

► ESAs' JOINT RECRUITMENT PROCEDURES

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General information

Introduction
EIOPA, as a European Authority, is committed to protect individuals with regard to the processing of their personal data in accordance with Regulation (EU) No 2018/1725 (further referred as the Regulation) ¹ .
Contact Details of Data Controller(s)
<p>Fausto Parente, Executive Director</p> <p>Westhafenplatz 1, 60327 Frankfurt am Main, Germany</p> <p>fausto.parente@eiopa.europa.eu</p>
Contact Details of the Data Protection Officer
<p>Eleni Karatza</p> <p>Westhafenplatz 1, 60327 Frankfurt am Main, Germany</p> <p>dpo@eiopa.europa.eu</p>
Contact Details of Processor
<p>EIOPA's Team/Unit/Department responsible for the processing:</p> <ul style="list-style-type: none"> - HR Unit

Description and Purpose of the Processing

Description of Processing

¹ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.

EIOPA runs jointly recruitment procedures with the other European Supervisory Authorities (ESAs), i.e. the European Banking Authority (“EBA”) and the European Securities and Markets Authority (“ESMA”).

These procedures have the following characteristics:

- (i) EIOPA’s HR Unit receives candidate applications through a dedicated mailbox.
- (ii) Selection panels are composed of members from all three ESAs. The personal data of the candidates will be thus disclosed to panel members from EIOPA, EBA and ESMA.
- (iii) EIOPA conducts remote written tests for the candidates meeting the minimum selection criteria as per EIOPA’s Candidates Manual. During the written examination candidates are supervised remotely by an external proctor (“TestReach”), acting as data processor.
- (iv) The appointment of the successful candidates will be done by the Appointing Authority (AIPN) of EIOPA after consultation with the AIPN of EBA and ESMA.
- (v) The reserve list of the suitable candidates will be shared with designated staff members of all three ESAs.
- (vi) The personal file of the recruited candidates will be retained by EIOPA as specified below.

Purpose (s) of the processing

- ☒ Staff administration
- ☒ Relations with external parties
- ☐ Procurement and accounting
- ☐ Administration of membership records
- ☐ Auditing
- ☒ Information administration
- ☐ Other (please give details):

Lawfulness of Processing

- Legal Basis justifying the processing:
 - EIOPA Regulation (Regulation (EU) 1094/2010);
 - Articles 12–15 of the Conditions of Employment of Other Servants of the EU;
 - Decision of the Management Board EIOPA-MB-15/072 of 5 January 2016 laying down general Implementing Provisions on the Engagement and Use of Temporary Staff under Article 2(f) of the Conditions of Employment of Others Servants of the European Union.

Processing is necessary:

- ☒ for the performance of a task carried out in the public interest
- ☐ for compliance with a legal obligation to which the Controller is subject
- ☐ for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract
- ☐ in order to protect the vital interests of the data subject or of another natural person

Or

☐ Data subject has given his/her unambiguous, free, specific and informed consent

Data Subject's Rights

Information on how to exercise data subject's rights

Data subjects may exercise their data privacy rights provided in Articles 17 to 24 of the Regulation (EU) 1725/2018.

Data subjects have the right to:

- access their personal data, receive a copy of them in a structured and machine-readable format or have them directly transmitted to another controller, as well as request their rectification or update in case they are not accurate.
- request the erasure of their personal data, as well as object to or obtain the restriction of their processing.
- withdraw their consent to the processing of their personal data at any time in case such processing is based solely on their consent.

For the protection of the data subjects' privacy and security, every reasonable step shall be taken to ensure that their identity is verified before granting access, or rectification, or deletion.

Should data subjects wish to access/rectify/delete their personal data, or receive a copy of them/have it transmitted to another controller, or object to/restrict their processing, please contact recruitment@eiopa.europa.eu or DPO@eiopa.europa.eu.

Complaint:

Any complaint concerning the processing of the data subjects' personal data can be addressed to EIOPA's Data Protection Officer (DPO@eiopa.europa.eu). Alternatively, data subjects can also have at any time recourse to the European Data Protection Supervisor (www.edps.europa.eu).

Restriction

Without prejudice to the above, rights might be restricted in accordance with EIOPA's decision on the restriction of data subject's rights (EIOPA-MB-19-056).

Categories of Data Subjects & Personal Data collected

Categories of Data Subjects

- ☒ EIOPA permanent staff, Temporary or Contract Agents
- ☐ SNEs or trainees
- ☐ Visitors to EIOPA (BOS, MB, WG, Seminars, Events, other)

If selected, please specify:

- ☐ Providers of good or services
- ☐ Complainants, correspondents and enquirers
- ☐ Relatives and associates of data subjects
- ☐ Other (please specify): all individual submitting an application for a position as temporary agent, contract agents, SNEs and trainee.

