

## **Privacy Notice for Candidates for Employment**

This Privacy Notice for Candidates for Employment (the “Privacy Notice”) contains information about how Broadcom Inc. and each of its controlled subsidiaries (together, the “Company”) collects, stores discloses and uses your personal Data during the recruitment process.

### **General Background**

The Company is a “data controller,” which means that it determines the purposes and means of the processing of personal Data. In some circumstances, the Company, or one of the legal entities within the Broadcom group, may also act as a “data processor,” meaning that it processes personal Data on behalf of a Data controller (for example, a customer, or other legal entity within the Broadcom group).

The Company may collect, store, hold, process, use, record, consult, disclose, erase, make decisions based upon, destroy and, in some instances, transmit personal Data about you (the “Data Subject”). These activities are referred to as “Processing” or “Process.”

This Privacy Notice is drafted in compliance with the General Data Protection Regulation (“GDPR”). It concerns your personal Data, which is any information relating to an identified or identifiable natural person, as well as special categories of Data (e.g. personal Data revealing racial or ethnic origin, or Data concerning health), together referred to as “Data” in this Privacy Notice. It describes how the Company collects and uses Data about you, both during and after your working relationship, where that Data might come from, and gives examples of the types of Data the Company holds and the Processing activities the Company may undertake. It also discusses when your Data may be transferred to third parties or between legal entities within the Broadcom group and the justifications for doing so.

This Privacy Notice does not and will not form part of any contract of employment or other contract to provide services.

The person responsible for overseeing Data protection compliance issues within the Company is the Company's Data Protection Officer ("DPO"), who can be reached by email at [data.privacy@broadcom.com](mailto:data.privacy@broadcom.com). For questions about anything contained in this Privacy Notice, contact the DPO.

### **Data Protection Principles**

The Company complies with the GDPR principles relating to the Processing of personal Data, which state that the Data held by a Data controller or processor must be:

- Used lawfully, fairly and in a transparent way;
- Collected only for valid purposes that are clearly explained, and not used in any way that is incompatible with those purposes;
- Adequate and relevant to the purposes the Company has disclosed to you, and limited only to those purposes;
- Accurate and kept up to date;
- Kept only for as long as necessary for the purposes the Company has disclosed to you; and
- Kept securely, with protection against unauthorized or unlawful Processing.

### **Types of Personal Data Held by the Company**

The Company may collect, store, use, and process the following categories of personal Data (among others) about you during the recruitment process:

- Personal contact details, such as name, title, addresses, telephone numbers, and personal email addresses
- Any information provided on your Curriculum Vitae (CV) or application form
- Date and place of birth
- Gender
- Marital status and dependents
- Citizenship
- Birth certificate
- Government issued ID
- Bank account details, payroll records, and tax status information
- Copy of driving licence and insurance documents

- Recruitment information (including copies of right to work documentation or immigration status documents and passports, references, and other information included in a CV or cover letter or obtained as part of the application process)
- Employment records (including job titles, work history, working hours, training records and professional memberships and information from your named referees)
- Compensation history
- Photographs and profiles
- Visa number

The Company may also Process or collect Data that is more sensitive and falls within the definition of **special categories of Data**. The types of special categories of Data, which require a higher level of protection, may include (but are not limited to):

- Information about your sex, race, ethnic or national origin, religious or philosophical beliefs, sexual orientation and political opinions
- Trade union membership
- Information about your health, including any physical or mental condition or disability, health and sickness records, and doctor notes, including medical reports
- Personal social media use
- Information about criminal convictions and offenses

These lists of Data and the examples of Processing provided below are not exhaustive.

With regard to information relating to criminal convictions, the Company will only Process where the law allows it. This will usually be where it is necessary to carry out the Company's obligations and where it is appropriate given the nature of the role.

Data is collected directly through you from the information you provide as part of your application or interview, or from an employment agency or background check provider. The Company may sometimes collect additional information from third parties, including former employers and referees or credit reference agencies.

