




MTN Ghana Job Applicant Data Privacy Notice

Business Area	Risk and Compliance		
Version	1		
Effective Date	October 2023	Next Review Date	October 2025
Policy Owner	Joseph Dogbe	Signature	

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In this notice, “we”, “our” and “us” refers to **MTN Ghana**. We are committed to protecting and respecting your privacy. This Job Applicant Privacy Notice describes our commitments to the fair and transparent processing of your Personal Data, including your privacy rights in relation to the Personal Data we Process.

MTN Ghana is committed to being transparent with you regarding the collection and Processing of your Personal Data (including Sensitive Personal Data). This is not intended to be an exhaustive list of Personal Data / Sensitive Personal Data that MTN Ghana may Process and all potential purposes for Processing. Instead, it indicates the typical Personal Data Processed in the recruitment context and the general purposes of such Processing.

MTN Ghana will endeavour to inform you if we intend to Process your Personal Data (including Sensitive Personal Data) for any additional purposes prior to collecting or Processing that Personal Data.

Who does this notice apply to?

This notice applies to any person, other than an independent contractor, who applies for employment with MTN Ghana whether for a permanent, temporary or fixed-term contract (hereinafter referred to as “MTN Ghana Job Applicants” / “you” / “your”). This notice applies to MTN Ghana Job Applicants whether they apply for a position directly with MTN Ghana or indirectly through, for example, a recruitment agent.

What are the important terms we need to understand when reading this notice?

Applicable Data Privacy Law(s)	Data Protection Act, 2012 (Act 843) and all other applicable data privacy and data protection legislation and regulations applicable to the Processing of Personal Data carried out by MTN Ghana, or for and on behalf of MTN Ghana.
Local Regulatory Requirements	Legal, statutory, regulatory, license conditions rules, guidelines, Ministerial/National Security orders or directives, and Directives relating to Public safety (where applicable) and Data Sovereignty - related requirements with which MTN Ghana is required to comply as directed by the Data Protection Commission and other applicable authorities in Ghana. *“Data Sovereignty” relates to the laws and governance structures that Personal Data is subject to, due to the geographical location of where the data is processed.
Personal Data	Means any information relating to a Data Subject. Examples of “Personal Data” includes, but is not limited to, the following: <ul style="list-style-type: none">• a name;• any identifying number, symbol;• contact information (e.g., e-mail address, postal address, telephone number);• location data or physical address;• online identifier or other assignment to the person;• the biometric information of the Data Subject;

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	<ul style="list-style-type: none">• the personal opinions, views or preferences of the Data Subject;• correspondence sent by the Data Subject that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;• the views or opinions of another person about the Data Subject;• the name of the Data Subject if it appears with other Personal Data relating to the Data Subject or if the disclosure of the name itself would reveal information about the Data Subject; and• Sensitive Personal Data.
Personal Data Breach	Means an event or occurrence (including but not limited to a breach of security) leading to the accidental or unlawful destruction, loss or damage, alteration, disclosure of, or access to, Personal Data transmitted, stored or otherwise Processed.
Processing	Any operation or set of operations which is performed on Personal Data or on sets of Personal Data, whether or not by automated means, including collection, receipt, recording, organisation, structuring, collation, storage; adaptation or alteration, updating, retrieval, consultation, use, dissemination, disclosure by means of transmission; or otherwise making available, alignment or combination, merging, restriction, erasure, destruction, and/or degradation.
Sensitive Personal Data	A sub-set of Personal Data which is considered more sensitive than other categories of Personal Data. Sensitive Personal Data includes but is not limited to Personal Data revealing a Data Subject's racial or ethnic origin; political opinions or persuasions; religious or philosophical beliefs; trade union membership; criminal behaviour relating to the alleged commission of a crime or proceedings relating to the alleged commission of a crime; genetic data; biometric data; data concerning health; and/or data concerning a Data Subject's sex life or sexual orientation.

What Personal Data does MTN Ghana collect and use?

We Process Personal Data which is required in terms of our internal recruitment processes. This information typically includes, but is not limited to, your name, current title and position, professional employment history, language skills, experience, qualifications, contact details, as well as your current and expected earnings, results from personality or cognitive ability tests, opinions of others about you (example through referees).

We also process electronic identification data to the extent that you apply through our web-based application portal (e.g., login information, online identifiers/cookies) or when you use an electronic signature to complete any necessary forms.

What Sensitive Personal Data does MTN Ghana Process?

In some cases, the Personal Data of MTN Ghana Job Applicants that we collect will also include Sensitive Personal Data, such as:

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- Diversity related information (including data about citizenship and status of citizenship applications, racial and ethnic origin);
- Health data where this is relevant to the job being applied for (such as vaccination status and disability records); and
- Data about alleged or proven criminal offences.

