



RECORD OF PERSONAL DATA PROCESSING ACTIVITY

Record No: HR.04

Initial approval by Data Controller: ARES registration date

Update (s) (if applicable): N/A

NAME OF THE PROCESSING ACTIVITY

Selection and recruitment procedures: internal, external and joint inter-agency

IDENTIFICATION OF THE DATA CONTROLLER

Head of HaDEA Unit C.3 “Staff, Communication and Support”

GROUND FOR THIS RECORD (*select relevant ground*)

- Record of a new type of processing activity of personal data (before its implementation)
- Record of a processing activity of personal data that is already in place**
- Change/Amendment/ Update of an already existing previous record

INFORMATION ON THE PROCESSING ACTIVITY

of Selection and recruitment procedures: internal, external and joint inter-agency

This processing activity is performed in accordance with **Regulation (EU) No 2018/1725**¹ on the protection of individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data.

1.1. Data Controller:

The Head of Unit C.3 Staff, Communication and Support in the European Health and Digital Executive Agency (HaDEA), Place Charles Rogier 16, B-1049 Brussels, BELGIUM, who can be contacted at HADEA-PEOPLE@ec.europa.eu.

1.2 The contact details of the Data Protection Officer (DPO):

HADEA-DPO@ec.europa.eu

1.3 Joint controller:

In case of joint inter-agency selection procedures, the Executive Agencies participating in these procedures act as joint controllers and are specified in the relevant vacancy notice.

1.4 The following entity(ies) is/are acting as Processor(s):

European Commission, Directorate General for Human Resources and Security (DG HR), Unit B.1, processes personal data (as data processor) on behalf of HaDEA as manager of EUCV-Online, the e-Recruitment tool used to process applications (the Privacy statement is available [here](#)). The processor can be reached via HR-MAIL-B1@ec.europa.eu.

European Commission, Directorate General for Human Resources and Security (DG HR), Unit D.3, processes personal data (as data processor) on behalf of HaDEA as regards medical visits. The processor can be reached via HR-MAIL-D3@ec.europa.eu. More information regarding the processing of personal data related to medical visits can be found on [HaDEA's website](#).

The following entities may also process personal data on HaDEA's behalf in case of online written tests invigilation:

- Processor: SoftwareONE BE BV, Esplanade 1, Suite 315, Box 3, B-1020 Brussels.
- Sub-processor: TestReach Ltd, 9-10 NexusUCD, Belfield Office Park, Clonskeagh, Dublin 4, Ireland, D04 V2N9.

Other external service providers might be engaged as well, in which case they will be indicated in the relevant Data Protection Notice.

1.5 Description and purpose(s) of this processing:

The objective is the selection and recruitment of well-qualified contract and temporary staff with a high degree of professionalism on the broadest possible geographical basis in the EU, through an equitable, transparent, objective and impartial selection process.

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 295/39 of 21.11.2018).

Specifically, the purpose is to manage Contract Agent 3(a) and Temporary Agent 2(f) selections, as well as for operations related to Spontaneous Applications, Internal Publications, Inter-Agency Mobility publications (Job Market of Contract or Temporary Agents), applications of Contract Agent candidates registered for Contract Agent Selection Tests (CAST) with the European Personnel Selection Office (EPSO) and applications for Contract Agents 3(a) and Temporary Agent 2(f) vacancy notices.

For each selection a "selection file" is created that contains all documents related to this specific selection procedure such as CVs and motivation letters of candidates, the Selection Committee appointment, declaration of confidentiality and absence of conflict of interest, minutes of the Selection Committee meetings, evaluation grids of candidates. The Selection Committee assesses the applications, against pre-defined selection criteria established according to the job description. Based on the assessment of the applications, the Selection Committee decides on the candidates to invite to the interview (and/or written test). Once the interviews are concluded (and, if applicable, the written tests corrected), the Selection Committee establishes a reserve list of candidates. Based on a recruitment decision made by the Director, the selected candidates are contacted and all necessary documents are collected for the purpose of the preparation of the contract.

For spontaneous applications, the contact details will be processed for the purpose of informing the applicant that HaDEA does not accept spontaneous applications and providing the applicant with more information about potential vacancies while referring to the external HaDEA website.

The sub-processor, TestReach, may process personal data of candidates with the purpose of organising and invigilating online written tests within the framework of online selection procedures, which may be organised by HaDEA for Temporary Agent 2(f) selections and, where needed, for other kind of contracts. In particular, the sub-processor provides a cloud-based Software-as-a-Service solution used to create, deliver and mark any type of assessment. To take an exam on TestReach platform, the candidates will download and use the TestReach application.

Reserve lists of successful candidates and their personal data are shared among Executive Agencies pursuant to the Memorandum of Understanding (MoU) for the sharing of reserve lists². In line with this MoU, the Executive Agencies upload reserve lists onto a common repository from which candidates may be identified and recruited.

