

PRIVACY NOTICE

Selection Procedures for recruiting Temporary Agents, Contract Agents and Seconded National Experts

The European Union Agency for Fundamental Rights (FRA) 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 privacy 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.

1. [Why do we collect personal data?](#)
2. [What kind of personal data does the Agency collect?](#)
3. [How do we collect your personal data?](#)
4. [Who is responsible for the processing your personal data?](#)
5. [Which is the legal basis for this processing operation?](#)
6. [Who can see your data](#)
7. [Do we share your data with other organisations?](#)
8. [Do we intend to transfer your personal data to Third Countries/International Organizations](#)
9. [When will we start the processing operation?](#)
10. [How long do we keep your data?](#)
11. [How can you control your data?](#)
 - 11.1. [The value of your consent](#)
 - 11.2. [Your data protection rights](#)
12. [What security measure are taken to safeguard your personal data?](#)
13. [What can you do in the event of a problem?](#)
14. [How do we update our privacy notice?](#)

PRIVACY NOTICE

1. Why do we collect personal data?

The Agency collects personal data for the evaluation of the received applications in relation to the published selection procedure for various positions like Temporary Agent (TA), Contract Agent (CA) or Seconded National Expert (SNE).

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

The Agency collects data from the applicants regarding their:

- a. identification (name, surname, date of birth, gender, nationality, photo, a copy of ID or Passport, social security certificate, medical certificate, military/civil service record, criminal record);
- b. contact details (postal address, email address, phone, mobile and fax number);
- c. experience (work experience, education, training skills, languages, true certified copies of their diplomas, letter of motivation);
- d. banking details (financial identification form, bank account information);

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.

4. Who is responsible for the 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.

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

The legal basis of the processing of job applications for temporary agents and contract agents can be found in Articles 12-15 and Article 82-84 of the Conditions of Employment of other servants of the European Communities (CEOS) in case of temporary agents and contract agents. The lawfulness of the processing of personal data is found under Article 5(a) of the Regulation (EU) No 2018/1725.

The legal basis of the processing of job applications for Seconded National Expert (SNE) can be found in the Commission Decision of 18.11.2008 (C(2008) 6866 final) implemented by the MB Decision 2017/01 regarding Seconded National Experts.

In addition, since the participation in the job application is not mandatory, the processing of the personal data is also in accordance with Article 5(d) of Regulation (EU) No 2018/1725.

6. Who can see your data?

During the selection process, your personal data can be accessed by a restricted number of staff members, which are in charge of the recruitment. These include the Human Resources within the Corporate Services Unit, the members from the selection panel of the corresponding recruitment procedure, the Head of Unit that you applied for and the Director of the Agency who is in charge of the final decision related to recruitment.

PRIVACY NOTICE

For reimbursement of the travel costs, a restricted number of staff members from the Directorate-General for Budget (DG BUDG) at the European Commission have access to your data.

7. Do we share your data with other organisations?

Personal data is processed by the Agency 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 are submitting your application for the opened position within our Agency.

10. How long do we keep your data?

The Agency will keep your personal data if you are:

- a) A recruited candidate, for ten years as of the termination of employment or as of the last pension payment. In this case, upon arrival, we will check your criminal record and give it back to you.
- b) A non-recruited candidate, for two years after the vacancy closure date.
- c) A non-recruited candidate on the reserve list, for two years following the expiration date of the reserve list.

11. How can you control your data?

You can access, modify or delete your personal data by sending an email request to recruitment@fra.europa.eu. More details are provided below.

11.1. How valuable is your consent for us?

Since the participation in the recruitment procedures is not mandatory, the processing is lawful because "the data subject has unambiguously given his or her consent". Therefore, you have the right to withdraw your consent at any time, and we will delete your data or restrict its processing.

11.2. Your data protection rights

Under data protection law, you have rights we need to make you aware of these rights. 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.

a. Can you access your data?

You have the right to receive confirmation whether or not we process your personal data. Furthermore, you can have access to such data, as well as obtain copies of your data undergoing processing, at any time and free of charge, by sending an email request to recruitment@fra.europa.eu. However, if you are a

PRIVACY NOTICE

candidate you have the right to access your evaluation results, except comparative results of other applicants or of the opinions of individual members that assessed your application.

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 by sending an email request to recruitment@fra.europa.eu. You have the right to update or correct at any time your identification data. On the other hand, data demonstrating compliance with the eligibility and selection criteria may not be updated or corrected after the closing date for the respective selection procedure.

c. Can you restrict us from processing your data?

You have the right to block the processing of your personal data at any time by sending an email request to recruitment@fra.europa.eu when you contest the accuracy of your personal data or when the Agency no longer needs the data for completing its tasks. You can also block the processing activity when the operation is unlawful, and you oppose to the erasure of the data.

d. Can you delete your data?

You have the right to ask us to delete your data at any time by sending an email request to recruitment@fra.europa.eu when the processing activity is unlawful.

e. Can you request the transfer of your data to a third party?

This only applies to information you have given us. You have the right to ask that we transfer the information you gave us from one organisation to another, or give it to you. The right only applies if we are processing information based on your consent or under, or in talks about entering into a contract and the processing is automated.

f. Do you have the right to object?

Yes, you have the right to object at any time by sending an email request to recruitment@fra.europa.eu when you have legitimate reasons relating to your particular situation. Moreover, you will be informed before your information is disclosed for the first time to third parties, or before it is used on their behalf, for direct marketing purposes. The Agency will address your requests within 15 working days from the receipt of the request.

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

No.

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 computer systems with limited access to a specified audience only.

PRIVACY NOTICE

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 recruitment@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.
- d) 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 privacy notice?

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

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