Where does MTN Ghana collect my Personal Data from?

In most circumstances, we collect Personal Data directly from you, for example, when you complete your information on our website career portal, send us your curriculum vitae and where you provide information about yourself during interviews.

In some cases, MTN Ghana will also collect Personal Data indirectly from third parties, such as:

- recruitment agencies;
- other entities within the MTN Group if you transferred to us from a different MTN entity;
- background check providers such and/or
- publicly available sources

For what purposes does MTN Ghana use my Personal Data?

MTN Ghana is committed to only process Personal Data for specified, explicit and legitimate purposes related to its business activities.

We process Personal Data of MTN Ghana Job Applicants to assess your suitability for a role within MTN Ghana in accordance with our recruitment and selection policies and procedures and, if the application is successful, for the execution of the employment relationship. If you are unsuccessful in the role you applied for, we continue to store your Personal Data for a limited period to maintain a record of the recruitment process should the fairness of the process be contested by an unsuccessful MTN Ghana Job Applicant.

We may also request to retain your Personal Data for consideration of any other suitable positions that may become vacant in the future. If you consent to this, we may proactively contact you in respect of any suitable vacancies that arise.

MTN Ghana will not further Process Personal Data for any purpose that is incompatible with the original purpose that the Personal Data was collected for unless:

- such further Processing is authorised in terms of Ghana Data Protection Act, 2012 (Act 843) or other Applicable Data Privacy Laws;
- we have obtained your consent to the further processing;
- the further Processing is necessary to comply with an obligation imposed by Local Regulatory Requirements or for conducting proceedings in a court or tribunal; or
- it is for scientific or historical research purposes or statistical purposes.

Is MTN Ghana allowed to Process my Personal Data and Sensitive Personal Data?

We are allowed to Process Personal Data, so long as we have a legal basis to do so. When we Process your Personal Data, we will rely on one of the following legal basis as appropriate having regard to the purpose of Processing:

When we process your Personal Data, we will rely on one of the following processing conditions:"

Legal Basis	Examples
<ul style="list-style-type: none"> Processing of Personal Data is necessary in order to carry out actions necessary for the conclusion of a contract (i.e. employment contract) to which you are or may be a party. 	<ul style="list-style-type: none"> To verify the Personal Data provided by you during the job application process before entering into an employment contract. To agree on the terms and conditions of your employment prior to entering into an employment contract with you.
<ul style="list-style-type: none"> Processing of Personal Data is necessary to comply with legal obligations, such as Local Regulatory Requirements, to which MTN Ghana is subject to. 	<ul style="list-style-type: none"> To comply with Local Regulatory Requirements (i.e. labour laws) applicable to recruitment of MTN Ghana Job Applicants. To comply with laws which seek to achieve a diverse workforce, which promote recruitment of local nationals, or which promote employment opportunities for certain categories of persons.
<ul style="list-style-type: none"> Processing is necessary for pursuing the legitimate business interests of MTN Ghana or of a Third Party, except where such interests are overridden by your interests or fundamental rights and freedoms which require protection of Personal Data. 	<ul style="list-style-type: none"> Preventing fraud or criminal activity and to safeguard our IT systems, assets, and places of work. To benefit from cost effective services (e.g., We may opt to use certain IT platforms offered by suppliers) or share basic Personal Data with another MTN group entity if you transfer to that entity, for use by that entity in conducting legally required background checks without collecting the information from you again). To support in our decision making we may obtain information which is publicly available on professional social networks such as LinkedIn, to maintain a record of the recruitment process should the fairness of the process be contested by an unsuccessful MTN Ghana Job Applicant
<ul style="list-style-type: none"> You have given consent to the Processing of your Personal Data for one or more specific purposes. You 	<ul style="list-style-type: none"> We will only Process your Personal Data in this way if you agree to us doing so (for example performing reference checks or verifying your qualifications).

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may withdraw such consent at any time.	We will ensure the purpose for processing your Personal Data is clearly communicated at the time that we request your consent so that you can make an informed decision. We will also provide you with any other relevant information you require to make an informed decision.
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When we process your Sensitive Personal Data, we will rely on one of the following legal basis as appropriate having regard to the purpose of processing:

- You have given explicit consent to the processing of your Sensitive Personal Data for one or more specified purposes (for example when performing criminal background checks). You may withdraw such consent at any time;
- Processing is necessary for the purposes of carrying out the obligations and exercising your data subject's rights or MTN Ghana's specific rights in the field of employment, social security and social protection law;
- Processing relates to Sensitive Personal Data which was intentionally made public by you;
- Processing is necessary for the establishment, exercise or defense of legal claims or whenever courts are acting in their judicial capacity;
- Processing of Personal Data related to criminal behaviour is obtained and used in accordance with the Data Protection Act, 2012 (Act 843) and any other law or Local Regulatory Requirements.