### **The Company's Data Processing**

After receiving your CV and other application information, the Company will review it to determine whether to proceed further in the hiring process. If you are offered a role with

Broadcom, the company may check references and carry out other background checks before confirming your appointment. In addition, other situations in which the Company may process your Data may include:

- Staffing decisions, including hiring decisions and resource planning
- Undertaking employment screening and background checks to assess your suitability for a role
- Making decisions about your recruitment or engagement
- Communicating with you during the recruitment process
- Determining the terms and conditions of your employment
- Checking you are legally entitled to work
- Liaising with benefit providers, pension providers, insurers or agents
- Making decisions about salary and compensation
- Assessing qualifications for a particular job or task
- Complying with health and safety or other legal or regulatory obligations or requirements
- To conduct Data analytics studies to review and better understand employee retention and attrition rates
- Equal opportunities monitoring and reporting
- Accessing Data from third parties if from a publically accessible source (e.g., Facebook)

This list is not exhaustive and even if not specifically set out above, the Company may Process Data about you consistent with a “Lawful Basis” under the GDPR (discussed further below) and/or where such Processing is otherwise required or permitted by law.

### **How the Company Will Use Data About you**

Under GDPR, Data controllers are only permitted to use Data when they can establish a “Lawful Basis” for doing so. Set out below is each Lawful Basis that may apply to the Company’s Processing of your Data:

- To decide whether to enter into a contract with you;
- Where the Company needs to comply with a legal obligation;
- The Processing is necessary for the Company’s or a third party’s legitimate interests (see examples below), and your interests and fundamental rights do not override those interests;

- Where the Company needs to protect your interests (or someone else's interests); and
- The Processing is necessary in the public interest or for official purposes

The Lawful Basis that may apply to the Company's Processing of **special categories of Data** includes the following:

- In limited circumstances, your explicit written consent;
- The Company needs to undertake the Processing to carry out legal obligations, for example under health and safety rules;
- The Company needs to undertake the Processing to carry out certain obligations or exercise specific rights as a controller in the field of employment; and
- The Processing is necessary in the public interest, such as for equal opportunities monitoring or in relation to the Company's occupational pension scheme, or where it is needed to assess your working capacity on health grounds.

Less commonly, the Company may process special categories of Data where it is needed in relation to legal claims or to protect your interests (or someone else's interests – for example health and safety) and you are not capable of giving your consent, or where you have already made the information public. The Company may also process special categories of Data in the course of legitimate business activities with the appropriate safeguards.

### **The Company's Legitimate Interests**

As noted above, one Lawful Basis for the Processing of Personal Data is when such Processing is necessary for the Company's "legitimate interests." These may include, but are not limited to:

- Deciding whether to make an offer or employment to you
- The furtherance of Human Resources, IT, Finance, and other administrative functions and initiatives
- The pursuit or defense of any claims, rights, or litigation, or the detection or investigation of a crime
- The furtherance of the Company's commercial development, strategy, planning or growth

## **Consent to Process your Data**

In general, as long as the Company is using your Data as set out in this Privacy Notice, your consent to the Processing is not required. In limited circumstances, the Company may request specific written consent to allow the Processing of certain particularly sensitive data. If the Company does so, it will provide full details of the information requested and why it is needed, so that you can carefully consider whether to give consent. You should be aware that it is not a condition of any employment offer that you agree to any request for consent.

## **Sharing Data within the Company and with Third Parties**

Your Data may be shared between legal entities within the Broadcom group. In addition, the Company may share your Data with third parties, including service providers.

### ***Data Sharing Between Entities***

Your Data may be shared with and Processed by other legal entities within the Broadcom group. For example, your Data may be transferred between the entity that employs you and a different Company entity so that it can be maintained in the Company's global Human Resources information system of record (e.g. Workday). This could result in your Data being Processed outside of the European Economic Area ("EEA"), which is the countries of the European Union plus Iceland, Lichtenstein and Norway. For more information, please see below.

Your Data also may be shared between legal entities as part of the Company's regular reporting activities on Company performance, Human Resources matters, in the context of a business reorganisation or corporate restructuring exercise, or for system maintenance support and hosting of Data.

### ***Data Sharing with Third Parties***

The Company may share your Data with third parties outside of the Company where:

- It is required by law;
- It is necessary to administer the recruitment process; and/or
- There exists another legitimate interest in doing so.

For example, the Company may share your Data with a third party where all or part of the following activities is carried out by third-party service providers:

- Accounting, Human Resources and payroll services
- Pension or other benefit providers
- Legal services
- Recruitment

The recipients of the Data may include:

- The Company's Human Resources Information Systems provider (Workday)
- Legal representatives
- Regulators and professional bodies
- Recruiters or reference checking agencies (including criminal reference checking agencies)
- Pensions, insurers, or other insurance providers (including brokers)
- Government, national or statutory bodies
- Tax authorities and agencies
- Occupational health providers
- Medical practitioners, clinicians, doctors, other health providers and consultants
- Cloud service providers
- Clients or customers (for the purposes of assessing suitability for a project or specific piece of work)
- Industry regulators
- Criminal records or other background checking agencies
- Consultants or contractors working on the Company's behalf
- Employment agencies or head hunters

This list is non-exhaustive and may include recipients outside the EEA.

