if you are located in Australia.

Where our Processing of your Personal Data is based on your consent, you have the right to withdraw your consent at any time. If you do decide to withdraw your consent we will stop Processing your Personal Data for that purpose, unless there is another lawful basis we can rely on - in which case, we will let you know. Your withdrawal of your consent won't impact any of our Processing up to that point.

If you are a resident of the European Union/United Kingdom, where our Processing of your Personal Data is necessary for our legitimate interests, you can object to this Processing at any time. If you do this, we will need to show either a compelling reason why our Processing should continue, which

overrides your interests, rights and freedoms or that the Processing is necessary for us to establish, exercise or defend a legal claim.

If you wish to exercise any of your rights please contact the Legal Department at: DataPrivacy@SimsMM.com.

If you are a resident of the European Union/United Kingdom, you have the right to make a complaint at any time to your relevant Data Protection Authority. For a full list please click [here](#) (please note that this is a link to a third party website, Sims Group are not responsible for its content. Use at your own risk and discretion). If you are located in Australia, you can make a complaint to the Australian Information Commissioner (see oaic.gov.au) if you believe we have breached obligations under the Australian Privacy Act in relation to your Personal Data.

We would, however, appreciate the chance to deal with your concerns before you approach your local Data Protection Authority, so please contact us in the first instance. If you are a resident of Australia, the Australian Information Commissioner will usually request that you contact us to seek to resolve your concerns in first instance.

Your right	What does it mean?	Limitations and conditions of your right
Right of access	Subject to certain conditions, you are entitled to have access to your Personal Data (this is more commonly known as submitting a "data subject access request").	If possible, you should specify the type of information you would like to see to ensure that our disclosure is meeting your expectations. We must be able to verify your identity. Your request may not impact the rights and freedoms of other people, e.g., privacy and confidentiality rights of other staff.
Right to data portability (note this applies in the European Union/United Kingdom, and not to Sims Group in Australia).	Subject to certain conditions, you are entitled to receive the Personal Data which you have provided to us and which is Processed by us by automated means, in a structured, commonly-used machine readable format.	If you exercise this right, you should specify the type of information you would like to receive (and where we should send it) where possible to ensure that our disclosure is meeting your expectations. This right only applies if the Processing is based on your consent or on our contract with you and when the Processing is carried out by automated means (i.e., not for paper records). It covers only the Personal Data that has been provided to us by you.
Rights in relation to inaccurate personal or incomplete data	You may challenge the accuracy or completeness of your Personal Data and have it corrected or completed, as applicable. You have a responsibility to help us to keep your personal information accurate and up to date. We encourage you to notify us of any changes regarding your Personal Data as soon as they occur, including changes to your contact details, telephone number, immigration status.	Please always check first whether there are any available self-help tools to correct the Personal Data we Process about you. This right only applies to your own Personal Data. When exercising this right, please be as specific as possible.
Right to object to or restrict our data Processing (note this applies in the European Union/United Kingdom, and not to Sims Group in Australia).	Subject to certain conditions, you have the right to object to or ask us to restrict the Processing of your Personal Data.	As stated above, this right can apply where our Processing of your Personal Data is necessary for our legitimate interests. You can also object to our Processing of your Personal Data for direct marketing purposes.

Right to Erasure (note this applies in the European Union/United Kingdom, and not to Sims Group in Australia).	Subject to certain conditions, you are entitled to have your Personal Data erased (also known as the " <i>right to be forgotten</i> "), e.g., where your Personal Data is no longer needed for the purposes it was collected for, or where the relevant Processing is unlawful.	We may not be in a position to erase your Personal Data, if for example, we need it to (i) comply with a legal obligation, or (ii) exercise or defend legal claims. Where you select the option to delete your profile in the Platform, in most instances deletion will be instantaneous.
Right to withdrawal of consent	As stated above, where our Processing of your Personal Data is based on your consent you have the right to withdraw your consent at any time.	If you withdraw your consent, this will only take effect for future Processing.

13. **Contact**

If you have any questions about this Policy or our privacy practices, please contact our Legal Department in the following ways:

- Email address: DataPrivacy@SimsMM.com
- Postal address: Sims Limited, Attn: Legal Department, 200 West Madison Street, Suite 3950, Chicago, IL 60606, USA or Suite 2, Level 9, 189 O’Riordan Street, Mascot, NSW 2020, Australia