Is it mandatory to provide MTN Ghana the Personal Data asked for?

It is voluntary to apply for a job with MTN Ghana. However, if you choose to apply for a job with MTN Ghana, the provision of the Personal Data requested is a requirement of our recruitment process to ensure we are able to assess each candidate fairly. Failing to provide the Personal Data requested may result in us being unable to fully assess your suitability for the position applied for and being unable to offer you the position within MTN Ghana. You are responsible for determining the nature and extent to which you share your Personal Data with MTN Ghana and acknowledge that you may share Personal Data that MTN Ghana has not specifically requested during the recruitment process (for example where you have disclosed your hobbies in your CV).

Does MTN Ghana Process my Personal Data automatically?

MTN Ghana does not perform any automated decision making (including profiling) which results in legal consequences for you and/or which affects you in a similarly significant manner. Should this change in the future, we will notify you and update this privacy notice accordingly.

How long does MTN Ghana keep my Personal Data for?

We make reasonable efforts to retain Personal Data only for so long as:

- the Personal Data is necessary to comply with our obligations to you in terms of our job application process, policies and procedures; and/or
- is necessary to comply with legal, regulatory, or internal policy requirements that may apply;

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- is necessary to evidence the fairness of the recruitment process should it be contested by an unsuccessful MTN Ghana Job Applicant within a reasonable period of time.

The retention of MTN Ghana Job Applicants' records will be in accordance with our retention policies and retention schedule which is available on the MTN Ghana Portal. These policies or relevant extracts may be requested by job applicants by contacting the Data Protection Officer whose details are contained below.

Does MTN Ghana transfer my Personal Data to third parties?

Yes, we may share Personal Data with our trusted third parties, as necessary for our legitimate business needs, to carry out your requests, and/or as required or permitted by the Data Protection Act, 2012 (act 843) and any other Applicable Data Privacy Law. This may include, but not limited to:

- **Our service providers:** We transfer your Personal Data to our third-party service providers, such as our (IT) systems providers, our hosting providers, our payroll providers, consultants (such as legal advisers) and other services providers. These providers Process your Personal Data on behalf of MTN Ghana in terms of a binding agreement with appropriate security safeguards. MTN Ghana will only transfer Personal Data to them when they meet our strict standards on the Processing of data and security. We only share Personal Data that allows our service providers to provide their services and they are not allowed to Process your Personal Data for any other purpose.
- **Courts, tribunals, law enforcement, or regulatory bodies:** MTN Ghana will disclose Personal Data in order to respond to requests of courts, tribunals, government, or law enforcement agencies or where it is necessary or prudent to comply with the Data Protection Act, 2012 (Act 843), other Local Regulatory Requirements, court or tribunal orders or rules, or government regulations. We will also disclose Personal Data necessary to defend the fairness of the recruitment process.
- **All other third parties:** All external entities, organisations or individuals, irrespective of their specific roles or categorisations who are granted authorization to access, handle or process personal data within MTN Ghana's operations but have not been explicitly categorized above will remain fully subject to the entirety of the Data Protection Act, 2012 (Act 843) or any other applicable law, and the MTN Ghana Data Privacy and Protection Policy. Compliance with the Policy and applicable Data Privacy Legislations will be rigorously enforced for all third parties involved in the processing of personal data regardless of their roles or affiliations

Does MTN Ghana transfer my Personal Data internationally?

Yes, MTN Ghana may transfer Personal Data outside of Ghana but only if such transfers are permitted in terms of the Data Protection Act, 2012 (Act 843), other Local Regulatory Requirements and other Applicable Data Privacy Law(s).

MTN Ghana may transfer your Personal Data to other entities within the MTN Group of companies. All MTN entities are bound by binding corporate rules which ensure that the MTN entity receiving your Personal Data protects your Personal Data in accordance with those binding corporate rules.

MTN Ghana may also transfer certain Personal Data outside of Ghana to third parties working with us or on our behalf for the purposes described in this Job Applicant Privacy Notice. When transferring Personal Data internationally to third parties we will ensure your Personal Data will continue to be protected for example, by entering to agreement incorporating clauses which protect your Personal Data or by ensuring there are adequate data privacy laws, which requires the relevant third party to adhere to the data handling and data protection requirements, acceptable to MTN Ghana.

How does MTN Ghana secure my Personal Data?

