

# Specific Privacy Notice regarding the processing of personal data in the context of Temporary and Contract Agent and Seconded National Expert selection procedures at the EBA

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We process your personal data based on Regulation (EU) 2018/1725 of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data by the Union institutions and 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 (hereinafter “the EUDPR”). We provide you with the information that follows based on Articles 15 and 16 of the EUDPR.

## Who is the controller and processor?

The controller is the European Banking Authority (‘EBA’), represented by the Executive Director.  
Email Address: [ExecutiveOffice@eba.europa.eu](mailto:ExecutiveOffice@eba.europa.eu)

The data is processed by:

- The Human Resources Unit of the EBA: [EBA-Applications@eba.europa.eu](mailto:EBA-Applications@eba.europa.eu) and [EBA-vacancies@eba.europa.eu](mailto:EBA-vacancies@eba.europa.eu);
- Contractors providing services for the invigilation of online written tests: TestReach, [info@testreach.com](mailto:info@testreach.com).  
Their privacy statement is found at: <https://www.testreach.com/testreach-privacy.html>;
- Contractors providing services to the EBA for the assessment of candidates at an assessment centre for middle management functions: Price Waterhouse Coopers EU Services, [be.privacy@pwc.com](mailto:be.privacy@pwc.com)  
Their privacy statement is found at: <https://www.pwc.be/en/online/privacy-statement.html>. A more detailed version can be requested from the above-mentioned email address;
- EPSO in the case of organising a recruitment procedure on the EBA’s behalf or if the EBA recruits from EPSO’s electronic contract agent database. Their privacy statement is found at: [https://epso.europa.eu/content/service-specific-privacy-statement-epso-candidate-contact-service\\_en](https://epso.europa.eu/content/service-specific-privacy-statement-epso-candidate-contact-service_en).

## What personal data do we process and who can access it?

### *Personal data we process*

The EBA organises selection procedures with the aim of filling a particular vacancy and/or establishing reserve lists of successful candidates in view of possible recruitment at the EBA.

Candidates submit a CV in Europass format, motivation letter and eligibility criteria grid when applying for the selection. The categories/types of personal data processed are the following:

- Identification details: Information provided by the candidate to allow themselves to be identified and contacted e.g. surname, first name, address, email address, telephone number, gender, date of birth, nationality, social media accounts e.g. LinkedIn, Skype;
- Professional work experience: Start and end dates, position/title held, employer information (name, address), description of the position (detailed description of the work, main activities and responsibilities);
- Education and training information: Start and end dates, title of qualification awarded, diploma (level in the national and/or international classification), name and location of the organisation providing the education or the training, main study subjects or occupational skills covered;
- Languages: Including, for each language, the level in understanding, speaking and writing the language;
- Other skills or information: Communication skills, organisational/managerial skills, job related skills, digital skills including a self-assessment on information processing, communication, content creation, safety, problem solving and knowledge of computer software, commitment to adhere to any security checks, if necessary, and any other additional information the candidate declares in a spontaneous basis or would like to annex to the application;
- Motivation letter for applying for the vacancy;
- Eligibility grid: Declaration of honour that the information provided is true and complete: First name, surname, compliance with general eligibility criteria (nationality, full rights as an EU citizen, fulfillment of military service obligations, required knowledge of EU languages, fit to perform duties), compliance with specific criteria mentioned in the vacancy (required level of education, professional experience and English) and submission of CV in the Europass format;
- On your own initiative, you may send documents such as letters of recommendation, certificates showing language competences, etc.;
- Candidates should inform the EBA if they have a disability that requires special arrangements to participate in the selection procedure;
- For Seconded National Expert positions, a reference letter issued by their seconding authority/institution supporting the application for a position on secondment.

If a candidate receives an invitation for an interview and/or written test, the following data will be processed:

- Identity card/passport, degrees, diplomas or educational certificates, language certificates, contracts, certificates or reference letters from previous and current employers stating the start and end dates of employment, the job title and where necessary last payslips, and any documents that can prove the fulfilment of the eligibility criteria for the vacant position ;
- If a candidate is invited to an online written test, the contractor will receive the candidate's surname, first name, email address and telephone number. The following data will also be processed: Identity card/passport;
- The legal entity and bank account details, declaration of expenses form and supporting documents for the reimbursement of travel expenses;
- The outcome of the selection procedure following the interview and/or written test.
- Any special arrangements needed due to a disability to participate in the selection process and communicated by the candidate to the EBA;
- Information and documents provided by the candidate to support claims for the reimbursement of travel costs related to the interview and/or written tests or attendance at a middle management assessment centre: A completed and signed declaration of expenses form and the supporting documents listed in the form (tickets, e-ticket, train or bus tickets, copy of the travel agency invoice) and evidence of costs incurred for accommodation, as well as the legal entity and the bank account details.

