



DATA PROTECTION NOTICE FOR JOINT INTER-AGENCY SELECTION OF TEMPORARY AGENTS AND CONTRACT AGENTS

The European Health and Digital Executive Agency ('HaDEA') processes your personal data¹ in line with [Regulation \(EU\) 2018/1725 of the European Parliament and of the Council of 23 October 2018](#)² on the protection of personal data by the European Union's institutions, bodies and agencies and on the free movement of such data.

WHAT IS THE PURPOSE OF THIS PROCESSING ACTIVITY?

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.

You can find more information on the processing of your personal data for the recruitment phase in HaDEA here: [HaDEA Data Protection \(europa.eu\)](https://europea.eu).

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 Memorandum of Understanding (MoU) for the sharing of reserve lists ('The Memorandum')³. In line with this Memorandum, the Executive Agencies upload reserve lists onto a common repository form which candidates may be identified and recruited.

WHO IS THE DATA CONTROLLER?

The data controller of the processing operation is the Head of Unit C.3 "Staff, Communication and Support" of HaDEA.

¹ **Personal data** shall mean any information relating to an identified or identifiable natural person ('data subject'). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

² 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 L295/39 of 21.11.2018).

³ Memorandum of Understanding concerning the modalities and procedures of interaction between the Executive Agencies on the sharing of Reserve lists (Ares(2022)8128318).

The Executive Agencies participating in this type of selection act as joint controllers and are specified in the relevant vacancy notice.

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

In case HaDEA acts as lead agency in a joint inter-agency selection procedure for temporary agents, it may use the following external contractors for the organisation of online written tests and for their invigilation:

- **Processor:** Insight Technology Solutions Belgium, Inc. Romeinsesteenweg 468, B-1853 Grimbergen, Belgium
- **Sub-processor:** TestReach Ltd, 9-10 NexusUCD, Belfield Office Park, Clonskeagh, Dublin 4, Ireland, D04 V2N9

WHICH PERSONAL DATA IS COLLECTED?

During the selection phase for temporary and contract agents, the following personal data may be processed:

- Identification data of the candidate: title, family name, first name, name at birth, date and place of birth, gender, number and validity date of identification document, email address, nationality/citizenship;
- Information provided by the candidate to allow practical organisation of the selection, as relevant: address, postcode, city, country, e-mail addresses, telephone numbers, languages for correspondence, and special needs;
- Information provided by the candidate to allow reimbursement of their travel expenses, if applicable: copy of the identification document, personal data contained in the contribution form, legal entity form and financial identification form (with bank account number and bank details);
- Information contained in the application and CV. The level and type of personal data depends on the amount of information that the candidates provide on their own will:
 - Work experience: occupation or positions held, start and end dates, position/title, work regime (full-time or part-time), main activities and responsibilities, name and address of the employer, type of business or sector, possible publications;
 - Education and training information: for each completed course start and end dates, title of qualification awarded, principal subjects and occupation skills covered, name and type of organisation providing education and training, level in national or international classification;
 - Knowledge of languages;
 - Skills and competences: Technical and non-technical skills relevant to the position, organisational, social or other skills;
 - Motivation, strengths and achievements;
 - References: Contact details of referees;
 - Military/civil service record;

- Photo (if applicable);
- Information concerning the assessment of the candidates:
 - Outcome of EPSO CAST results;
 - CV screening evaluation grids;
 - Written test evaluation grids;
 - Interview evaluation grids;
 - Reserve list with the names of candidates retained during a given selection procedure;
- Information on the members of the Selection Committee: name, surname, organization/Unit, email.
- 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, company, course of study, 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 in 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.

Because 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).

The above-mentioned personal data are mandatory for the purpose(s) outlined above.

WHO HAS ACCESS TO THE PERSONAL DATA OF DATA SUBJECTS AND TO WHOM CAN THEY BE DISCLOSED?

During the selection phase:

- The staff in the People (HR) sector dealing with the selection and authorised staff in charge of recruitment and administration in the Executive Agencies participating in the joint selection procedure as indicated in the vacancy notice;
- If necessary, the personnel in the financial circuit for the reimbursement of travel and accommodation costs linked to the interview;
- The members of the Selection Committee and the Heads of the recruiting service in the participating Executive Agencies;
- The Authority Empowered to conclude Contracts of Employment (AECE) in the participating Executive Agencies;
- TestReach Service department 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 your application and CV.

