



# **GDPR Candidate Privacy Notice**



## **Introduction**

As part of its recruitment process relevant to employment or other individual engagement, Fortress Investment Group LLC and its affiliates (collectively referred to as “Fortress”) receive, use, and store job candidates’ personal information. Fortress may also share the information with others in certain specific situations (see below).

By registering and submitting your application for a role with Fortress, either directly or via an authorised third party, Fortress will collect and process personal information about you. This GDPR Candidate Privacy Notice and its addenda (the “Privacy Notice”) contains details of Fortress’s policies and practices regarding the collection and processing of your personal information and the rights and choices you have.

In the event that you have any questions or concerns about the information provided, please contact Fortress using the information at the end of this Privacy Notice.

Fortress will process candidate data in accordance with this Privacy Notice, unless in conflict with requirements of applicable law, in which case applicable law will prevail.

To ensure all personal data is processed in accordance with its data protection policies, Fortress can only accept applications or expressions of interest in a role at Fortress through its careers portal, which can be accessed at: <http://careers.fortress.com/>.

## **What Information Does Fortress Collect about You**

Except as otherwise set forth in the addenda to this Privacy Notice, Fortress may collect, use, share, and store personal information about you during the recruitment process, which includes but is not limited to:

- Application data: Your resume, name, residential address, email address, phone number, academic and professional qualifications, diversity profile (age, gender etc.), citizenship, compensation details, and any other information you choose to include in your resume and cover letter;
- Assessment data: Candidate testing (such as technical, behavioural or psychometric tests), interviews and any other information collected to evaluate your candidacy;
- Pre-employment screening data: date of birth, personal identification, bank account information, tax status, internet presence, medical information and declarations, criminal record, credit rating, employment, and regulatory references and status, individual location information, and dependents details.



## Information Collection Sources

Fortress may collect personal information that you directly provide on its website or directly to Fortress personnel. In addition, Fortress may collect your personal information from other legitimate sources such as public databases, search engines, and information from third parties that you have chosen and consented to disclosing information about you. Examples of such third parties may include recruiters, online professional networks or vendors in connection with pre-employment screening data.

## **Why Does Fortress Collect and Use Your Personal Information**

### The Recruitment Process

Fortress has a legitimate interest in processing your personal information during its recruitment process. Processing personal information from job applicants allows Fortress to manage the recruitment process, assess, and confirm a candidate's suitability for employment or other engagement, and decide when an offer of employment or other engagement should be extended.

### Legal Obligation

In some cases, Fortress needs to process your personal information to ensure that Fortress is complying with its legal, regulatory, and corporate governance obligations.

### Consent

Some of the information Fortress may obtain from or about you might be sensitive. Except as otherwise set forth in the addenda to this Privacy Notice, Fortress generally only keeps sensitive information if you expressly consent to it, and/or if it is necessary to carry out its obligations or exercise its legal rights (or enable you to exercise your legal rights).

## **How Fortress Shares Your Personal Information**

Fortress may disclose your personal information if required to do so by law, court of law, or as requested by a governmental or law enforcement authority.

Aside from this, Fortress generally only shares your personal information with others where it is a necessary part of its recruitment process. For example, Fortress may share your personal information with other members of the Fortress group of companies where it is relevant to your application.

Fortress may also share your personal information with a select group of third-party service providers that carry out certain recruitment-related activities on its behalf, such as background checking agencies and companies that help Fortress with storing data.



Fortress expects the entities with which Fortress shares your personal information (both group companies and non-affiliated third parties) to protect the confidentiality and security of your information and to use it only for its intended purpose.

### **Transferring Your Personal Information to Other Countries**

The organisations with which Fortress may share your personal information may be located outside of the European Economic Area (“EEA”). Fortress has put in place safeguards reasonably designed to ensure your personal information remains adequately protected when transferred.

Your personal information will be transferred to the United States. The United States has not received a finding of “adequacy” from the European Union under Article 45 of the General Data Protection Regulation (GDPR). Consequently, Fortress relies on appropriate safeguards as set forth in GDPR Article 46 for the transfer of your personal information to the United States and, more specifically, through Fortress’s group data transfer agreement.

For more information about appropriate safeguards as set forth in GDPR Article 46, please email [GDPR@fortress.com](mailto:GDPR@fortress.com) or write to GDPR Compliance, Fortress Investment Group LLC, 1345 Avenue of the Americas, New York, New York, USA 10105.

### **How Long Does Fortress Keep Your Personal Information**

If your application for employment for a specific role is unsuccessful or if you submit a general application for its consideration, then, except as otherwise set forth in the addenda to this Privacy Notice, Fortress will ordinarily keep your information for 24 months after the end of the recruitment process. Fortress does this in case any other position becomes open that may suit your application and to maintain a record of its recruitment processes for legal reasons. If you would like Fortress to delete your information sooner than this, please contact Fortress directly.

If your application for employment is successful, the personal information Fortress gathered about you during the recruitment process will be retained during your employment. The periods for which your personal information will be held will be provided to you in a separate employee privacy notice.

