



Access Now Recruitment Privacy Notice

Last Updated: 28 May 2021

Access Now is committed to protecting the privacy and security of your personal data. Privacy is a fundamental right that we strive to uphold through our internal operations and policies.

We wrote this Recruitment Privacy Notice (“**Privacy Notice**” or “**Notice**”), and will update it as necessary, to inform you about how we collect, store, and otherwise process personal data that you give us throughout your application and recruitment process. This Privacy Notice applies to job applicants and potential candidates for employment or other recruitment processes, including prospective employees, interns, fellows, and contractors/consultants.

This policy applies to Access Now, as well as our affiliates, and related entities (collectively “**We,**” or “**Us**”, the “**Organization**”, or “**Access Now**”).

As you may be aware, we need to process your personal data to enable us to run a smooth and impartial recruitment process, as we need to process personal information about all potential candidates. We limit the collection and processing of information necessary to achieve one or more purposes as identified in this notice.

There are also statutory and other contractual requirements we have to comply with in relation to your candidacy, as well as business and operational needs we have to meet. If we are not able to carry out the processing activities we describe in this Notice, we may not be able to assess your candidacy, and in certain exceptional cases, may not be able to consider you for your employment. Of course, we hope it will never come to that, and this is simply information we are required by law to provide to you as part of this Notice.

This Privacy Notice also describes your rights regarding the personal data that we hold about you. You can access, correct, and request erasure of your personal data, within the limit of our legal obligations, as described below.

Moreover, in certain limited circumstances, we may need to ask for your specific consent to process your personal data in a particular way. Where we do so, you will be entitled to withdraw your consent at any time by contacting us as set out in the [Contact Us](#) section at the end of this Notice. However, in most cases, we will process your personal data for the reasons set out in this Notice and it won't be appropriate or necessary for you to provide consent.

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- [*Why Does Access Now Use Your Personal Data?*](#)**
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1. What Categories of Personal Data Does Access Now Collect?

"Personal data" means any information relating to you. When you apply for a role at Access Now, we usually collect the following categories of personal data directly from you in accordance with applicable laws:

- a) Personal details (e.g. phone number, email address, postal address, and/or emergency contact information);
- b) CV/resume information (e.g. educational history, qualifications, certifications, skills, languages spoken, references);
- c) Identity, citizenship, or immigration information (e.g. copies of identity documents, work permits, and/or visas);
- d) Professional or employment information (e.g. current or past job history);
- e) Education information (e.g. information about an employee's educational background, such as education records, report cards, and transcripts);
- f) Application documents generated by Access Now (e.g. test results, feedback, status of an application, and notes from interviews or other selection processes); and
- g) Sensitive personal data (e.g. health data where required for us to be able to implement special measures for individuals with a disability, bank details where the candidate is successful and payment information is required for remuneration, and other categories as allowed by law).

Access Now does not seek to obtain and will not collect such data about a candidate unless permitted to do so by applicable laws (e.g. government reporting in the US).

In addition to the collection, processing, and use of the Personal Data, Access Now collects, processes, and uses the following special categories of personal information about you, which we describe as "**Sensitive Data**": (i) **Pre-employment personal data**, personal data relating to pre-employment which include criminal record and credit reports.

We will collect the majority of the personal data that we process directly from you. In limited circumstances and as permitted by law, third parties may provide your personal data to us, such as from former employers, and official bodies (such as regulators or criminal record bureaus).

2. Why Does Access Now Use Your Personal Data?

Access Now processes your Personal Data as necessary for the performance of our contract with you, or to take steps for entering into a contract with you. We collect and use Personal Data and Sensitive Data for a variety of reasons linked to your job application.

In particular, we collect and use your personal data for the following legitimate human resources and business management reasons:

- a) identifying and evaluating candidates for potential employment, as well as for future roles that may become available;
- b) record-keeping in relation to recruiting and hiring;
- c) ensuring compliance with legal requirements, including diversity and inclusion requirements and practices;
- d) conducting criminal history checks as permitted by applicable law;
- e) protecting our legal rights to the extent authorized or permitted by law; and
- f) emergency situations where the health or safety of individuals may be endangered.