### *Who can access it?*

The personal data is disclosed to the following recipients:

- The EBA Human Resources staff members in charge of the selection procedure;
- The members of the Selection Committee;
- The Directors of Department/Heads of Unit and/or delegated staff of a recruiting department/unit who will consult the CVs and motivation letters of candidates on a relevant reserve list;
- The Appointing Authority, i.e., the EBA's Executive Director;
- The Finance and Procurement Unit's staff members handling the reimbursement of travel costs linked to the interview and/or written test or attendance at a middle management assessment centre or a pre-employment medical examination, and the Accounting Specialists;
- Furthermore, if appropriate and on a case-by-case basis, access may be given to the following:-
  - The contractors providing services for the invigilation of online written tests:  
TestReach: [info@testreach.com](mailto:info@testreach.com)

Their privacy statement is found at: <https://www.testreach.com/testreach-privacy.html>;

- The contractors providing services to the EBA for the assessment of candidates at an assessment centre for middle management functions: Price Waterhouse Coopers EU Services: [be.privacy@pwc.com](mailto:be.privacy@pwc.com)

Their privacy statement is found at: <https://www.pwc.be/en/online/privacy-statement.html>. A more detailed version can be requested from the above-mentioned email address;

- Specialised members of the EBA's IT Unit involved in the management of the Human Resources processes;
- The EBA's Legal and Compliance Unit's staff members dealing with complaints submitted by candidates under Article 90(2) of the Staff Regulations, and any external legal consultant hired by the EBA for the purpose of handling the complaint;
- EU staff with the statutory right to access the data required by their function, i.e. the European Ombudsman, the Court of Justice of the European Union, the Internal Audit Service, the European Court of Auditors, the European Anti-Fraud Office (OLAF) and the European Data Protection Supervisor.

The information concerning the selection procedure will only be shared as necessary for the implementation of such measures on a need to know basis. The data are not used for any other purposes nor disclosed to any other recipient. The information in question will not be communicated to third parties, except where necessary for the purpose(s) outlined above.

Personal data are not intended to be transferred to third countries.

The EBA implements appropriate technical and organisational measures in order to safeguard and protect data subjects' personal data from accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to them.

All personal data related to the selection procedure are stored in specific electronic and physical paper folders accessible only to the authorised recipients. Appropriate levels of access are granted on an individual basis only to the above recipients (see point above).

EBA staff members dealing with personal data in the context of the selection procedures at any stage are obliged to sign a confidentiality declaration that is kept in the folder of the procedure or in his/her e-personal file.

*For what purpose do we process your personal data?*

The purpose of processing of the data that is submitted by a candidate in a selection procedure is to manage a candidate(s) application(s) in view of possible recruitment at the EBA. The EBA will not reuse the personal data for another purpose that is different to this.

### *What is the legal basis for processing your personal data?*

Processing is based on Article 5 (a) and Article 10 (2)(b) of the Regulation (EU) No. 2018/1725 of the European Parliament and of the Council 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, providing that : (a) a task carried out in the public interest or in the exercise of official authority vested in the EBA (including management and functioning of the institution).

Processing is necessary for the performance of tasks carried out in the public interest on the basis of the Treaties establishing the European Communities (recruitment of personnel) and in particular:

- Regulation (EU) No 1093/2010 of the European Parliament and the Council of 24 November 2010 establishing the EBA<sup>1</sup>;
- Regulation No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials(“Staff Regulations”) and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community (‘CEOS’), in particular Articles 2(a), 2(f), 3(a), 12 to 15, 27 to 34 of the Staff Regulations and Articles 82 to 84 CEOS;
- Decision EBA/DC/2015/126 of the Management Board of 15 September 2015 laying down general implementing provisions on the procedure governing the engagement and the use of temporary staff under Article 2(f) of the Conditions of Employment of Other Servants of the European Union;
- Decision EBA DC 239 of the Management Board of 12 September 2018 on middle management staff;
- Decision EBA DC 284 of the Management Board of 16 August 2019 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 under the terms of Article 3a thereof;
- Decision EBA DC 304 of the Management Board of 13 December 2019 on the Secondment of National Experts;
- Decision EBA/DC/2015/119 of 08 May 2015 on reimbursement of travel and subsistence expenses for persons invited by the EBA to an interview, examination, second interview or a pre-employment medical examination.