### **How Does Fortress Protect Your Personal Information**

Fortress has implemented technical, administrative, and physical security measures to protect your personal information from unauthorized access and improper use. Fortress has built security policies and procedures based on Fortress’s view of best practice frameworks and reviews these procedures in order to consider appropriate new technology and methods on an ongoing basis. Except as otherwise required by law, only those who have proper authorisation will be allowed to view your personal information. In



addition, Fortress trains its employees about the importance of confidentiality and maintaining the privacy and security of your information. Further, Fortress undergoes periodic security risk assessments to ensure the security of information in its possession.

## **Your Rights**

Subject to certain limitations, you have the right to confirm that Fortress is processing your personal information, to access the personal information it keeps about you, to restrict or object to the processing of your personal information, and to rectify, erase, and port your personal information. Your rights below are subject to you exercising them in good faith and Fortress's legitimate business interests or other valid basis to continue processing your personal data, in accordance with Fortress's policies and applicable law. These rights include:

### **Your Right of Access:**

You have the right to obtain:

- Confirmation that Fortress processes your personal information; and
- Access to the personal information Fortress has about you.

### **Your Right to Rectification:**

You have the right to have factually inaccurate personal information rectified, to the extent Fortress has any such inaccurate personal information.

### **Your Right to Erasure:**

You have the right to have your personal information erased if:

- Your personal information is no longer necessary for the purpose for which Fortress originally collected or processed it;
- You decide to withdraw your consent;
- You object to Fortress's processing of your personal information, and Fortress has no overriding legitimate interest or other valid basis to continue the processing of your personal information;
- Fortress has processed your personal information unlawfully; or
- Fortress must erase your personal information to comply with a legal obligation.

### **Your Right to Restrict Processing:**

You have the right to limit the way Fortress uses your personal information in certain circumstances:

- You contested, in good faith, the accuracy of your personal information in Fortress's possession and Fortress is verifying the accuracy of such information;
- Fortress has unlawfully processed your personal information and you oppose erasure and request restriction instead;

- Your personal information is subject to destruction under Fortress's data retention policy, but you need Fortress to keep it in order to establish, exercise, or defend a legal claim; or
- You have objected, in good faith, to Fortress processing your personal information, and Fortress is considering whether it has legitimate grounds to continue processing your personal information.

#### Your Right to Object to Processing:

You have the right to object to certain types of processing of your personal information, which include:

- Processing for direct marketing purposes (including profiling); and
- Processing for purposes of scientific/historical research and statistics.

#### Your Right to Data Portability:

Under limited circumstances, you have the right to obtain from Fortress and reuse your personal information for your own purposes. This right allows you to move, copy, or transfer your personal information easily, without hindrance to usability. If you request it, Fortress may transmit your personal information directly to another organization if this is technically feasible.

To exercise any of these rights, please contact Fortress using the information at the end of this Privacy Notice.

### **Changes and Updates to this Privacy Notice**

Fortress recognises that protecting your personal information is an ongoing responsibility and so it will update this Privacy Notice as it undertakes new practices involving your personal information. Because of this, Fortress advises that you check this Privacy Notice from time to time in order to familiarise yourself with any updates.

### **Questions, Concerns, and Complaints**

Should you wish to make a complaint about Fortress's use of your personal information, you may contact Fortress using the methods specified at the end of this Privacy Notice.

You also have the right to lodge a complaint with the appropriate regulatory body/supervisory authority, in particular in the country where you reside, place of work or of an alleged infringement of the law.



### **How to Contact Fortress**

If you have any questions concerning Fortress's privacy practices as described in this Privacy Notice, please email [GDPR@fortress.com](mailto:GDPR@fortress.com) or write to GDPR Compliance, Fortress Investment Group LLC, 1345 Avenue of the Americas, New York, New York, USA 10105.



## **Italy Addendum**

This addendum to the GDPR Candidate Privacy Notice (“Privacy Notice”) describes how, in addition to the protections described in the Privacy Notice, Fortress complies with its obligations in relation to processing personal data and criminal data relating to candidates for its Italy-based positions.

### **Why Does Fortress Collect and Use Your Personal Information**

#### **The Recruitment Process**

Fortress will only process criminal offense data if such is required, by law, for your specific position with Fortress. In addition and to the extent any such data is processed by Fortress, Fortress will process any health data in compliance with the guidelines issued by the Italian Data Protection Authority.

### **How Fortress Shares Your Personal Information with Others**

You should be aware that Fortress may disclose personal data to specific individuals and corporate functions of Fortress’s affiliate companies in the United States (including, without limitation, to tax, payroll, accounting, compliance, legal, and HR staff).

### **Transferring Your Personal Information to Other Countries**

In the case of data transfer outside of the EU, and in the absence of an adequacy decision by the European Commission, Fortress will comply with applicable law concerning transfer of personal data to countries outside of the EU, as set forth in the Privacy Notice.





