

**Recruitment Privacy Notice**  
**Cleary Gottlieb**  
**Frankfurt & Cologne Offices**

---

*Updated: June 18, 2018*

# Recruitment Privacy Notice

## About The Firm And This Recruitment Privacy Notice

Cleary Gottlieb Steen & Hamilton LLP (the “**Firm**”), a limited liability partnership under the laws of the State of New York, United States of America, is committed to protecting your Personal Information. Recruitment-related activities are generally coordinated in the country and office in which you apply. The Firm’s Frankfurt and Cologne offices (the “**Offices**” or “**we/us**”) are in charge of processing your Personal Information in the course of recruitment-related activities in Germany.

This Recruitment Privacy Notice is intended to inform applicants about how we collect, use, share, protect and otherwise process their personal data during the recruitment process. Personal data is any information by which a natural person can be identified, whether directly or indirectly (“**Personal Data**”). This Recruitment Privacy Notice also informs applicants of their rights in relation to their Personal Data and how to exercise these rights. The Recruitment Privacy Notice applies to any Personal Data we collect about you and use for our recruitment-related activities.

## What Personal Data We Collect About You

The types of Personal Data that we collect from you or third parties involved in the recruitment process (including our recruitment agency partners) will depend on the job you are seeking. As part of the recruitment process, we process the following Personal Data about applicants (but may not necessarily process all of the following information in relation to every applicant):

- **Contact details:** your full name, address, e-mail address, telephone number;
- **Educational background:** details of the schools and universities you attended, any diplomas, certifications, or other qualifications you have achieved, grades and scores obtained;
- **Work history:** your previous professional experiences, details of the responsibilities you held, performance-related information (including any references you have been given) and the contents of your resume or C.V.;
- **Other:** details of any previous position applied for with the Firm and the outcome of your application; any of your interests or preferences which you may provide as being relevant to your application; your responses to any specific competency questions posed as part of the application process.

If you choose not to provide applicable Personal Data, we may be unable to process your application.

We will not ask you to provide us with sensitive Personal Data unless it is necessary for the purposes of carrying out our obligations and specific rights according to legal and regulatory requirements. Sensitive Personal Data includes data that reveals your race or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, health or sex life. If you choose to provide sensitive Personal Data, for example in order to provide accommodation for a disability, we will ensure we have a legal basis on which to process this information, such as obtaining your explicit consent.

## How and Why Your Personal Data Is Used

In accordance with Article 88 of the General Data Protection Regulation, we collect and process your Personal Data for the following purposes, together the “recruitment-related purposes”:

- Assessing your application and suitability to a particular role;
- Contacting you and communicating information to you about the recruitment process and any assessments, interviews and other similar activities we may request that you participate in for the purpose of your application;
- For our internal purposes to ensure that we can accommodate any disabilities or other specific requirements you have;
- In order to identify you in the future if you apply for another position within the Firm;
- As necessary in order to comply with legal and regulatory requirements;
- In connection with any legal claim, defense, action or dispute;

Our processing is necessary in order to take steps to consider your application prior to establishing a professional relationship with you. Such processing shall be carried out by lawyers and staff involved in recruitment-related activities, solely for one of the recruitment-related purposes. Your data will not be further processed in a way which is incompatible with, or extends beyond, these recruitment-related purposes.

Where the recruitment process results in the establishment of a professional relationship, it will be necessary for us to undertake further processing of your Personal Data; a new notice will be provided to you in advance of such further processing.

If you have questions or would like more information about our recruitment-related purposes and/or our processing of your Personal Data, you may contact us using the Office’s contact information at the end of this Recruitment Privacy Notice.

## Our Legal Grounds For Processing

We only process your Personal Data where you have given your consent, or where the processing is necessary for our legitimate interests, including: (i) recruiting applicants to fill vacant positions, (ii) fulfilling our legal obligations and ensuring we are complying with applicable laws and internal policies, and (iii) for the security of our systems, premises and lawyers and staff.

We will only process your sensitive Personal Data where (i) you have given your explicit consent to processing, or (ii) such processing is legally required by, or necessary for the Firm or for you to exercise rights under employment law.

## Who We Share Your Personal Data With

Access to your Personal Data is restricted to the Firm’s partners, lawyers and staff to whom access is necessary in connection with one of the recruitment-related purposes. This includes a limited number of staff in our information technology team, some of which are based in the United States of America, that maintain the systems on which relevant Personal Data is stored. Personal Data will not be shared with any third party unless (i) you have provided your consent, (ii) it is permitted by law, or (iii) it is required by law or by competent authorities having jurisdiction over the Offices or another office of the Firm.