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<sup>1</sup> Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC (OJ L 331, 15.12.2010, p. 1) as last amended by Regulation (EU) 2018/1717 of the European Parliament and of the Council of 14 November 2018

## Where did we get your personal data?

Candidates send their applications containing a Europass CV, motivation letter, eligibility criteria grid and other information they may wish to submit to [EBA-Applications@eba.europa.eu](mailto:EBA-Applications@eba.europa.eu) and [EBA-vacancies@eba.europa.eu](mailto:EBA-vacancies@eba.europa.eu) on a voluntary basis.

## How long do we keep your personal data?

The EBA does not keep personal data longer than necessary for the purpose(s) for which that personal data is collected. The data will be retained for varying periods depending on the outcome of each application:

- Successful candidates: the data will be stored for five years after the expiry date of the reserve list.
- Candidates included on a reserve list but not recruited: the data will be stored for the duration of the validity of the reserve list and then for the three years following the expiry of the reserve list's validity.
- Non-successful candidates: the data will be stored for two years following the Appointing Authority's decision on the offer to be made.
- Applicants invited for an online written test: Candidate exam videos are securely deleted 6 weeks after the exam date. The test results will be retained by the service provider for 12 months after the test has taken place.
- Applicants invited for an assessment centre (Temporary Agents Middle Management positions): the contractor retains the assessment report, the CVs of the candidates and an automated report of the psychometric computer tests for one year.

In the case of a complaint under Article 90(2) of the Staff Regulations, all data held at the time of the formal appeal will be retained until the procedure is completed.

Personal data related to travel allowances for interviews are kept for discharging the budget for a period of 7 years.

After the allotted timeframe for retention of personal data has elapsed, the EBA may need to keep certain information for statistical purposes. In this case, any data permitting the identification of the candidate will be destroyed according to Article 4(1)(b) of Regulation (EU) 2018/1725.

## What are your rights regarding your personal data?

Data subjects have the right to access, rectify, erase, and receive their personal data, as well as to restrict and object to the processing of the data, in the cases foreseen by Articles 17 to 24 of the Regulation (EU) No. 2018/1725. If data subjects would like to exercise any of these rights, they

should send a written request explicitly specifying their query to the data controller, i.e. the Executive Director/Acting Executive Director. The right of rectification can only apply to inaccurate or incomplete factual data processed within the selection procedure. On the other hand, data demonstrating compliance with the admissibility criteria may not be updated or corrected after the closing date for the respective selection procedure, as indicated in the relevant vacancy notice). The above requests will be answered without undue delay, and in any event within one month of receipt of the request. However, according to article 14(3) of the Regulation (EU) No. 2018/1725, that period may be extended by two further months where necessary, taking into account the complexity and number of the requests. The EBA shall inform the data subject of any such extension within one month of receipt of the request, together with the reasons for the delay.

You have the right to lodge a complaint.

If you have any remarks or complaints regarding the way we process your personal data, we invite you to contact the Data Protection Officer (DPO) of the EBA (see section on contact details below).

You have, in any case, the right to lodge a complaint with the European Data Protection Supervisor (EDPS) as a supervisory authority:

[https://edps.europa.eu/data-protection/our-role-supervisor/complaints\\_en](https://edps.europa.eu/data-protection/our-role-supervisor/complaints_en).

## Contact details for enquiries regarding your personal data

Should you wish to contact the EBA, we encourage you to do so by email: ([EBA-vacancies@eba.europa.eu](mailto:EBA-vacancies@eba.europa.eu)) by stating in the subject “**Data Protection Enquiry**”.

If you wish to contact the DPO of the EBA personally, you can send an e-mail to [dpo@eba.europa.eu](mailto:dpo@eba.europa.eu) or a letter to the postal address of the EBA marked for the attention of the DPO of the EBA:

European Banking Authority  
Attn: Data Protection Officer – Legal Unit  
DEFENSE 4 – EUROPLAZA  
20 Avenue André Prothin  
CS 30154  
92927 Paris La Défense CEDEX  
France

You can also find contact information on the EBA’s website: <https://eba.europa.eu/contacts>