On a need-to-know basis and in compliance with the relevant legislation, bodies charged with monitoring or inspection tasks in application of EU law:

- 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;
- The competent Appointing Authority in case of a request or a complaint lodged under Articles 90 of the Staff Regulations and the authorized staff in HaDEA or DG HR dealing with the request or complaint;
- OLAF (European Anti-Fraud Office);
- The Internal Audit Service of the Commission;
- The Court of Auditors;
- The European Ombudsman;
- The European Data Protection Supervisor;
- The European Public Prosecutor's Office.

The transmission will be restricted to the information necessary for the competent entity to carry out its task.

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

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

WHAT IS THE LEGAL BASIS FOR PROCESSING YOUR PERSONAL DATA?

We process your personal data on the basis of Article 5(1) (a) and (b) of Regulation (EU) No 2018/1725 because 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 for the management and functioning of the Union Institutions or bodies as well as for compliance with a legal obligation to which the controller is subject.

The legal bases for the processing are the following:

- 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 programmes⁴;
- Commission Implementing Decision (EU) 2021/173 of 12 February 2021 establishing the European Health and Digital Executive Agency, the European Climate, Infrastructure and Environment 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/EU⁵;
- Articles 12-15 and 82-84 of the Conditions for Employment of Other Servants of the European Union (CEOS)⁶;
- Steering Committee Decision 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;
- Steering Committee Decision SC01(2021)06 on the application by analogy of the Implementing Rules of the Staff Regulations adopted by the Commission⁷.

To the extent that processing of personal data is based on your consent, such processing is lawful also under Article 5(1)(d) of Regulation (EU) 2018/1725.

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

⁴ OJ L 11, 16.1.2003, p. 1–8.

⁵ OJ L 50, 15.2.2021, p. 9–28.

⁶ Staff Regulations of Officials of the European Union (hereinafter ‘Staff Regulations’) and Conditions of Employment of Other Servants of the European Union (hereinafter ‘CEOS’), laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68, OJ L 56, 4.3.1968, p. 1, as last amended by Regulation (EU, Euratom) No 1023/2013 of the European Parliament and of the Council of 22 October 2013, OJ L 287, 29.10.2013, p. 15.

⁷ Specifically of the Commission Decision C(2017) 6760 of 16/10/2017 on Employment of contract staff.

For selections procedures launched after that MoU, you will be informed of the processing operation in the vacancy notice. You will then have the opportunity to inform HaDEA if you wish to opt out of your data being shared among Executive Agencies.

If you share with us your health data to justify special needs in the context of the practical organisation of the selection, the legal basis is Article 10(2)(b) of Regulation 2018/1725, because the processing is necessary for carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law.

HOW LONG DO WE KEEP YOUR PERSONAL DATA?

The time limits for keeping the data are the following:

- Files documenting the organization of selection procedures will be kept for a maximum period of 5 years after the establishment of the reserve list.
- Files on candidates for posts as contract or temporary staff who were not retained will be kept for a maximum period of 5 years after the establishment of the reserve list.
- Personal data of candidates entered on a reserve list shall be kept for a maximum period of 2 years after the expiration of the reserve list.

WHAT ARE YOUR RIGHTS REGARDING YOUR PERSONAL DATA?

You have the right to access your personal data and to request your personal data to be rectified, if the data is inaccurate or incomplete; where applicable, you have the right to request restriction or to object to processing, to request a copy or erasure of your personal data held by the data controller. If processing is based on your consent, you have the right to withdraw your consent at any time, without affecting the lawfulness of the processing based on your consent before its withdrawal.

Your request to exercise one of the above rights will be dealt with without undue delay and within **one month**.

If you have **any queries** concerning the processing of your personal data or wish to exercise any of the rights described above, you contact the Head of Unit C.3 via HADEA-TALENT-SELECTION@ec.europa.eu and HaDEA DPO HADEA-DPO@ec.europa.eu.

You shall have the right to have recourse at any time to the European Data Protection Supervisor (edps@edps.europa.eu).

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