As regards joint inter-Agency selection procedures, the purpose is to receive applications, evaluate and select the best candidates for Temporary Agents and Contract Agents positions available in HaDEA and in the Executive Agencies participating in the joint inter-agency selection. This processing aims at ensuring compliance with all requirements and proper management of selection procedures conducted by HaDEA when acting as lead agency or when acting as a participating agency in the joint inter-Agency selection. The participating agencies will be clearly identified in the Vacancy Notice. The processing in the context of the joint inter-Agency selections concerns only the selection phase until the establishment of reserve lists. The reserve lists are kept and managed by the lead Agency and shared as appropriate with the participating Agencies. The subsequent recruitment processes are managed by each agency and subject to own and specific data protection record and notice. More information on the processing of the personal data for the recruitment phase in HaDEA can be found [here](#). Besides the above, reserve lists of successful candidates and their personal data are shared among Executive Agencies that do not participate in the joint selection procedure pursuant to the above-mentioned MoU for the sharing of reserve lists.

1.6 The legal basis for the processing based on Article 5(1) of Regulation (EU) 2018/1725 is/are:

² Memorandum of Understanding concerning the modalities and procedures of interaction between the Executive Agencies on the sharing of Reserve lists (Ares(2022)8128318).

- (a) the processing is necessary for the **performance of a task carried out in the public interest** or in the exercise of official authority vested in the Union Institution or body laid down in Union law;
- (a2) the processing is necessary for the **management and functioning** of the Union Institutions, bodies or agencies (Recital (22) of Regulation (EU) 2018/1725) laid down in Union law;
- (b) the processing is necessary for **compliance with a legal obligation** to which the controller is subject³ ;
- (c) the processing is necessary 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;
- (d) the data subject has given **consent** to the processing of his or her personal data for one or more specific purposes;
- (e) the processing is necessary in order to protect the **vital interests** of the data subject or of another natural person.

Furthermore, when it comes to the processing of special categories of personal data, the processing operation is lawful under Article 10(2)(a) of the Regulation (EU) 2018/1725 provided data subjects have given prior explicit consent.

For reserve lists established before the MoU between the Executive Agencies on the sharing of reserve lists, explicit consent from data subjects will be requested for inclusion in the common repository. The consent will be requested and collected by the data controller via an exchange of emails. In case where the data subject does not consent, or does not reply, their personal data will not be shared with other Executive Agencies.

For selection procedures launched after that MoU, data subjects are informed of the processing operation in the vacancy notice. They will then have the opportunity to inform HaDEA if they wish to opt out of their data being shared among the Executive Agencies.

1.7 The categories of data subjects

- Agency staff (Contractual and temporary staff in active position)
- Visitors to the Agency
- Applicants
- Relatives of the data subject
- Complainants, correspondents and enquirers
- Witnesses
- Beneficiaries
- External experts
- Contractors
- Other, please specify: Members of the Selection Committee.

³ Council Regulation (EC) No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes, Articles 18(1) and 11(6)

[Commission Implementing Decision](#) (EU) 2021/173 of 12 February 2021 establishing the European Climate, Infrastructure and Environment Executive Agency, the European Health and Digital Executive Agency, the European Research Executive Agency, the European Innovation Council and SMEs Executive Agency, the European Research Council Executive Agency, and the European Education and Culture Executive Agency and repealing Implementing Decisions 2013/801/EU, 2013/771/EU, 2013/778/EU, 2013/779/EU, 2013/776/EU and 2013/770/EU

Staff Regulations of Officials (Staff Regulations) and Conditions of Employment of Other Servants of the European Union (CEOS), and in particular Articles 12-15 and 82-84 of the CEOS.

The Decision of the Steering Committee of HaDEA SC01(2021)07 laying down general implementing provisions on the procedure governing the engagement and use of temporary staff under Article 2(f) of the Conditions of Employment of Other Servants of the European Union.

Commission Decision C(2017)6760 on the general provisions for implementing Article 79(2) of the Conditions of Employment of Other Servants of the European Union, governing the conditions of employment of contract staff employed by the Commission under the terms of Articles 3a and 3b thereof, which is applicable to HaDEA by virtue of Decision SC01(2021)06 on the application by analogy of the Implementing Rules of the Staff Regulations adopted by the Commission.

