

[FRA external and internal selection procedures](#)

The European Union Agency for Fundamental Rights (FRA or Agency) processes the personal data of a natural person in compliance with Regulation 2018/1725 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.

This data protection notice explains FRA's policies and practices regarding its collection and use of your personal data, and sets forth your privacy rights. We recognise that information privacy is an ongoing responsibility, and we will update this notice where necessary.

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1. Why do we collect personal data?

The purpose of the processing of the personal data is to organise selection procedures to recruit different categories of staff; to manage applications at the various stages of these selections; to maintain and follow-up on the use of reserve lists. For the recruitment process, FRA will use an e-recruitment software, Gestmax, which provides a centralised recruitment management system and improves the efficiency of recruitment procedures. Gestmax also provides a more sophisticated tool for applicants to create and submit applications and follow-up on the status of their applications.

2. What kind of personal data does the Agency collect?

We will collect only the following personal data necessary for the processing operation described above.

(a) General personal data:

- identification (name, surname, date of birth, gender, nationality(ies))
 - contact details (postal address, email address, phone number);
 - Education and experience (details of work experience, education, relevant training, language skills. Candidates placed on the reserve list and/or recruited will be asked to provide copies of the relevant certificates and diplomas as well as details of professional references via email and/or hard copy);
 - Financial details: financial identification form, bank account information for candidates claiming reimbursement of travel expenses to attend the selection procedure and for recruited candidates
 - Other: evaluation assessments and scores. For middle management positions, the assessment centre report.
 - Cookies: the Gestmax application uses 2 functional cookies hosted by Kioskemploi, the company providing the Gestmax software under licence. One is a session cookie called PHPSESSID that is deleted once you close the browser. The other one is an authentication cookie, which is used to maintain your verified status and which stores information for 30 days. IP addresses are not collected..
- The Agency might perform video call interviews/test. In such cases, a video image of the candidate will be visible to the interviewers and/or to the monitoring officers during the interview and/or during the written tests but in no way stored by the Agency. Identification details such as the user name of the online video platform may be collected.

- For candidates placed on the reserve list and selected candidates, the Agency also collects copy of ID or Passport (for those on the reserve list but not recruited, the ID is checked visually but not stored)

(b) Special categories of personal data:

- a certificate of fitness for work (without medical details) for recruited candidates. In addition, information relating to a disability may be provided at the discretion of the candidate if they request measures to be taken by FRA within the framework of reasonable accommodation to ensure their full participation in the selection procedure.
- A criminal record check (or where this does not exist in the country providing it, a certificate of good conduct) is presented by recruited candidates and checked visually, but not stored.
- The picture in the ID or passport might reveal the racial or ethnic origin of the candidates. Racial or ethnic origin might also be revealed by the video image of the interview carried out online. Other sensitive data like sexual life or sexual orientation, political opinions, religious beliefs, etc. might be revealed unintentionally by applicants when completing their application.

3. How do we collect your personal data?

We collect only the personal data you provide us when you submit your application for the advertised vacancies and upon recruitment.

To apply for a position, applicants create a secure account in the e-recruitment system (Gestmax) with a password and then complete their personal profile, including education and career history and a statement of motivation. They can then submit their application to a specific, open vacancy advertised on the FRA website (FRA does not accept speculative applications; however, candidates may choose to receive email alerts of vacancies published by FRA. The email confirming the registration for email alerts contains an unsubscribe link).

Following the selection procedure, recruited candidates will be required to provide additional documents and personal data to identify and process their rights and obligations. These data are processed after conclusion of the selection procedure and you will be notified of the relevant processing operation at that time if selected.

4. Who is responsible for processing your personal data?

The Agency is the legal entity responsible for the processing of your personal data and determines the objective of this processing activity. The Head of Corporate Services Unit is responsible for this processing operation.

The Agency will use the services of Kioskemploi to provide the e-recruitment application Gestmax under a license agreement. Kioskemploi is not involved in any stage of the recruitment process but the application data submitted via Gestmax is stored on Kioskemploi servers, located in France.

