

GDPR Statement

How Gradii handles personal data of people in the EU, EEA and UK under the GDPR and UK GDPR, including biometrics, automated decisions and international transfers.

VERSION	EFFECTIVE	OWNER	REVIEW	CLASSIFICATION
1.0	9 October 2026	Grievance Officer	Annual	Public

When the GDPR applies

Gradii is established in India. The GDPR and UK GDPR apply to Gradii's processing when an employer uses Gradii to hire candidates located in the EU, EEA or UK, or when an EU-established employer uses Gradii.

In those cases, the **employer is the controller** and **Gradii is the processor** under Article 28. For our own customers' account data, Gradii is the controller.

Article 28 processor commitments

Our [Data Processing Addendum](#) includes everything Article 28(3) requires. In particular, Gradii:

- processes personal data only on the controller's documented instructions;
- ensures staff with access are bound by confidentiality;
- implements the technical and organisational measures in Annex II of the DPA (Article 32);
- engages sub-processors only with general written authorisation, gives 30 days' notice of changes and allows objection;
- assists with data-subject requests, security, breach notification and DPIAs;
- deletes or returns personal data at the end of the service;
- makes available the information needed to show compliance, and allows audits.

Lawful basis

The employer chooses the lawful basis for each processing activity. Typical bases for hiring are:

- **Article 6(1)(b)**: steps taken at the candidate's request before entering into a contract (processing an application);
- **Article 6(1)(f)**: the employer's legitimate interest in assessing candidates;
- **Article 6(1)(a)**: consent, for optional steps such as recorded video interviews where the employer relies on it.

Special category data (Article 9)

Face matching during identity verification and interview proctoring produces **biometric data processed to uniquely identify a person**. That is special category data. Gradii:

- uses face matching only for one purpose: to confirm that the person taking an interview or verification is the person who applied;
- computes the face embedding for interview checks (a vector of 128 numbers, not an image) in the candidate's own browser, and stores it with the reference photo so that live frames can be compared during the interview;
- shows the candidate the photo-capture step, and what it is for, before any image is taken;
- has completed a data protection impact assessment for identity verification and face matching, which is available to customers under NDA.

For EU and UK candidates, the employer must have a valid Article 9 condition, which is usually explicit consent under Article 9(2)(a). A separate, per-workspace explicit-consent step for biometric checks is **in progress**. Until it ships, employers hiring in the EU can disable face matching for those roles on request.

Employers using biometric features for EU candidates must confirm that explicit consent is a valid basis in their Member State. Some Member States restrict biometric processing in employment.

Automated decision-making (Article 22)

Gradii produces AI-generated scores, summaries and recommendations. It also moves candidates between pipeline stages automatically based on those scores:

- After an interview round, a candidate whose score is at or below the round's **automatic-reject threshold** is moved to "rejected". A candidate between that threshold and the pass mark goes to "under review" for a person to decide. Employers set both thresholds for each interview round.
- After an Iris screening call, a candidate scoring below 70% is moved to "rejected". This threshold is currently fixed.
- Every automatic stage change records its reason and score. The hiring team can see it, and can move the candidate back.

An automatic rejection without human review can be a solely automated decision with a similarly significant effect under Article 22. **Employers hiring EU or UK candidates should set the automatic-reject threshold to zero, so that every non-passing candidate goes to human review.** They should also avoid relying on Iris screening outcomes without review. A per-workspace option that sends every below-threshold outcome, including Iris screening, to human review is **in progress**. Where an employer does rely on an automated decision, it must meet Article 22(2) and give the safeguards in Article 22(3): the right to human intervention, to express a point of view and to contest the decision.

- Our [AI in Hiring Transparency Notice](#) gives employers the "meaningful information about the logic involved" that Articles 13–15 require them to provide.

International transfers

Gradii stores primary data in India, and India has no EU adequacy decision. Transfers from the EU or EEA to Gradii therefore rely on the **European Commission's Standard Contractual Clauses (2021/914), Module Two (controller to processor)**, incorporated into our DPA. Transfers from the UK rely on the UK International Data Transfer Addendum. Onward transfers to sub-processors in the United States rely on the EU-US Data Privacy Framework where the sub-processor is certified, and otherwise on SCCs. We can provide a transfer impact assessment on request.

Data-subject rights

Candidates should contact the employer that invited them. If a request reaches Gradii, we pass it to the employer within 5 business days and help them respond within the one-month GDPR deadline. Employers can export and delete candidate data from the dashboard, or ask us to do it.

Records and breach notification

- Gradii keeps a Record of Processing Activities as a processor (Article 30(2)). It is available to customers under NDA.
- We notify the controller of a personal-data breach without undue delay, and in any case within **48 hours** of becoming aware. This gives the controller time to meet its own 72-hour deadline under Article 33.

EU representative

Gradii has not appointed an Article 27 representative in the EU. We are assessing whether one is required, given the volume and nature of our EU processing. Contact us at team@gradii.ai for any GDPR matter.

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