All legal entities and third parties to whom Data is transferred are required to take appropriate security measures to protect your Data, in line with Broadcom's policies. The Company does not allow third-party service providers to use your Data for their own purposes. They are only permitted to process your Data for specified purposes and in accordance with the Company's instructions.

### **Transferring Data outside the EEA**

The Company may transfer Data about you to countries outside the EEA (including to legal entities outside the EEA) in order to perform its obligations as an employer and to work with the third parties mentioned above. Certain countries are deemed “third countries” by the European Commission. The European Commission states that these third countries do not offer an adequate level of Data protection, whether by the country’s domestic legislation or through the international commitments the country has entered into.

To ensure that your Data receives an adequate level of protection, the Company has put in place the following protective measures:

- EU standard contractual clauses for the transfer of personal Data to third countries (controller to processor transfer)
- Intercompany agreements, with EU standard contractual clauses for the transfer of personal Data to third countries (controller to controller transfer)

### **Data Security and Data Breaches**

A Data breach is a breach of security leading to the accidental, unauthorized, or unlawful access, disclosure, destruction, loss, or alteration of personal Data. The Company has put in place appropriate security measures to prevent Data breaches. In addition, the Company limits access to your Data to those employees, contractors, and third parties who have a business need to access it. Such parties will only process your Data on the Company’s instructions and are subject to a duty of confidentiality. Details of these security measures may be obtained from the DPO.

The Company has put in place procedures to respond to a Data breach and will notify you and any applicable regulator of a breach without undue delay where legally required to do so.

### **Data Retention**

The Company will keep your Data for no longer than is necessary for the purposes for which it is collected or processed. The criteria used to determine retention periods or whether Data can be purged will depend, among other things, on the ongoing need for the information as well as the legally mandated retention periods, and whether the information is subject to a document preservation order due to current or anticipated litigation or other legal matters. In



general, Data will be removed if it has been superseded by more relevant or up to date information, or if it is out of date, irrelevant or no longer necessary. Please refer to the Record Retention and Destruction Policy for more information.

In some circumstances the Company may anonymize Data so that it can no longer be associated with you, in which case the Company may use such Data without further notice to you.

## **Your Rights in Relation to your Data**

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

- **Obtain confirmation** as to whether your Data is being processed by the Company, and, if so, obtain information related to this Processing (commonly known as a "Data Subject access request").
- **Receive a copy** of your Data, where the rights and freedoms of others are not adversely affected.
- **Request erasure** of your Data where lawful grounds apply. This enables you to ask the Company to delete or remove Data where:
  - It is no longer necessary for the purposes for which it was collected or otherwise processed
  - You withdraw consent (if this is the basis on which your Data was or is being processed)
  - It is unlawfully processed
  - The Company is obligated to do so in order to comply with local laws
  - You have exercised your right to object to Processing (see below)
- **Request correction** or rectification of inaccurate or incomplete Data.
- **Object to Processing** of your Data where the Company is relying on a legitimate interest for Processing (or a legitimate interest of a third party).
- **Request restrictions** on the Processing of your Data when lawful grounds to do so apply (for example, the Company no longer needs the Data).

If you would like to review, verify, correct, or request erasure of your Data, object to its Processing, or request that the Company transfer a copy of your Data to another party, please contact the DPO in writing. The Company may need to request specific information from you to help confirm your identity and ensure your right to access the information (or to

exercise any of your other rights). This is a security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

You also have the right to lodge a complaint about the Company's Processing of your Data with its nominated Lead Supervisory Authority. The Company is a business that operates across a number of jurisdictions in Europe and as such it has elected to have the Information Commissioner's Office (ICO) in the United Kingdom as its Lead Supervisory Authority. If you wish to make a report regarding the Company's conduct relating to your Data, please contact the [ICO](#).

### **If You Fail To Provide Data**

If you fail to provide requested Data (such as evidence of qualifications or work history), the Company will not be able to process your application. For example, if a credit check or references are required for the role for which you are applying and you fail to provide the relevant details, the Company will not be able to take your application further.

### **Changing this Privacy Notice**

The Company reserves the right to update this Privacy Notice at any time.

Any questions about this Privacy Notice should be directed to the [DPO](#).