



Data Protection Notice

Medical Services – for candidates in selection procedures

The European Banking Authority (EBA) processes your personal data with the overall purpose of management and monitoring in relation to the health of future staff.

The EBA processes your personal data based on [Regulation \(EU\) 2018/1725](#) (EUDPR).

The following information is provided as established in Articles 15 and 16 of the EUDPR.

Who is the controller?

The EBA is the controller with regard to the data processing activities described in this data protection notice.

For more information on the EBA, please consult the EBA website <https://eba.europa.eu>.

What personal data do we process, for what purpose, who can access it and how long do we keep them?

The EBA uses the European Commission Medical Services in Brussels, Belgium (DG HR, Unit D3), in Luxembourg, Luxembourg (DG HR, Unit D4) or in Ispra, Italy (DG HR, Unit D5) for the purpose of verifying that selected candidates are physically fit to perform their duties.

The purpose of processing of personal data of data subjects (candidates) is to ensure the EBA's compliance with obligations related to the provision of the following medical services:

1. Pre-employment medical tests: the pre-employment medical tests are mandatory examinations for candidates (future staff of the EBA), who can only be appointed on condition that they are physically fit to perform duties, in accordance with Articles 28(e) and 33 of the Staff Regulations and Articles 12(2)(d), 13, 82(3)(d) and 83 of the Conditions of Employment of Other Servants of the European Union (CEOS). The European Commission Medical Services are requested to perform these general tests and examinations (list of examinations are sent to the candidates in the email invitation to the pre-employment medical visits). The candidate may request to receive the result of these tests.

2. Assessment of the results following the pre-employment medical tests for candidates: after the pre-employment medical examination the European Commission Medical Services informs the responsible EBA-HR staff members working in this area if the candidates are physically fit to perform their duties (in a form of pre-employment medical certificate).

3. The personal data is also processed in order to pay the **costs of the medical services performed** at the European Commission Medical Services.

EBA processes the following personal data

The EBA-HR provides the following candidates' data to the European Commission Medical Services for the services of *Pre-employment medical visit*: surname, forename, personnel number, date and

place of birth, nationality, gender, e-mail address, post for which the candidate applied, type of contract.

Your personal data can be accessed by the following staff at the EBA:

- HR Unit: Only the responsible HR staff members working in this area have access to the following data: pre-employment medical certificate; proof of attendance at medical appointments.
- Legal and Compliance Unit: On a need-to-know basis, members of the Legal and Compliance Unit may have access to the pre-employment medical certificate in the case of complaints pursuant to Article 90 of the Staff Regulations.

Your personal data is kept at the EBA for the following period:

- Email exchanges between candidates and EBA-HR as regarding pre-employment medical visit and information received from the European Commission Medical Services are kept for 2 years.
- Pre-employment medical certificates are kept by the EBA for 30 years after the staff member ceases work at the EBA, in line with the European Commission's retention policy.
- Medical files are kept for 30 years after the staff member ceases work at the EBA. In the case of persons exposed to carcinogens or mutagens, files are kept for 40 years after the last exposure incident or, in any event, until the staff member reaches the age of 75. (General Regulation for the protection of workers, Belgium, Article 16, occupational medical services).
- You have access to their medical file according to the rules defined in Conclusion 221/04 of the Heads of Administration; the document is available on request.

Your personal data at the European Commission Medical Services:

- The privacy statement of the European Commission Medical Services is attached to the email sent to the candidates for the pre-employment medical visits.
- Restrictions may be applied in accordance with the Commission Decision (EU) 2019/154 of 30 January 2019 laying down internal rules concerning the restriction of the right of access of data subjects to their medical files (Decision (EU) 2019/154).
- The medical file can be transferred to another European Institution, with the staff members' prior agreement, when they move from an Institution to another.
- Access to the electronic medical file is only granted to Medical Services staff according to specific access rights described in a matrix available on request.
- Pre-recruitment medical examination files for applicants who are not recruited will be destroyed after one year. In the event of a negative medical opinion, the file will be destroyed after 5 years if no complaint has been lodged.

Why do we process your personal data and under what legal basis?

The scope of the services is defined in the legal provisions governing working conditions of EU civil servants, more in particular: Article 28(e) and 33 of the Staff Regulations and Articles 12(2)(d), 13,

82(3)(d) and 83 of the Conditions of Employment of Other Servants of the European Union (CEOS) applicable to temporary agents and contract agents as regarding pre-employment medical examination.

Will the processing of your personal data involve any transfer outside of the EU?

Your personal data is processed within the EU/EEA and will not leave that territory.

What are your rights regarding your personal data?

You have the right of access to your personal data and to relevant information concerning how we use it. You have the right to rectify your personal data. Under certain conditions, you have the right to ask that we delete your personal data or restrict its use. You have the right to object to our processing of your personal data, on grounds relating to your particular situation, at any time. We will consider your request, take a decision and communicate it to you. For more information, please see Articles 14 to 21, 23 and 24 of the Regulation.

You can send your request by post in a sealed envelope or via email (see section on contact details below).

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](#), our supervisory authority for data protection matters.

Contact details for enquiries regarding your personal data

Should you wish to contact the EBA, we encourage you to do so by email: eba-dpc-hr@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 or a letter to the postal address of the EBA marked for the attention of the DPO of the EBA.

The postal address of the EBA:

DEFENSE 4 – TOUR 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>