5. Which is the legal basis for this processing operation?

The processing is lawful under Article 5(1) of Regulation 2018/1725. The legal bases are Regulation (EC) 168/2007, amended by Council Regulation (EU) 2022/555 establishing a European Union Agency for Fundamental Rights, in particular Article 24; for temporary agents and contract agents, Articles 12-15 and Article 82-84 of the CEOS, and EB Decision 2015/01 on the engagement and use of temporary staff, EB Decision 2019/03 on the employment of contract staff, EB Decision 2018/05 on the adoption of implementing rules concerning middle management. For SNEs, Commission Decision of 18.11.2008 (C(2008) 6866 final) implemented by the MB Decision 2017/01 regarding Seconded National Experts. For trainees, the applicable rules governing the trainee programme at FRA.

The processing of sensitive data regarding the picture in ID or passport and the fitness work certificate is lawful under Article 10.2.(b) of Regulation 2018/1725. The processing of data in the context of online tests or interviews (via live video call, not stored), is lawful to preserve fairness of the procedure under Article 10.2.(b) of Regulation 2018/1725.

Moreover, applicants are asked to give explicit consent to the processing when submitting their application. Therefore, the processing is lawful under Article 5(1) d of Regulation 2018/1725 insofar it is based on the consent given by the applicant.

6. Who can see your data?

During the selection process, a restricted number of staff members involved in handling the selection procedure can access your personal data via restricted access linked to the individual user login. This includes designated staff in HR, who are administering the procedure, the persons appointed by the Director as members of the Selection Committee for the specific selection procedure (for trainees, the designated supervisors who participate in the selection of trainees) and the Head of Unit Corporate Services.

In addition, persons appointed as monitoring officers in case of online tests have access your contact details, for the purpose of scheduling the Teams call. IT staff members with administration rights for relevant IT tools have access in those tools. The Head of the recruiting unit and the Director, who makes the final decision on recruitment, have access to the applications of candidates proposed for the reserve list.

Designated personnel at Kioskemploi (the company providing Gestmax) has access to data stored in Gestmax as administrators of the tool, for technical purposes.

For the reimbursement of travel costs, a restricted number of FRA staff in Finance have access to the data for the purposes of processing the reimbursement requests. A restricted number of staff members from the

Directorate-General for Budget (DG BUDG) at the European Commission also have access to the legal entity and bank account forms in order to process payments.

For middle management positions:

Shortlisted candidates are required to undertake an assessment centre with an external provider with which FRA has concluded a specific contract. The candidates' application forms and contact details are shared with the assessment centre company for the purpose of carrying out the assessment.

7. Do we share your data with other organisations?

Personal data is processed by the Agency (and its processors) only. In case that we need to share your data with third parties, you will be notified to whom your personal data has been shared with.

8. Do we intend to transfer your personal data to Third Countries/International Organizations

No

9. When will we start the processing operation?

We will start the processing operation when you submit your application to a specific vacancy at FRA.

10. How long do we keep your data?

In defining the retention of documents, FRA follows the common Commission-level retention list (CRL) of the European Commission, and the rules and guidelines on data protection and retention. The common retention list is a regulatory instrument that sets the retention period for the different types of FRA files.

- Files documenting the organisation of selection procedures - 5 years:
Notices of competition, compositions of the selection committee, letter appointing the selection committee, declarations of confidentiality of selection committee members, invitations to meetings, minutes, lists of exam centres, compositions of supervision teams and instructions given, evaluation sheets, written tests of candidates, instructions for the selection committee, minutes and references to disputes. This excludes the application files.
- Application files on candidates for posts of contract or temporary staff or seconded national experts and for trainee applicants (not recruited) - 2 years after expiry of the reserve list
Data stored in the profile of each candidate in the e-recruitment tool (Gestmax) will be deleted automatically after the expiry of this retention period.
- Files on candidates recruited by the agency
The information related to recruited applicants is stored in their personal file in accordance with the retention policy for personal files.