1.8 Categories of personal data

a) Categories of personal data:

- Personal data allowing to identify the candidate, i.e. surname, first name, date of birth, gender, identification document (ID), nationality;
- Information to allow the practical organisation of preselection and other tests, if any, i.e. address information: street, postcode, town, country, telephone, email;
- Information to verify whether the candidate fulfils the eligibility and selection criteria laid down in the vacancy notice, i.e. nationality, languages, education, employment record, professional experience, military/civil service record, other relevant for the job skills such as knowledge of computer software, references (contact details of referees or performance reports);
- Information about the length of the legal notice period required, periods spent abroad, motivation, declaration of honour as well as where the vacancy notice was found;
- Outcome of EPSO CAST results (for candidates for Contract Agent posts) and supplementary forms of evaluation carried out by the Agency (e.g. written tests);
- Results of the oral tests/interviews, if applicable;
- Identification data of the members of the Selection panels;
- Information regarding criminal records;
- Bank account details (Financial Identification form) – for candidates invited for an interview and pre-employment medical visit having the right to be reimbursed;
- In addition, for candidates who already work(ed) for EU Institutions HaDEA may also consult the Sysper profile in order to check information relevant to assess the application against the vacancy notice, such as probationary period, confirmation of grade, etc.
- With regard to the invigilation activity on online written tests carried out by TestReach, depending on the type of exam being taken, different information will be collected/stored by TestReach, including:
 - i. Exam Candidate Personal Information – this information is used to identify the candidate, to ensure they take the correct exam and to ensure their specific exam requirements are met. It may include: ID, name, email address, phone, demographic information, special adjustments for the exam (for example, additional time allowed). The candidate will be asked to present approved photographic ID at the beginning of the exam session on the camera and this is reviewed by the TestReach supervisor; they do not need to send their IDs in advance of the exam. When the written scripts are supplied for marking, they will be identified only by a candidate number, not by names or emails, so they will be anonymous for correctors. At the end of the process, each candidate number is matched with the name of the candidate to calculate the final score of the selection process.
 - ii. Computer Information – this information is used to maintain the integrity of the test, to investigate and resolve any issues that may arise (e.g. the Desktop App will check that the camera, microphone, screenshare and internet connection are all sufficient to take the exam. It could also detect if the computer has two monitors and block candidates from using the second monitor to perform activities outside of the exam. The App would detect any applications running in background on the candidate’s computer to prevent the use of screen recording applications) and to help TestReach improve the service offered. It may include: IP address, browser header data (user agent), processes running, RAM & CPU usage statistics, installed drivers, peripherals connected and cookies used.
 - iii. Candidate Exam Information – it includes video, audio, remote screenshare and related recording, responses given, score, results data, access and activity data. As the TestReach application has an automatic video buffering, the candidate taking an exam is viewed via video, audio and remote screenshare, and a temporary recording (deleted within 24 hours) is taken of the session. Data collected during the invigilation service carried out by TestReach is stored within AWS (Amazon Web Services) and either: (1) it is written to a database (Mongo DB) – this is typically answers to questions, first name, last name, as a record of the actual exam or (2) it is written to various transaction log files – this is typically transaction information, such as when they logged in, when they logged out, when they

navigated to a new question, etc. to ensure robust experience (transactions are logged in various places to ensure the integrity of the data, to allow it to be fully recovered if something happens, for audit-trailing purposes, and to assist with trouble-shooting).

Candidates may spontaneously reveal further types of data not enumerated in the Data Protection Notice. However, HaDEA does not actively request or collect data other than what is listed in the Data Protection Notice.

b) Categories of personal data processing likely to present specific risks: N/A

c) Categories of personal data whose processing is prohibited, with exceptions (art. 10):

- Medical data in the context of the pre-employment medical visit of candidates who received a job offer and accepted it;
- Information about disability might be requested in order to facilitate the access of the candidate to the HaDEA premises and to adapt the space for the interviews and tests.

d) Specify any additional data or explanatory information on the data being processed, if any: N/A

1.9 Retention period (maximum time limit for keeping the personal data)

The personal data will be kept according to the following time limits of storing data, in line with the Common Retention List of the Commission:

- Should the candidate be recruited, then their personal data will be retained for 8 years after the extinction of all rights of the person concerned and of any dependants, and for at least 100 years after the recruitment of the person.
- Files documenting the organization of joint inter-Agency selection procedures will be kept for a maximum period of 5 years after the establishment of the reserve list.
- File on each candidate for a contract staff post (application letter, exams, etc.) or a temporary staff post eliminated during the procedure will be kept for a period of maximum 5 years;
- File on each candidate entered on a reserve list will be kept for a period of maximum 2 years after the expiration of the reserve list;
- As regards spontaneous applications, they will be deleted upon reception;
- Personal data on reserve lists will be shared among the Executive Agencies until the date of expiration of the specific reserve list;
- Personal data will be kept by TestReach for a maximum period of 6 months from the exam day. The video, audio and remote screenshare recording taken during an exam session will be deleted within 24 hours after the given exam. The rest of data will be anonymised after 6 months.