MTN Ghana secures the integrity and confidentiality of the Personal Data in its possession or under its control by implementing appropriate, reasonable technical, physical, and organisational measures to prevent:

- accidental loss of, damage to, or unauthorised destruction of your Personal Data;
- unlawful or unauthorised access to / dissemination of your Personal Data; and
- unlawful or unauthorised Processing of your Personal Data.

As part of its processes, MTN Ghana takes reasonable measures to regularly identify and assess all reasonably foreseeable internal and external risks to Personal Data in its possession or under its control and implements reasonable and appropriate technical, physical and organisational security measures to protect against the identified risks.

How does MTN Ghana handle Personal Data Breaches?

While MTN Ghana implements reasonable measures to prevent or reduce the likelihood and impact of Personal Data Breaches, this risk can't be completely eliminated. If MTN Ghana becomes aware of or reasonably suspects a Personal Data Breach has occurred or that the integrity or confidentiality of Personal Data has been compromised, MTN Ghana will adhere to its **Personal Data Breach Incident Management and Notification Guidelines** governing the handling and reporting of Personal Data Breaches. This guideline is available to MTN Ghana Job Applicants on the MTN Ghana Corporate Portal.

What are my rights?

You have the following rights should MTN Ghana process your Personal Data:

- **Access and correction:** you have the right to access the Personal Data retained by MTN Ghana. This is sometimes called a 'Data Subject Access Request'. If we agree that we are obliged to provide Personal Data to you, we will provide it to you free of charge. Before providing Personal Data to you, we may ask for proof of identity and sufficient information about your interactions with us in order to locate your Personal Data. If the Personal Data we hold about you is incorrect, you are entitled to ask us to correct any inaccuracies in the Personal Data.
- **Object to Processing:** you have the right to object to us Processing your Personal Data, on grounds relating to your particular situation, under certain circumstances. For example, if we are Processing your Personal Data on the basis that is necessary for purposes of our or a third party's legitimate interest. You may also object if you believe there is no legal basis for us to Process your Personal Data anymore.
- **Withhold consent:** you have the right to withhold your consent without any fear of negative repercussions in circumstances that we seek your consent to Process your Personal Data. If you experience any intimidation or negative repercussions for withholding your consent, you should report this to our Ethics Office via codeofethics@mtn.com. Note that any limitation expressly provided in this document with its associated or related consequence that manifests upon the exercise of your right to withhold consent shall not be considered as intimidation or negative repercussions.

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- **Withdraw consent:** you also have the right to withdraw your consent at any time and we will cease Processing your Personal Data unless there is an alternative legal basis to continue Processing your Personal Data. We will advise you if we intend to continue Processing your Personal Data in these circumstances.
- **Disposal / Restrictions:** in addition, you may have the right to have your information deleted / destroyed if we are keeping it too long or have no legal basis to Process it. You may also request that the Processing of your Personal Data is restricted in certain circumstances.
- **Lodge complaints:** you have the right to lodge a complaint regarding the way your Personal Data is being Processed with MTN Ghana or if you believe there has been a breach of MTN Ghana privacy policies and/or data privacy laws.

You can make a request or exercise these rights by contacting MTN Ghana at data.privacy.gh@mtn.com and we will make all reasonable and practical efforts to comply with your request, so long as it is consistent with the Data Protection Act, 2012 (Act 843), other Local Regulatory Requirements, other Applicable Data Privacy Law(s) and MTN Ghana's internal policies.

Finally, you always have the right to lodge a complaint with the Ghana Data Protection Commission, whose contact details are:

- [Postal Address: East Legon, Pawpaw Street, GPS: GA-414-1469, P.O.Box CT7195, Accra]
- [Email Address: info@dataprotection.org.gh]
- [Telephone number: 0256301533]
- [Website: www.dataprotection.org.gh]

Contact us

If you have any questions or concerns regarding this Job Applicant Privacy Notice and would like further information about how we protect your Personal Data and/or when you want to contact MTN Ghana's Local Data Privacy Officer (DPO), please email us at data.privacy.gh@mtn.com.

If you feel that your questions or concerns have not been adequately dealt within or otherwise feel uncomfortable raising them with the local DPO you may contact MTN Ghana's Group Data Privacy Officer Groupdataprivacy@mtn.com.

Changes to privacy policy

MTN Ghana may modify this Job Applicant Privacy Notice from time to time to reflect our current privacy practices. When we make changes to this notice, we will revise the "effective" date and version number at the top of this notice. We will make reasonable efforts to communicate any changes to this Job Applicant Privacy Notice through an appropriate channel, depending on how we normally communicate with you.

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