Additionally, personal data included in budgetary related documents is kept in ABAC and the financial DMS for a period of 7 years for budgetary and audit purposes.

11. How can you control your data?

Under Regulation 2018/1725, you have rights we need to make you aware of. The rights available to you depend on our reason for processing your information. You are not required to pay any charges for exercising your rights except in cases where the requests are manifestly unfounded or excessive, in particular because of their repetitive character.

We will reply to your request without undue delay and in any event within one month of receipt of the request. That period may be extended by two further months where necessary, taking into account the complexity and number of the requests.

You can exercise your rights described below by sending an email request to HR@fra.europa.eu.

11.1. The value of your consent

Since your participation is not mandatory, we need proof that you consented to the processing of your personal data. You are asked to give explicit consent to the processing when creating your application in Gestmax. A text box displays the privacy statement with a link to the FRA Notice for data subjects and the applicant asked to select one of two buttons: I accept the processing, or I refuse. You have the right to withdraw your consent at any time, and we will delete your data or restrict its processing. All processing operations up until the withdrawal of consent will still be lawful.

11.2. Your data protection rights

a. Can you access your data?

You have the right to receive information on whether we process your personal data or not, the purposes of the processing, the categories of personal data concerned, any recipients to whom the personal data have been disclosed and their storage period. Furthermore, you can have access to such data, as well as obtain copies of your data undergoing processing.

b. Can you modify your data?

You have the right to ask us to rectify your data you think is inaccurate or incomplete at any time. In your applicant account, you can modify any data provided until the call for applications closes. Once the deadline for applications has passed, certain information such as that pertaining to the admissibility and selection criteria cannot be edited and only your personal information can be modified.

c. Can you restrict us from processing your data?

You have the right to restrict the processing of your personal data. If you do, we can no longer process them, but we can still store them. In some exceptional cases, we will still be able to use them (e.g. with your consent or for legal claims). You have this right in a few different situations: when you contest the accuracy of your personal data, when the Agency no longer needs the data for completing its tasks, when the processing activity is unlawful, and finally, when you have exercised your right to object.

d. Can you delete your data?

You have the right to ask us to delete your data when the personal data are no longer necessary for the purposes for which they were collected, when you have withdrawn your consent or when the processing activity is unlawful. In certain occasions we will have to erase your data in order to comply with a legal obligation to which we are subject.

We will notify to each recipient to whom your personal data have been disclosed of any rectification or erasure of personal data or restriction of processing carried out in accordance with the above rights unless this proves impossible or involves disproportionate effort from our side.

e. Are you entitled to data portability?

Data portability is a right guaranteed under Regulation 1725/2018 and consists in the right to have your personal data transmitted to you or directly to another controller of your choice.

In this case, this does not apply for two reasons: I) in order for this right to be guaranteed, the processing should be based on automated means, however we do not base our processing on any automated means; II) this processing operation is carried out in the public interest, which is an exception to the right to data portability in the Regulation.

f. Do you have the right to object?

When the legal base of 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*” which is the case in most of our processing operations, you have the right to object to the processing. In case you object, we have to stop the processing of your personal data, unless we demonstrate a compelling reason that can override your objection.

g. Do we do automated decision making, including profiling?

Your personal data will not be used for an automated decision-making including profiling.

12. What security measures are taken to safeguard your personal data?

The Agency has several security controls in place to protect your personal data from unauthorised access, use or disclosure. We keep your data stored on our internal servers with limited access to a specified audience only. Access to the appointment schedule is made available only to the specified designated persons by access rights restrictions.

13. What can you do in the event of a problem?

a) The first step is to notify the Agency by sending an email to HR@fra.europa.eu and ask us to take action.

b) The second step, if you obtain no reply from us or if you are not satisfied with it, contact our Data Protection Officer (DPO) at dpo@fra.europa.eu.

c) At any time you can lodge a complaint with the EDPS at <http://www.edps.europa.eu>, who will examine your request and adopt the necessary measures.

14. How do we update our data protection notice?

We keep our data protection notice under regular review to make sure it is up to date and accurate.

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