

## **Privacy statement related to the processing of personal data with regard to the Selection and Recruitment of Temporary Agents (TAs), Contract Agents (CAs), Seconded National Experts(SNEs) and Trainees**

### **► Introduction**

1. EIOPA, as a European Authority, is committed to protect individuals with regard to the processing of their personal data in accordance with 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 (further referred as “the Regulation”).

### **► Purpose of the processing of personal data**

2. Personal data are processed in order to recruit EIOPA staff members (TAs, CAs),SNEs and trainees.
3. The legal basis for this processing operation comprises of:
  - For TAs and CAs:
    - Articles 12–15 and 82–84 of the Conditions of Employment of Other Servants of the EU.
    - Decision of the Management Board EIOPA-MB-19/086 of 9 September 2019 on general provisions for implementing article 79(2) of the Conditions of Employment of OlthersServants of the European Union, governing the conditions of employment of contract staff eployed under the terms of article 3a thereofDecision 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.
  - For SNEs: EIOPA Decision laying down rules on the secondment of national experts (EIOPA-MB- 17/013 of 13/03/2017), in particular Articles 1 and 3 thereof.
  - For Trainees : Policy on traineeship

4. In accordance with Article 5(1)(a) of the Regulation, the processing is necessary for the performance of tasks carried out in the public interest on the basis of the Treaties establishing the European Communities and in the legitimate exercise of official authority vested in EIOPA. The recruitment procedure is necessary for the management and functioning of the Agency.
5. Personal data collected are processed according to the conditions set out in the abovementioned Regulation. EIOPA receives candidate applications through a dedicated e-recruitment tool ('Gestmax') maintained by an external contractor as data processor. As part of the selection procedures EIOPA conducts remote written tests. During the written examination the candidates are supervised by an external proctor. This invigilated remote testing service is provided by an external contractor ('TestReach') as data processor (only for TA, CA and SNEs, call for traineeship does not include written test).

#### ▶ Controller of the personal data processing

6. The controller responsible for processing your data is EIOPA's Executive Director.
7. Address and email address of the controller:

Westhafen Tower, Westhafenplatz 1  
60327 Frankfurt am Main  
Germany  
[fausto.parente@eiopa.europa.eu](mailto:fausto.parente@eiopa.europa.eu)

#### ▶ Personal data collected

8. During the recruitment procedure, the following personal data is processed:

**During the application phase:** The personal data being processed are the data provided in the data subject's application (CV, motivation letter, supportive documents) and the reports created by the Selection Committee. This personal data includes the following data:

- **Personal details:** First name, last name, date of birth, gender, nationality, address, phone number, email;
- **Work experience:** including for each experience, start & end dates, position/title held, main activities and responsibilities, name and address of the employer, type of business;
- **Education and training:** 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;

- **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 evaluation phase:** the recruitment panel analyses the information provided by the candidates in his/her application. Whilst no sensitive data<sup>1</sup> is requested as part of the recruitment process, sensitive data may be provided by candidates and therefore could be processed as part of the recruitment process.

As part of the process to invigilate the remote written tests that are part of the recruitment process the following data is captured (during the examination period):

- 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:

- Data originating from the assessment centre (in case of middle managers);
- 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.

#### ► To whom are your data disclosed?

9. Your personal data may be disclosed to the following recipients, as appropriate:

- a. Staff of the HR Unit;
- b. Selection Committee members (including external parties acting as Selection Committee members);

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<sup>1</sup> Sensitive data is data potentially revealing ethnic or racial origin, political opinions, religious or philosophical beliefs, trade-union membership, genetic data, biometric data for uniquely identifying a natural person, data concerning health or sex life or sexual orientation.

- c. External contractors (recruitment agency for recruitment of Heads of Units or above; invigilated remote written test service provider ('Testreach'), data processor of e-recruitment tool ('Gestmax'));
- d. Management of the Human Resources (Head of Corporate Support unit);
- e. the A.I.P.N./Authority Empowered to Conclude Contracts of Employment (i.e. the Executive Director of EIOPA);
- f. Relevant staff in the Finance Area of the Corporate Support Unit (financial verification, accountancy): Access to data that is necessary for the payment of a contribution towards travel expenses;
- g. External contractor providing the assessment center ( only for specific data of shortlisted candidates and only for middle managers recruitment procedure);
- h. Staff of the travel agency under contract with EIOPA, who deals with the arrangement of travels for interviews of candidates (only name and surname of the candidate, place of origin and destination, passport number, travelling days);
- i. Legal Unit in the event of of complaints under Article 90 of the EU Staff Regulations, and/or external lawyers;
- j. The Internal Audit Service, the European Ombudsman, OLAF, the European Court of Justice and the European Data Protection Supervisor.

#### ► How long are your data kept?

- 10. For a successful candidate: Data are stored in your personal file for a period of ten (10) years after the termination of employment. Your criminal record will be kept only for a period of two years after the signature of your contract. In case of a legal challenge, the above date shall be extended until two (2) years after completion of all relevant proceedings.
- 11. 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 (2) years after completion of all relevant proceedings.
- 12. For unsuccessful candidates who have not been retained for the pre-screening interviews or the reserve list: Data will be kept until all appeal channels have been exhausted, incl. the time limits for appeal before the General Court of the Court of Justice of the European Union.
- 13. In practice, 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 (5) 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.
- 14. Invigilation reports received from TestReach will be retained in the relevant selection file for a period of five (5) years after the closing 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.

15. Files will not be kept beyond the periods specified above unless the personal data is rendered anonymous.

► **Transfer of personal data to a third country or international organisation**

16. No personal data will be transferred to a third country or international organisation.

► **Profiling**

17. No profiling is performed in the context of this processing operation.

► **How can you have access to your data, verify their accuracy, rectify them or object to their processing?**

18. In general, data subjects have the right to obtain from the controller a copy of their personal data in order to check the accuracy of the data held, and/or to obtain rectification or update of these data (facts) if necessary. More details on the exemptions to this right can be obtained by contacting the DPO using the contact details provided below'.
19. Data subjects may have the right to object to the processing, to ask for the deletion of their data where the processing thereof is unlawful, or to have any processing of their data suspended for a period of time, enabling the data controller to verify the accuracy, and or the completeness, of the data.
20. The right of erasure may be suspended where there is an administrative inquiry in process, and the data is needed for the conclusion of the procedure.
21. Where there are any concerns with the application of data subject rights, data subjects can file a complaint with the EDPS.

► **Whom can you contact if you have questions or complaints with regard to data protection?**

22. Should you wish to obtain access to your personal data, their rectification, or deletion or to object, please contact:
- the Data Protection Officer at EIOPA by email (DPO{at}eiopa.europa.eu) or by letter:

EIOPA Data Protection Officer (Confidential)  
Westhafen Tower, Westhafenplatz 1  
60327 Frankfurt am Main  
Germany

23. All questions or complaints concerning the processing of your personal data can be addressed to EIOPA's Data Protection Officer (DPO@eiopa.europa.eu).
24. Alternatively, you can also have recourse at any time to the European Data Protection Supervisor (www.edps.europa.eu).