We may also analyze your personal data or aggregated/pseudonymized data to improve our recruitment and hiring process, and augment our ability to attract successful candidates. In addition, in the event of a reorganization, merger, sale, joint venture, assignment, or other transfer or disposition of all or any portion of our business, we may disclose or transfer your personal data.

Access Now may retain your personal data to consider you for future employment opportunities. The basis of this form of processing is your consent. If you do not want us to retain your information for such opportunities, please let us know.

3. When is Access Now Processing your Personal Data?

Where we talk about legitimate interests of Access Now or third parties, this can include assessing your suitability for other roles within the Organization. When relying on our “legitimate interests” as a basis for processing your personal data, we will specify and narrow the particular interest of Access Now or any relevant third party to the greatest extent possible. Taking into full consideration your interests and fundamental rights and freedoms in relation to the protection of your personal data, we will ensure it is appropriate for us to rely on legitimate interests while identifying any additional steps we need to respect your rights.

You will not be subject to decisions based on automated data processing without your prior notification and consent. Alternative options will be available to you in case of refusal to use automated processing.

4. Who Does Access Now Share Data With?

We will seek to process your Personal data in accordance with data protection laws. As you know, we are part of the global group of entities involved in the “**Processing Purposes**”, explained above. To ensure that the Processing Purposes can be completed, your information may be shared with any Access Now entities, like Access Now Europe. Where we do share data in this way, however, it is our policy to limit the categories of individuals who have access to that personal information.

Access Now may transfer personal data to third parties, including to any jurisdictions where Access Now entities are located, for the Processing Purposes, as follows:

- **Within the Organization.** Access Now is part of a wider group with offices located across the globe, which all partially share management, human resources, legal, compliance, finance, and audit responsibility. As such, Access Now may transfer the Personal Data and Sensitive Employee Data to, or otherwise allow access to, such data by other entities within Access Now, which may use, transfer, and process the data for the following purposes: to maintain and improve effective administration of the workforce; to communicate information about Access Now; to monitor and assure compliance with applicable policies and procedures, and applicable laws; and to respond to requests and legal demands from regulators and other authorities.
- **Communication with third parties.** As necessary in connection with business operations, work contact details and communication contact details may be transferred to existing or potential business partners, suppliers, customers, end-customers, or government officials and other third parties.

- **Regulators, authorities, and other third parties.** As necessary for the Processing Purposes described above, Personal Data may be transferred to regulators, courts, and other authorities (e.g., tax and law enforcement authorities).
- **Acquiring entities.** In the event that Access Now may be transferred (in whole or in part), your Personal Data may be transferred to the new employer or potential new employer as part of the transfer itself or as part of an initial review for such transfer (i.e. due diligence), subject to any rights provided by applicable law, including jurisdictions where the new employer or potential new employer are located.
- **Data processors.** As necessary for the Processing Purposes described above, Personal Data may be shared with one or more third parties, whether affiliated or unaffiliated, to process personal information under appropriate instructions ("**Data Processors**"). These processors will assist with the collecting, processing, and storing of potential applications personal information.

For a list of the entities and third parties that we may share your data with, please see the [Contact Us](#) section, set out below.

5. Where Does Access Now Transfer Data?

As you may expect, some of the recipients we may share Personal Data and Sensitive Employee Data with may be located in countries outside of Europe. In some cases, this may include countries located outside the European Union and/or European Economic Area ("**EEA**").

If recipients are located in other countries without adequate protections for personal data, Access Now will take all necessary measures to ensure that transfers out of the EEA are adequately protected as required by applicable data protection law. This will include using appropriate safeguards such as the EU Standard Data Protection Clauses. You can ask for a copy of the appropriate safeguards by contacting us as set out in the [Contact Us](#) section.

6. How Does Access Now Protect Your Data?

We have implemented appropriate physical, technical, and organizational security measures designed to secure your personal data against accidental loss and unauthorized access, use, alteration, or disclosure. In addition, we limit access to personal data to those employees, agents, contractors, and other third parties that have a specific and legitimate business need for such access.