Is any further processing for historical, statistical or scientific purposes envisaged?

yes no

1.10 The recipient(s) of the data

The recipients to whom the personal data will or might be disclosed are:

- Authorised staff in charge of selections and recruitment from HaDEA People Sector (HR) and the HR Sectors in the Executive Agencies participating in the joint inter-Agency selection procedures;
- Members of the Selection Committee;
- Authorised staff of the competent HaDEA Financial support and control Unit (for the purpose of reimbursement of travel costs related to medical exams);
- Heads of Departments and the recruiting service in HaDEA and the Executive Agencies that participate in the joint inter-Agency selection procedures and in recruitment procedures;
- Authority empowered to conclude contracts of employment in HaDEA and the Executive Agencies participating in the joint inter-Agency selection procedures;

- The Executive Agencies according to the MoU for the sharing of reserve lists;
- Authorised staff of DG HR of the European Commission;
- Authorised staff of EPSO as regards the results of CAST tests;
- TestReach authorised staff (as regards the written tests for temporary agent positions);
- European Commission Directorate General for Human Resources and Security, Unit B.1 (as regards the personal data on the application and CV).

Also, if need be, access will be given to:

- HaDEA's Data Protection Officer, authorised staff from the Legal Affairs Sector in case of relevant proceedings;
- In addition, personal data may be shared with and processed by the bodies charged with a monitoring or inspection task in application of Union law in compliance with the applicable data protection rules and within the scope of their tasks entrusted by the relevant legislation.

This includes, in particular, the following recipients:

- Bodies in charge of a monitoring or an inspection task in application of Union law (e.g. Internal audit service (IAS), Court of Auditors, etc.);
- The European Court of Justice or a national judge as well as the lawyers and the agents of the parties in case of a legal procedure;
- OLAF in case of an investigation conducted in application of Regulation (EC) No 1073/1999;
- The European Ombudsman within the scope of the tasks entrusted to it by Article 228 of the Treaty on the Functioning of the European Union;
- The European Data Protection Supervisor in accordance with Article 58 of Regulation (EC) 2018/1725;
- The European Public Prosecutor's Office within the scope of Article 4 of Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office.

1.11 Transfers of personal data to third countries or international organisations

Personal data **will not be transferred to third countries or international organisations.**

1.12 The processing of this personal data **will not include** automated decision-making (such as profiling).

1.13 Description of security measures

The European Commission's IT systems used by the Agency abide by the Commission's security guidelines. The Agency complies with Commission Decision (EU, Euratom) 2017/46 of 10 January 2017 on the security of communication and information systems in the European Commission.

1. Organisational measures:

A Corporate Local Informatics Security Officer (C-LISO) is in place. Its role includes supervising the Agency compliance with the relevant regulations, and the application of security measures recommend by DIGIT.

Organisational measures include appropriate access rights and access control. As a rule within the Agency, access to information systems, the file system or offices are subject to a series of authorisations where the person granting the access is different from the person requesting or authorising the access - except in limited cases of delegation. The responsible person in the unit in charge of this action (processing operation of the current record) collects and places personal data in electronic format on the secured drive of the Unit with restricted access on a need-to-know basis. All Agency staff and its contractors are bound by confidentiality obligations. The need-to-know principle applies in all cases.

Members of the Selection Committee are responsible for maintaining the confidentiality of any documents or electronic files sent to them. In this respect, the members of the Selection Committee

sign a confidentiality form. Any correspondence among them and/or the HaDEA HR staff are encrypted via SECEM.

For selected candidates, individual personal files are created and stored in secure archives that are accessible only to authorised staff.

As regards TestReach: as all TestReach data is held in the EU, it is subject to EU data protection and processing laws. All data is encrypted using 128-bit encryption and SSL. In addition, TestReach carries out annual Penetration Testing (this is where a third party tries to break into our application and identify security vulnerabilities). Access to all customer data is on a need-to-know basis for TestReach staff, where there is an approval process for requests.

2. Technical measures

State of the art technical cybersecurity measures are implemented in the corporate systems, according to the security needs. Those measures are in constant evolution.

1.14 Data protection Notice

Data Subjects are informed on the processing of their personal data via a [data protection notice on their rights](#):

- to access their personal data held by a controller;
- to request their personal data held by a controller to be corrected;
- to obtain in some situations erasure of their personal data held by a controller, e.g. when data are held unlawfully (right to be forgotten);
- to withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal;
- **of recourse** at any time to the **HaDEA Data Protection Officer** at HADEA-DPO@ec.europa.eu and to the **European Data Protection Supervisor** at <https://edps.europa.eu>.

Request from a data subject to exercise a right will be dealt within **one month**.

The right to information, access, rectification, erasure, restriction or objection to processing, communication of a personal data breach or confidentiality of electronic communications may be restricted only under certain specific conditions as set out in the **applicable [Restriction Decision](#)** in accordance with Article 25 of Regulation (EU) 2018/1725.

