

Specific Privacy Notice – Selection and Recruitment Procedures

A specific privacy notice on personal data protection in relation to the selection and recruitment process of temporary agents, contract agents, and seconded national experts

The European Banking Authority (EBA) processes the personal data in accordance with the Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (the “Regulation (EC) 45/2001”). As laid down in Articles 11 and 12 of the Regulation (EC) 45/2001, the EBA provides candidates with the following information prior to their application:

Identity of the Data Controller:

Executive Director of the EBA

Purposes of the processing operation:

To organise selection procedures with the aim of filling a particular vacant post and establishing reserve lists of successful candidates in view of future recruitment.

Legal basis:

- Regulation (EU) No 1093/2010 of the European Parliament and the Council of 24 November 2010 establishing EBA;
- Staff Regulations of Officials (SR) and the Conditions of Employment of Other Servants of the European Communities (CEOS) in particular Articles 27-34 (SR), 12-15 and 82-84 (CEOS) thereof;
- EBA Management Board Decision EBA DC 017 dated 12 January 2011 on Secondment of National Experts.

Lawfulness of the processing:

In accordance with Article 5 (a) of Regulation (EC) 45/2001, the processing of the personal data is necessary for the performance of the EBA tasks carried out in the public interest.

In addition, with regard to the data provided in the selection and recruitment procedures on voluntary basis (see section “Data Concerned” below), the data subject gives an explicit consent for their processing, which constitutes a complimentary ground for lawfulness of data processing, notably with regard to sensitive data.

Data Concerned:

The data of candidates registered for the selection.

Candidates are free to give their data on a voluntary basis, although failure to respond with any further information requested will exclude the candidate automatically from the recruitment procedure.

Categories of data:

- Identification details – information provided by the candidate to allow themselves to be identified and contacted by the EBA (e.g. surname, first name, address, email address);
- Selection criteria information – information provided by the candidate to distinguish their suitability and eligibility for the post advertised (e.g. education history, training and professional experience, languages spoken, commitments from the candidate to adhere to any security checks, other related details);
- Information provided by the candidate to support claims for the reimbursement of travel costs for interview or medical visits (e.g. passport or identity card details, bank account details);
- Results of the pre-selection checks and/or interviews.

Recipients of the data processed:

Information provided by the candidates for the selection procedure is disclosed to the following:

- Human Resources Officer
- Human Resources Specialists/Assistants in charge of selections
- Members of the Selection Committees
- Executive Director of the EBA (Appointing Authority)

Also, if appropriate, access may be given to:

- Internal Auditor and the Court of Auditors (for audit purposes)
- EBA Finance Assistants/Officers (for reimbursement purposes: information provided by the candidate to support claims for the reimbursement of travel costs for interview or medical visits, e.g. passport or identity card details, bank account details)
- Legal Advisor of EBA
- OLAF
- Court of Justice of the European Union
- European Ombudsman

In the case of a candidate being placed on a reserve list, the information may be passed on to the Head of Department/Unit who requests to recruit a candidate for a similar vacancy.

Date when processing starts:

Date of the receipt of application.

Time limits for storage:

The EBA will store the applications for varying periods of time depending on the outcome of each application:

Successful candidates: the data will be stored for ten years as of the termination of employment or as of last pension payment.

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 three years following the Appointing Authority's decision on the offer to be made.

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 of Regulation (EC) 45/2001.

Right of access and rectification:

Candidates have the right to access and rectify their data. They have the right to send updated CVs and motivation letters and rectify any incorrect or inaccurate data, by contacting the email address provided on the vacancy notice before the deadline for submission of the applications elapses. After the deadline for applications has elapsed, this right will be limited to the rectification of identification details and contact information only.

Candidates have also the right to obtain from the EBA blocking or erasure of their data. When a candidate contests the accuracy of his/her data, the relevant data are immediately blocked for a period necessary for verifying the accuracy and completeness of the data. When data subject requires data be blocked because s/he considers the processing unlawful or when s/he considers that data are no longer needed by the EBA for the accomplishment of its tasks but have to be blocked for purpose of proof, the EBA blocks the data as soon as possible and in any case not later than within 15 working days from the day the candidate's request reached the EBA.

If a candidate requests data to be erased for s/he considers their processing unlawful, the EBA erases the relevant data as soon as possible and in any case not later than within 15 working days from the day the candidate's request for erasure reached the EBA.

Should the candidate have any queries, s/he may address them in writing to the Data Protection Officer at the following address: dpo@eba.europa.eu

Candidates have the right of recourse at any time to the European Data Protection Supervisor (EDPS): edps@edps.europa.eu