## How Long Your Personal Data Is Retained

We will retain your Personal Data only for as long as is necessary in connection with the recruitment-related purposes for which it was collected and no longer than the time period permissible under applicable privacy laws. We may keep your Personal Data for a longer period only after obtaining your explicit consent. Such consent may be withdrawn at any time (but please note that the withdrawal of consent shall not affect the lawfulness of processing undertaken prior to such withdrawal). For the purpose of withdrawing your consent, please use the Office's contact information at the end of this Recruitment Privacy Notice.

## Whether Your Personal Data Is Transferred Abroad

The Firm operates on a worldwide integrated basis and we may need to transfer your Personal Data to other offices in the Firm in connection with the recruitment related purposes. This may include the transfer of your Personal Data from a location within the European Economic Area (the "EEA") to outside the EEA. For a complete list of the Firm's offices, please see the [Firm's website](#). Where such a transfer occurs, internal contractual agreements between the offices continue to protect your Personal Data, where the level of protection for Personal Data in countries outside the EEA may otherwise be less than that offered within the EEA.

## How Your Personal Data Is Safeguarded

The Firm employs various physical, technical, and organizational measures designed to provide Personal Data with reasonable protection from loss, misuse or unauthorized access, disclosure, alteration or destruction. You can request further information regarding our technical and organizational measures at any time by contacting us. Personal information collected through a website or that is transmitted between our offices is protected in transit by standard encryption processes. However, we cannot guarantee the security of information on or transmitted via the Internet.

## What Rights You Have Regarding Your Personal Data

We rely on you to provide accurate, complete and current Personal Data to us.

You may also contact us to request more information in connection with our data processing activities or to exercise your rights concerning your Personal Data. Such rights include:

- **Access** – The right to access to your Personal Data and receive a copy of the Personal Data we hold about you.
- **Rectification and erasure** – You may request that we update your Personal Data by contacting us at any time. In certain limited circumstances you may have the right to request that your Personal Data is deleted from our systems. To the extent possible, we will inform anyone who has received your Personal Data of the updates to your Personal Data or your request to have the Personal Data deleted.
- **Restricting processing** – In certain circumstances, it may be possible to require us to limit the way in which we process your Personal Data (*i.e.*, require us to continue to store your Personal Data, but not otherwise process it without your consent).
- **Objection** – You have the right to object to the processing of your Personal Data.

- **Data portability** – You have the right to data portability in certain limited circumstances, where (i) you provided your Personal Data to us, (ii) our processing is based on your consent or is necessary to fulfil a contract with you, and (iii) the processing is automated.
- **Complaints** – You have the right to contact us at any time if you wish to complain about our processing of your Personal Data and you may lodge a complaint at any time with a supervisory authority.
- **Withdrawal of consent** – Where we have relied on your consent as the legal grounds for processing, you may withdraw your consent at any time. Withdrawal does not invalidate the consent-based processing that occurred prior to withdrawal.

When contacting us in connection with any of your rights (described above), you will have to provide sufficient identifying information, such as name, address, and birth date before your request can be processed. We may limit or deny access to Personal Data where providing such access would be unreasonably burdensome or expensive in the circumstances, or as otherwise permitted by law. In some circumstances, we may charge a reasonable fee, where warranted, for access to Personal Data.

For further information on your rights, please find a link to the websites of the data protection authorities in the state of Hesse (Frankfurt) and in the state of North-Rhine Westphalia (Cologne) below:

**Hesse:** <https://datenschutz.hessen.de/>

**North-Rhine Westphalia:** <https://www.ldi.nrw.de/index.php>

## How To Contact Us

Please address all correspondence to:

Contact: **Cleary Gottlieb Steen & Hamilton LLP – Recruiting Data Privacy**

Addresses: **Neue Mainzer Straße 52  
60311 Frankfurt am Main  
Germany**

**Theodor-Heuss-Ring 9  
50668 Köln  
Germany**

E-mail: [DataPrivacyRecruitingGermany@cgsh.com](mailto:DataPrivacyRecruitingGermany@cgsh.com)

Data protection officer for the Frankfurt and Cologne offices:

Contact: **Arnd Harnischmacher**

Address: **c/o DH+P Gesellschaft für Unternehmensberatung mbH  
Reichertweg 10  
63069 Offenbach am Main  
Germany**

E-mail: [harnischmacher@data-screen.de](mailto:harnischmacher@data-screen.de)