7. How Long Does Access Now Keep Your Data?

It is our policy not to keep Personal Data for longer than is necessary. We may, for example, keep your personal information for a reasonable time after you have left to ensure that Access Now has the records it needs in the event of a dispute or regulatory investigation and to ensure that any ongoing obligations can be complied with, such as requests from regulators, and to contact you about future work opportunities at Access Now.

Where Personal Data is kept, that period will be determined based on the applicable local law. Under some circumstances, we may anonymize your personal data so that it can no longer be associated with you. We reserve the right to use such anonymous and de-identified data for any legitimate business purpose without further notice to you or your consent.

We specify the retention periods for your personal data in our [data retention policy](#), and will retain and securely destroy your personal data in accordance with our [retention policy](#) and applicable laws and regulations.

8. What Are Your Rights?

You have a number of rights in relation to your Personal Data and Sensitive Employee Data. These can differ by country, but can be summarized in broad terms as follows:

i) Right of access

You have a right to confirm with us whether your Personal Data is processed, and if it is, to request access to personal data including the categories of personal data processed, the purpose of the processing, and the recipients or categories of recipients. We do have to take into account the interests of others though, so this is not an absolute right. We may charge a reasonable fee if your request is unfounded, repetitive, or excessive.

ii) Right to rectification

You may have a right to rectify inaccurate or incomplete Personal Data concerning you.

iii) Right to erasure

You may have a right to ask us to erase personal data concerning you.

iv) Right to restriction of processing

In limited circumstances, you may have a right to request that we restrict processing of your personal data. However, where we process Personal Data and Sensitive Employee Data for the Processing Purposes we have identified or associated with that processing, then our legitimate interest in processing may override a request that you make.

v) Right to data portability

You may have the right to receive personal data concerning you, which you have provided to us, in a structured, commonly used, and machine-readable format and you may have the right to transmit that data to another entity.

vi) Right to object and rights relating to automated decision-making

Under certain circumstances, you may have the right to object, on grounds relating to your particular situation, at any time to the processing of your Personal Data, including profiling, by us and we can be required to no longer process your personal data. This may include requesting human intervention in relation to an automated decision so that you can express your view and/or contest the decision.

To exercise any of these rights, please contact us as stated below in the [Contact Us](#) section. We do not discriminate based on whether you choose to exercise your choice and rights. We try to respond to all legitimate requests within ten (10) calendar days. Occasionally it may take us longer, if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

If you would like to make a request to access, review, or correct the Personal Data we have collected about you, or to discuss how we process your personal data, please refer to the [Contact Us](#) section. To help protect your privacy and security, we will take reasonable steps to verify your identity before granting you access to your personal data.

Depending upon the circumstances and the request, we may not be permitted to provide access to personal data or otherwise fully comply with your request; for example, where producing your information may reveal the identity of someone else. We may charge an appropriate fee for complying with your request where allowed by applicable law, and/or to deny your requests where they may be unfounded, excessive, or otherwise unacceptable under applicable law. If your request is denied, you will receive an explanation as to the reasons for this denial, unless prohibited by applicable law or regulations.

In addition, and where granted by applicable law, you may have the right to lodge a complaint with a data protection authority in the country where you are habitually resident, where you work, or where the alleged infringement took place, if you consider that we have infringed applicable data protection legislation when processing your personal data.

9. Changes to This Privacy Notice

We reserve the right to update this Privacy Notice at any time, and we will provide you with a new Privacy Notice when we make any updates. If we wish to process your previously collected personal data for new purposes than those we notified you about at the time of collection, we will provide you with notice and, where required by law, seek your consent, before using your personal data for a new or unrelated purpose. We may process your personal data without your knowledge or consent, where permitted or required by applicable law or regulation.

10. Contact Us

If you have concerns or questions regarding this Notice or if you would like to exercise your rights as a data subject, you can reach out to us through privacy@accessnow.org.

Any and all communications sent to privacy@accessnow.org will be shared with the *Director - People Experience*, our *General Counsel*, our *European Operations & Compliance Director*, and our *Associate General Counsel*.

Effective Date: 28 May 2021