## **Luxembourg Addendum**

This addendum to the GDPR Candidate Privacy Notice (“Privacy Notice”) describes how, in addition to the protections described in the Privacy Notice, Fortress complies with its obligations in relation to processing personal data and criminal data relating to candidates for its Luxembourg-based positions.

### **Why Does Fortress Collect and Use Your Personal Information**

#### **The Recruitment Process**

Fortress may collect personal data deriving from criminal records or criminal background checks if Fortress has been provided with such extract of your criminal record. Fortress may require you to provide an extract of your criminal record during the recruitment phase to be compliant with a legal obligation or because Fortress has a legitimate interest to do so. You will only be required to provide Fortress with such an extract if this has been specifically requested in written form in the personal verification form, job offer, and/or employment application.

This record and the data derived from such extract will only be used for recruitment process purposes and retained as indicated below:

- Should the candidate be hired, Fortress may not keep the record for more than one month after the employment contract is concluded; or
- Should the candidate not be selected, Fortress will destroy the record without delay.

In the event of a dispute or any legal proceedings, the data may be retained for a longer period of time.

### **How Long Does Fortress Keep Your Personal Information**

Data deriving from an extract of your criminal record will be retained for one month after the employment contract is concluded or deleted and destroyed without undue delay should you not be selected.

## **Netherlands Addendum**

This addendum to the GDPR Candidate Privacy Notice (“Privacy Notice”) describes how, in addition to the protections described in the Privacy Notice, Fortress complies with its obligations in relation to processing personal data and criminal data relating to candidates for its Netherlands-based positions.

### **Why Does Fortress Collect and Use Your Personal Information**

#### The Recruitment Process

Fortress will only process criminal offense data if this is based on (i) one of the general six principles that justify the processing of personal data; and (ii) if this is required by law for the specific position you are applying for.

#### Consent

If your application for employment is successful, the personal information Fortress gathered about you during the recruitment process will be retained during your employment (if relevant). The periods for which your personal information will be held will be provided to you in a separate privacy notice.

In the event that your application is unsuccessful and you would like to be considered for future employment opportunities with Fortress, you will need to give permission to keep a copy of your application for a limited period of time, up to a maximum duration of 24 months. Fortress will ask for your consent before retaining your personal information. Such consent is not mandatory, and if given, can be withdrawn at any time.

In all other situations Fortress will keep your information for a maximum period of 4 weeks, should your application be unsuccessful.

In the event of a dispute or any legal proceedings, the personal data may be retained for a longer period of time.

### **How Fortress Shares Your Personal Information with Others**

In principle, only those persons within Fortress who need access to your personal information in order to be able to fulfill their duties, are granted access to such data. These persons may include tax, payroll, accounting, compliance, legal, and HR staff, the recruiter, and the people with whom you have job interview(s). Those persons who have access to your personal information are obligated to keep such information confidential.

### **United Kingdom Addendum**

This addendum to the GDPR Candidate Privacy Notice (“Privacy Notice”) describes how, in addition to the protections described in the Privacy Notice, Fortress complies with its obligations in relation to the processing of sensitive personal data and criminal record data relating to its United Kingdom-based candidates. It complies with the requirements of Part 4 of the UK Data Protection Act 2018.

#### **Fortress processes data lawfully and in a transparent manner.**

The above Privacy Notice sets out full and specific information on how Fortress processes sensitive personal data concerning candidates.

#### **Fortress processes data for specific, explicit, and legitimate purposes and does not further process data in a manner that is inconsistent with those purposes.**

Fortress only processes candidates’ data for the reasons set out in the Privacy Notice. If Fortress ever needs to use candidate data for any other reason than those already communicated to you, Fortress will use best efforts to communicate those purposes to you before Fortress does so.

#### **Fortress keeps data adequate, relevant, and limited to what is necessary for the purpose.**

Fortress does not collect data in excess of what Fortress needs for the purposes set out in its Privacy Notice and achieves this through:

- training HR to only collect data which is needed for the purposes Fortress has set out in the Privacy Notice;
- adopting internal data retention requirements, which helps to limit the candidate data Fortress retains and the periods for which it is retained (for more information on Fortress’s data retention policies, please email [GDPR@fortress.com](mailto:GDPR@fortress.com));
- maintaining relevant documentation on its processing activities, which allows it to easily review what data Fortress is processing and take active steps to reduce data down to only what is needed for the business; and
- ensuring its data protection documentation and processes are in line with its view of best practices and official guidance by routinely reviewing its processes and documentation.

#### **Fortress endeavours to keep all personal data accurate and, where necessary, up to date.**

Fortress keeps data up to date by requiring candidates to keep it informed of any changes in their personal data.



**Fortress uses best practices to keep personal data secure and protect it against unauthorised or unlawful processing and against accidental loss, destruction, or damage.**

Fortress complies with internal policies and procedures in order to achieve this.

**Fortress uses best practices to process data in line with an individual's rights and will not transfer data to people or organisations situated in countries without adequate protection.**

Fortress informs candidates of their rights in its Privacy Notice. Fortress only send data to other countries where Fortress believes the data is adequately protected, as set out in its Privacy Notice.