

## RECORD OF PERSONAL DATA PROCESSING ACTIVITY according to Article 31 of Regulation (EU) 2018/1725

### ▶ RECRUITMENT

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#### General information

<b>Introduction</b>
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) <sup>1</sup> .
<b>Contact Details of Data Controller(s)</b>
Fausto Parente, Executive Director Westhafenplatz 1, 60327 Frankfurt am Main, Germany <a href="mailto:fausto.parente@eiopa.europa.eu">fausto.parente@eiopa.europa.eu</a>
<b>Contact Details of the Data Protection Officer</b>
Eleni Karatza Westhafenplatz 1, 60327 Frankfurt am Main, Germany <a href="mailto:dpo@eiopa.europa.eu">dpo@eiopa.europa.eu</a>
<b>Contact Details of Processor</b>
EIOPA’s Team/Unit/Department responsible for the processing: - HR Unit

<sup>1</sup> 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.

### Description and Purpose of the Processing

Description of Processing
<ol style="list-style-type: none"> <li>1. Personal data are collected and processed in order to recruit EIOPA staff members (TAs, CAs) as well as SNEs and trainees.</li> <li>2. 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).</li> </ol>
Purpose (s) of the processing
<input checked="" type="checkbox"/> Staff administration <input checked="" type="checkbox"/> Relations with external parties <input type="checkbox"/> Procurement and accounting <input checked="" type="checkbox"/> Administration of membership records <input type="checkbox"/> Auditing <input checked="" type="checkbox"/> Information administration <input type="checkbox"/> Other (please give details): .....
Lawfulness of Processing
<ul style="list-style-type: none"> <li>• Legal Basis justifying the processing:              As 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-11/021 of 10 January 2011 on general implementing provisions on the procedures governing the engagement and the use of contract staff at EIOPA              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.              As 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 &amp; 3.              As for trainee: policy on traineeship              Processing is necessary:  <input checked="" type="checkbox"/> for the performance of a task carried out in the public interest           </li> </ul>

- 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 [human.resources@eiopa.europa.eu](mailto:human.resources@eiopa.europa.eu) or [DPO@eiopa.europa.eu](mailto: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](mailto:DPO@eiopa.europa.eu)). Alternatively, data subjects can also have at any time recourse to the European Data Protection Supervisor ([www.edps.europa.eu](http://www.edps.europa.eu)).

### Restriction (Note 8)

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

Categories of Data Subjects
<p><input checked="" type="checkbox"/> EIOPA permanent staff, Temporary or Contract Agents</p> <p><input checked="" type="checkbox"/> SNEs or trainees</p> <p><input type="checkbox"/> Visitors to EIOPA (BOS, MB, WG, Seminars, Events, other)                      If selected, please specify: .....</p> <p><input type="checkbox"/> Providers of good or services</p> <p><input type="checkbox"/> Complainants, correspondents and enquirers</p> <p><input type="checkbox"/> Relatives and associates of data subjects</p> <p><input checked="" type="checkbox"/> Other (please specify): all individual submitting an application for a position as temporary agent, contract agents, SNEs and trainee.</p>
Categories of personal data
<p><b>(a) General personal data:</b></p> <p>The personal data contains:</p> <p><input checked="" type="checkbox"/> Personal details : First name, last name, date of birth, gender, nationality, address, phone number, email;</p> <p><input checked="" type="checkbox"/> Education &amp; Training details including for each course, start &amp; 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;</p> <p><input checked="" type="checkbox"/> Employment details : including for each experience, start &amp; end dates, position/title held, main activities and responsibilities, name and address of the employer, type of business;</p> <p><input checked="" type="checkbox"/> Financial details</p> <p><input checked="" type="checkbox"/> Family, lifestyle and social circumstances</p> <p><input checked="" type="checkbox"/> Other (please give details):</p> <ul style="list-style-type: none"> <li>- Languages: including for each language, the level of understanding, listening, reading comprehension, spoken proficiency, written proficiency and details about the courses attended;</li> <li>- Personal skills and competences (if applicable): technical, organisational, social, artistic;</li> <li>- Additional information: any other information that may be relevant (eg. personal data of contact persons, references).</li> </ul>

**During the evaluation phase:** the recruitment panel analyses the information provided by the candidates in his/her application. Whilst no sensitive data<sup>2</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.

**(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

**Categories of Recipients & Data Transfers**

Recipient(s) of the data
<input checked="" type="checkbox"/> Managers of data subjects <input checked="" type="checkbox"/> Designated EIOPA staff members If selected, please specify: HR Unit, Selection Committee members, the AIPN, AACC, finance staff on a need-to-know basis, Legal Unit on a need-to-know basis, <input type="checkbox"/> Relatives or others associated with data subjects

<sup>2</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.

<input type="checkbox"/> Current, past or prospective employers <input type="checkbox"/> Healthcare practitioners <input type="checkbox"/> Education/training establishments <input type="checkbox"/> Financial organisations <input checked="" type="checkbox"/> External contractor: Testreach and GestMax, Assessment centre (if applicable) <input checked="" type="checkbox"/> Other (please specify): External parties acting as section Committee members, the Internal Audit Service, the European Ombudsman, OLAF, the European Court of Justice and the European Data Protection Supervisor.
<b>Data transfer(s)</b>
<input type="checkbox"/> Within EIOPA or to other EU Institutions/Agencies/Bodies If selected, please specify: <input type="checkbox"/> To other recipients within the EU (e.g. NCAs) <input type="checkbox"/> To third countries If selected, please specify: ..... Whether suitable safeguards have been adopted: <input type="checkbox"/> Adequacy Decision of the European Commission <sup>3</sup> <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: .....
Data subjects could obtain a copy of SCC, BCR or AA here: .....

Automated Decision Making

<b>Automated Decision-making, including profiling</b>
A decision is taken in the context of this processing operation solely on the basis of automated means or profiling: <input checked="" type="checkbox"/> No

<sup>3</sup> Third countries for which the European Commission has issued adequacy decisions are the following: Adequacy decisions (europa.eu)

Yes

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

.....

### Retention Period & Security Measures

#### Retention period

How long will the data be retained?

1. For a successful candidate: Data are stored in your personal file for a period of ten 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 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 completion of all relevant proceedings.
3. For unsuccessful candidates who have not been retained for the pre-screening interviews or the reserve list: Data can be kept until all appeal channels have been exhausted, incl. the time limits for appeal before the Civil Service Tribunal.
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 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.
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).