

Percona Privacy Notice for Candidates

We at Percona Staffing, LLC (“Percona”) are responsible for deciding how we process and use personal information. You are receiving this Privacy Notice because you are or have applied to work with us, either as an employee, worker, or contractor. This privacy notice makes you aware of how we collect, process, use, and store your personal information and why it will be used – namely for the purposes of recruitment. This notice also provides you with certain information that must be provided under applicable data protection laws. **If you have any questions about this privacy notice, please contact privacy@percona.com.**

Data Protection Principles

In order to comply with applicable data protection laws, we only use your personal information in the following ways:

1. Use it only in lawful, fair and transparent ways.
2. Collect it only for the purposes we disclose to you and not in any other way without your permission.
3. Keep it secure, up to date and accurate.
4. Retain it only for as long as necessary and for the purpose we have disclosed to you.

Categories and Types of Personal Information

Our collection and processing of personal information includes any “personal data,” consisting of information that may, on its own or in combination with other information, directly identify or link back to an identifiable individual.

In connection with your application, and any related recruiting activities, such as interviews, we may collect, store, and use the following categories of personal information about you:

- Personal contact details including your name, title, addresses, telephone numbers, online communication IDs, GitHub Public Account and/or similar accounts, and personal email addresses;
- Employment and education history;
- Employment qualifications or test results;
- Recruitment information (including copies of right to work documentation, recruitment references and other information included in a CV, resume or cover letter or otherwise as part of the application or recruitment process); and
- Information you provide to us during an interview.

Collection of Personal Information

We collect your personal information from you, recruitment agencies, background check providers, credit reference agencies, and potentially other third parties, including former employers. We may also collect information from publicly accessible sources.

Processing of Personal Information

We will only use your personal information, as allowed by law, for the following purposes:

- To assess your skills, qualifications and suitability for the work or role for which you applied;

- To carry out background and references checks, where applicable;
- To communicate with you about and throughout the recruitment process;
- To assess and keep records related to our hiring processes; and
- To comply with legal or regulatory requirements.

It is in our legitimate interests to decide whether to hiring you or appoint you to the role for which you applied since it is to our benefit to have someone serving in that role. We may also need to process your personal information to decide whether to enter into an independent contractor or employment agreement with you.

Once we receive your application materials, we will then process that information to decide whether you meet the basic requirements for the role. If you do, we will decide whether your application is strong enough to invite you for an interview. If we decide to call you for an interview, we will use the information you provide to us at the interview to decide whether to offer you the role. If we decide to offer you the role, we will then take up references, carry out a criminal record/background check and any other checks, as required, before confirming your appointment.

Failure to Provide Personal Information

If, when requested, you fail to provide information which is necessary for us to consider your application (such as evidence of qualifications or work history), we will not be able to process your application successfully. For example, if we require a credit check or references for this role and you fail to provide us with relevant details, we will not be able to take your application further.

Processing of Information about Criminal Convictions

We may only use information relating to criminal convictions where the law allows us to do so. We may collect information about your criminal convictions history if you apply for, and we would like to offer you, a role for which conditional background checks and references are required. We are entitled to carry out criminal records checks in order to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable for the role. Additionally, we have policies and safeguards in place which we are required by law to maintain when processing such data.

Processing of Personal Information via Automated Decision-Making Methods

Automated decision-making takes place when an electronic system uses personal information to make a decision, without human intervention, which produces a legal, or similarly significant, effect. You will not be subject to automated decision-making methods unless we have a lawful basis for doing so and we have notified you prior to doing so.

Data Sharing Practices

We will only share your personal information with third parties for the purpose of processing your application, for example: our recruiting agencies, consultancies, applicant tracking system, or recruitment management system provider. We require third parties to respect the security of your personal information and to treat it in accordance with applicable law. All our third-party service providers and other entities are required to take implement security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

Transferring Personal Data outside of the European Union

Since we are a company located in the USA, we process your personal information outside of the European Union. However, we will not transfer any of the personal information we collect about you to any of the following countries outside the EU: (i) Crimea region of Ukraine; (ii) Cuba; (iii) Iran; (iv) North Korea; (v) Sudan; (vi) Syria. For those countries that are not deemed to provide an adequate level of protection, according to the European Commission, we have established contractual obligations to put in place that ensures your personal information receives an adequate level of protection in a way that is consistent with and which respects EU and other global data protection laws.

Data Security Measures

We have put in place appropriate physical, technical, and administrative security measures intended to prevent your personal information from being accidentally or unlawfully lost, altered, destroyed, or disclosed and/or accessed in an unauthorized way. In addition, we limit access to your personal information to the minimum extent necessary and only to those staff and other third parties who have a business need to know. They will process your personal information only upon our instructions and where they have agreed to treat the information confidentially and to keep it secure. We have put in place procedures to deal with any data security breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

Retention Limits

We will retain your personal information for three years after we have communicated to you our decision about whether or not to appoint you to the role, so that we can show, in the event of a legal claim, that we have not discriminated against candidates on prohibited grounds and that we have conducted the recruitment exercise in a lawful, fair, and transparent way. If we notify you that you have not been appointed to the role for which you applied and we wish to retain your personal information for a fixed period of time on the basis that an opportunity may arise in the future for which we may wish to consider you, we will separately seek your explicit consent. After the retention period has lapsed, we will destroy your personal information in accordance with our data retention policy and/or applicable laws.

Rights to Personal Information

Under certain circumstances, by law, you may exercise certain rights over your personal information, including:

- Requesting access to your personal information.
- Requesting correction of the personal information that we hold about you.
- Requesting erasure of your personal information.
- Objecting to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and you object to processing on this basis.
- Requesting the restriction of processing of your personal information.
- Request the transfer of your personal information to another party.

For more information regarding jurisdictional rights you may exercise pertaining to the processing of your personal information, please refer to Section 5 of our Privacy Policy, available at: <https://www.percona.com/20180524-privacy-policy>, or contact us via email at privacy@percona.com or via post at Percona LLC: 8081 Arco Corporate Drive, Suite 330, Raleigh, NC 27617 for more information.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it. When you exercise a lawful right, no fee is usually required; however, we may charge a reasonable fee if your request for access is manifestly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

Right to Withdraw Consent

In the limited circumstances where you may have provided your consent to the collection, processing, and transfer of your personal information for a specific purpose, you may have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact Percona in writing at privacy@percona.com. Once we received and process your request to withdraw consent to processing, we will no longer process your personal information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Revisions and Changes to this Privacy Notice

We reserve the right to update this privacy notice at any time and we will notify you prior to the effective date and provide you with a new privacy notice when we make any substantial updates. Upon notification, you will have the opportunity to express your preference regarding our processing your personal information by contacting us via email at privacy@percona.com or via mail at Percona LLC: 8081 Arco Corporate Drive, Suite 330, Raleigh, NC 27617.