PRIVACY STATEMENT RELATED TO THE SELECTION AND RECRUITMENT OF TEMPORARY AGENTS (TAS), CONTRACT AGENTS (CAS), SECONDED NATIONAL EXPERTS (SNES) AND TRAINEES

Introduction

1. The European Insurance and Occupational Pension authority (EIOPA) is committed to protecting individuals personal data in accordance with Regulation (EU) 2018/1725[1] (further referred to as "the EUDP Regulation").

2. In line with Articles 15 and 16 of the EUDP Regulation, this privacy statement provides information to the data subjects relating to the processing of their personal data carried out by EIOPA.

Purpose of the processing of personal data

3. Personal data are processed in order to recruit EIOPA staff members (TAs, CAs), SNEs and trainees.

4. Personal data collected are processed according to the conditions set out in the above-mentioned Regulation. EIOPA receives candidate applications through a dedicated e-recruitment tool ('Gestmax') maintained by an external contractor acting as data processor. As part of the selection procedure, 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') acting as data processor (only for TA, CA and SNEs, call for traineeship does not include written test).

5. For further information on the processing of personal data by Gestmax and TestReach, please refer to the dedicated processing operations:
    a. Gestmax' privacy policy
    b. TestReach's privacy policy

6. Your data will not be used for any purposes other than the performance of the activities specified above. Otherwise you will be informed accordingly.

[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, OJ L 295, 21.11.2018, p. 39–98.

Handling instructions for documents with security markings:
https://www.eiopa.europa.eu/sites/default/files/publications/other_documents/summary_eiopa_information.pdf

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Legal basis of the processing of personal data and/or contractual or other obligation imposing it

7. The legal basis for this processing operation are the following:

   - 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 Other Servants of the European Union (the 'CEOS'), governing the conditions of employment of contract staff employed under the terms of Article 3a thereof.
     - 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.

   - 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

8. In addition, in accordance with Article 5(1)(a) of the EUDP Regulation, processing is lawful as it is necessary for the performance of tasks carried out in the public interest on the basis of the Treaties establishing the European Union and in the legitimate exercise of official authority vested in EIOPA. The recruitment procedure is necessary for the management and functioning of EIOPA.

Controller of the personal data processing

9. The internal data controller responsible for processing your personal data is the Head of EIOPA's Human Resources Unit.

10. Address and email address of EIOPA's data controller:

    Westhafen Tower, Westhafenplatz 1
    60327 Frankfurt am Main
    Germany
    DataController@eiopa.europa.eu

Contact detail of EIOPA's Data Protection Officer (DPO)

11. Westhafen Tower, Westhafenplatz 1, 60327 Frankfurt am Main, Germany
    dpo@eiopa.europa.eu

Types of personal data collected

12. 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 (e.g., personal data of contact persons, references).

During the evaluation phase: the Selection Committee analyses the information provided by the candidates in their application. Whilst no sensitive data[2] 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.

[2] 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.

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Recipients/processors of the personal data collected

13. The personal data may be disclosed to the following recipients, as appropriate:

a. Staff of EIOPA's Human Resources Unit;
b. Selection Committee members (including external parties acting as Selection Committee members);
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 Department);
e. the A.I.P.N./Authority Empowered to Conclude Contracts of Employment (i.e. the Executive Director of EIOPA);
f. Designated staff members 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;
k. EIOPA's Ethics Officer on a need-to-know basis, EIOPA's Anti-fraud Officer in case irregularities are detected in the recruitment process.
l. If specified in the dedicated Vacancy Notice, reserve lists established under an EIOPA recruitment campaign may be shared with the Agencies and joint Undertakings (hereinafter the "EUIs") that are parties to the Memorandum of Understanding allowing the sharing of reserve lists. More information can be found in the privacy statement on the sharing of Reserve Lists.

Retention period

14. 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 (2) 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.

15. For candidates who have been added on the reserve list: Data are stored in the recruitment file for a period of at least two (2) 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.

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16. 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.

17. 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 (2) years after completion of all relevant proceedings.

18. 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.

19. 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 organisations

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

Automated decision-making

21. No automated decision-making including profiling is performed in the context of this processing operation.

What are the rights of the data subject?

22. You have the right to access your 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. You also have the right to request the erasure of your personal data, as well as object to or obtain the restriction of their processing.

23. Where processing is based solely on the consent, you have the right to withdraw your consent to the processing of your personal data at any time.

24. Restrictions of certain rights of the data subject may apply, in accordance with Article 25 of the EUDP Regulation.

25. 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.

26. Should you wish to exercise any of the rights provided above, please contact EIOPA's Human Resources Unit (recruitment@eiopa.europa.eu) or EIOPA's DPO (dpo@eiopa.europa.eu).

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Who to contact if you have any questions or complaints regarding data protection?

27. Any questions or complaints concerning the processing of your personal data can be addressed to EIOPA's Data Controller (DataController@eiopa.europa.eu) or EIOPA's DPO (dpo@eiopa.europa.eu).

28. Alternatively, you can have recourse to the **European Data Protection Supervisor (**www.edps.europa.eu**)** at any time, **as provided in Article 63 of the EUDP Regulation.**

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