

PRIVACY STATEMENT ON PERSONAL DATA PROTECTION IN RELATION TO SELECTION AND RECRUITMENT OF TEMPORARY AGENTS, CONTRACT AGENTS, SECONDED NATIONAL EXPERTS AND TRAINEES¹

The European Union Agency for the Space Programme (EUSPA) is committed to respecting the privacy of its candidates for recruitment. Within the framework of the staff selection procedures at EUSPA, all personal data provided by candidates are dealt with in compliance with the applicable rules 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 (currently Regulation (EU) 2018/1725).

The following data protection information notice outlines the criteria by which the EUSPA collects, manages and uses the data provided by candidates within the different selection procedures.

Identity of controller:

Controller: Head of the EUSPA's Human Resources Department, Janovskeho 438/2, 170 00 Praha 7, Czech Republic, jobs@euspa.europa.eu

Purposes of processing:

- to organise selection procedures in order to recruit different categories of staff – statutory staff are TAs and CAs, while non-statutory staff are SNEs and trainees;
- to manage applications at the various stages of these selection procedures;
- to manage and follow-up on the use of reserve lists
- to manage the reimbursement of expenses related to the attendance of an interview at EUSPA premises
- to manage the process and the documentation for signature of the relevant contracts (in the case of successful candidates)

Categories of data processed:

The provision of personal data is a requirement necessary to enter into an employment contract with the EUSPA by way of participating in a recruitment procedure. Candidates are therefore asked to provide their data on a voluntary basis, although failure to do so will exclude them automatically from the recruitment. However, candidates failing to fill in the fields noted as optional will not be disadvantaged nor discriminated with regard to the selection procedure. The following categories of data are processed:

- Personal data allowing the candidate to be identified, i.e. surname, forename, date of birth, gender
- Facial aspects/characteristics: these are processed in the following cases – it is noted that such processing does not aim at uniquely identifying candidates nor at deriving any additional personal data from candidates (e.g. to determine candidates' ethnic or racial origin etc.):
 1. voluntary submission of photographs (it is specified that such submission is neither a

¹ Hereinafter referred to as: Temporary Agent- TA; Contract Agent- CA; Secoded National Expert-SNE.

- mandatory nor optional field in the EUSPA's recruitment procedures)
2. when participating in video interviews (i.e. in case candidates do not travel to EUSPA premises for the purpose of the interview)
 3. when candidates video record and submit to the EUSPA their replies to sets of questions prepared by selection boards, as an intermediary step in certain selection procedures;
 4. when candidates provide their passports/IDs to be registered in the internal financial system for reimbursement purposes.

It is noted that in none of the cases above it is required the consent of the data subject for the treatment of biometric data associated to facial image as such image is not aimed at uniquely identifying candidates nor at deriving any additional personal data from candidates (e.g. to determine candidates' ethnic or racial origin etc.). In addition, in all the cases above, the treatment of biometric data associated to facial images is necessary for the performance of a task carried out in the public interest

- Information provided by the candidate to allow the practical organisation of the selection and other tests, i.e. address information (street, postcode, town, country), telephone, e-mail, disability
- Information provided by the candidate to verify whether he/she fulfils the eligibility and selection criteria laid down in the vacancy notice, i.e. nationality, knowledge of languages, education, employment record, military/civil service record, criminal convictions²
- Information provided by the candidate in relation to security screening (e.g. whether he/she holds a security clearance, level of clearance, issuing authority)
- Passport/ID and bank accounts information for the purpose of processing travel reimbursements
- If applicable, results of the pre-selection or written/oral tests, results of psychometric tests and assessment centers

Automated decision-making:

The EUSPA is using an HR e-recruitment tool to collect candidates' personal information, automatically verify their eligibility, grant access to Selection Board members during the evaluation phase of the applications and send correspondence to candidates.

More specifically, candidates are requested to create their account in the system and if they want to apply for a position they submit the online application form which is stored in the HR e-recruitment tool. After the deadline for submission of applications, the HR e-recruitment tool will automatically assess each candidate's eligibility on the basis of the information provided through the online application form and against the criteria specified in the respective vacancy notice.