Categories of personal data

(a) General personal data:

The personal data contains:

At the application screening stage:

- ☒ Personal details : First name, last name, date of birth, gender, nationality, address, phone number, email;
- ☒ Education & Training details including for each course, start & end dates, titles, qualifications, diploma (level in the national and/or international classification), main study subjects, name of the organisation providing the education or the training;
- ☒ Employment details : including for each work experience, start & end dates, position/title held, main activities and responsibilities, name and address of the employer, type of business;
- ☒ Financial details
- ☒ Family, lifestyle and social circumstances
- ☒ Other (please give details):
- Languages: including for each language, the level of understanding, listening, reading comprehension, spoken proficiency, written proficiency and details about the courses attended;
 - Personal skills and competences (if applicable): technical, organisational, social, artistic;
 - Additional information: any other information that may be relevant (eg. personal data of contact persons, references).

During the invigilated remote written tests, the following data is captured (only during the examination session):

- Video and audio footage of candidates captured through their web camera, remote access to candidates desktop screen. EIOPA does not store video and audio footage, but may request the service provider to provide them, if necessary.

For successful candidates, in addition to the above, the following personal data can be processed:

- Information contained in the legal entity form and bank account form;
- Proof of nationality (valid ID card or passport), diplomas;
- Data coming from the pre-recruitment medical check-up;
- Extract of criminal record, birth certificate.

(b) Special categories of personal data

The personal data reveals:

- ☐ Racial or ethnic origin
- ☐ Political opinions
- ☐ Religious or philosophical beliefs
- ☐ Trade union membership
- ☐ Genetic or Biometric data
- ☐ Data concerning health, sex life or sexual orientation

Whilst no sensitive data is requested as part of the recruitment process, sensitive data may be voluntarily provided by candidates and therefore could be processed.

Categories of Recipients & Data Transfers

Recipient(s) of the data

- ☒ Managers of data subjects
- ☒ Designated EIOPA staff members
 - If selected, please specify:
EIOPA's HR Unit, Selection Committee members, EIOPA's AIPN, EIOPA's Legal Unit staff on a need-to-know basis in case of complaints.
- ☐ Relatives or others associated with data subjects
- ☐ Current, past or prospective employers
- ☐ Healthcare practitioners
- ☐ Education/training establishments
- ☐ Financial organisations
- ☒ External contractor: Testreach
- ☒ Other (please specify):
 - EBA's and ESMA's staff members acting as Selection Committees' members, EBA's and ESMA's AIPNs,
 - Potentially also: the Commission's Internal Audit Service, the European Ombudsman, OLAF, the Court of Justice of the EU and the European Data Protection Supervisor.
 - For the candidates included in the reserve list: upon consent, their CV might be disclosed to other EU institutions or bodies.

Data transfer(s)

- ☐ Within EIOPA or to other EU Institutions/Agencies/Bodies
 - If selected, please specify: to EBA and ESMA staff members participating in DORA recruitment procedures.

<input type="checkbox"/> To other recipients within the EU (e.g. NCAs)
<input type="checkbox"/> To third countries
If selected, please specify: N/A
Whether suitable safeguards have been adopted:
<input type="checkbox"/> Adequacy Decision of the European Commission ²
<input type="checkbox"/> Standard Contractual Clauses (SCC)
<input type="checkbox"/> Binding Corporate Rules (BCR)
<input type="checkbox"/> Administrative Arrangements between public Authorities (AA)
<input type="checkbox"/> To international organisations
If selected, please specify the organisation and whether suitable safeguards have been adopted: N/A

Automated Decision Making

Automated Decision-making, including profiling
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A decision is taken in the context of this processing operation solely on the basis of automated means or profiling:

- ☒ No
☐ Yes

In case of an automated decision-making or profiling, please explain:

N/A

Retention Period & Security Measures

Retention period

How long will the data be retained?

1. **For successful candidates:** Data are stored in the data subjects' personal file for a period of ten years after the termination of employment. Their criminal record will be kept only for a period of two years after the contract signature. In case of a legal challenge, the above date shall be extended until two years after completion of all relevant proceedings.
2. **For candidates who have been added on the reserve-list:** Data are stored in the recruitment file for a period of five years after the closing of the recruitment campaign. In case of a legal challenge, the above dates shall be extended until two years after the completion of all relevant proceedings.

² Third countries for which the European Commission has issued adequacy decisions are the following: Adequacy decisions (europa.eu)

3. **For unsuccessful candidates who have not been retained for the pre-screening interviews or the reserve list:** Data are kept until all appeal channels have been exhausted, incl. the time limits for appeal before the General Court.
4. **Reports of the Selection Committee** are stored in a dedicated recruitment folder on EIOPA's main drive with limited access rights for a period of five years after the closing of the recruitment campaign. In case of a legal challenge, the above dates shall be extended until two years after completion of all relevant proceedings.
5. **Invigilation reports** received from TestReach will be retained in the relevant selection file for a period of five (5) years after the closure of the selection procedure. The videos of the remote proctored exams received from TestReach, will be retained until appeal channels have been exhausted, including the time limits for appeal before the General Court.
6. Files will not be kept beyond the periods specified above unless the personal data is rendered anonymous.

For further processing envisaged beyond the original retention period for historical, statistical or scientific purposes, please specify whether the personal data will be anonymised:

☒ No

☐ Yes

Technical & organisational security measures taken

Several technical and organisational measures have been adopted in order to ensure the optimum security of the documents and personal data collected in the context of the procedures described under section II a).