A limited number of members of the HR department responsible for recruitment have access to the tool and can verify the result of the automatic eligibility screening.

Subsequently, the members of the respective selection board are informed of the outcome of the eligibility verification and proceed with evaluating the profiles only of those candidates who met the eligibility criteria; **candidates who have not passed the eligibility screening as per the automatic assessment described above, are not evaluated further in the respective selection procedure.**

² Data related to criminal convictions are processed on the basis of SR Art. 28 a) and c). A "standard form" stating that the person is suitable for the performance of his/her duties and enjoys full rights of citizen is used and is to be filled by the recruited person and HR. Any criminal record certificate is immediately returned to the person (see ANNEX 1).

Legal basis:

- Article 5(1)(a), 10(2)(b), and 11 of Regulation (EU) 2018/1725
- Regulation (EU) 2021/696 of the European Parliament and of the Council of 28 April 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU
- Staff Regulations of Officials (hereinafter - SR) and the Conditions of Employment of Other Servants of the European Communities (hereinafter - CEOS), in particular Art. 27-34 (SR) and Arts. 12-15 and 82-84 (CEOS)
- Decision of the Administrative Board laying down general implementing provisions on the procedure governing the engagement and use of temporary staff under article 2(f) of the CEOS
- Decision of the Administrative Board on general implementing provisions on the procedure governing the engagement and use of contract staff at the Agency
- Decision of the Administrative Board laying down rules on the secondment to the Agency of national experts and national experts in professional training
- Decision of the Executive Director on the rules governing the traineeship scheme of the Agency
- Decision of the Executive Director on the Internal Mobility

Lawfulness of processing:

1. Article 5(1)(a) of Regulation (EU) 2018/1725: the processing of all categories of data mentioned above **with the exception of those identified under points (2) and (3) below** is necessary for the performance of a task carried out in the public interest; the recruitment of the best qualified candidates by conducting selection procedures is necessary for the management and functioning of the EUSPA
2. Article 10(2)(b) of Regulation (EU) 2018/1725: the processing of personal data relating to the candidates' health (i.e. whether they have a disability) is necessary for the EUSPA to carry out its obligations and for the candidates to exercise their rights in the field of employment law; more specifically, such information is necessary in order for the EUSPA to adjust the selection procedure to the special needs of such candidates (e.g. provide extra time or specific IT equipment for envisaged tests, special arrangements regarding the interview etc.)
3. Article 11 of Regulation (EU) 2018/1725: the processing of personal data relating to criminal convictions and offences or related security measures is authorised by Union law, i.e. Article 28 of the SR, which provides for appropriate safeguards for the rights and freedoms of candidates

Recipients of the data processed:

- A limited number of staff of the Human Resources Department in charge of recruitment
- Members of the Selection Board / Heads of department or colleagues who select non-statutory staff for their department
- Appointing Authority
- Data Processors: EUSPA engages external contractors, bound by personal data protection rules equal to those applying to the EUSPA, in order to carry out on behalf of the EUSPA specific parts of

the evaluation process and more specifically:

- Contractor in charge of hosting the platform through which video interviews are performed
- Contractor in charge of providing the online recruitment tool
- Contractor in charge of organising assessment centers, in particular for managerial positions
- Contractor in charge of organising and hosting psychometric tests
- The Internal Audit Service of the European Commission, the European Court of Auditors, the Internal Audit Capability Service, the European Ombudsman, the Civil Service Tribunal and the European Data Protection Supervisor
- Heads of departments should a candidate's name be put on a reserve list and should a similar vacancy arise in the department
- Paymaster Office of the Commission (PMO) and a limited number of staff of the Finance Department (for reimbursement of travel expenses)
- A limited number of staff of the Legal and Procurement Department in case specific legal advice is required
- Members of the Conflict of Interest Advisory Committee in case issues pertaining to conflict of interest situations arise

Information on the retention period and storage locations of personal data:

I. Retention period

In order to ensure compliance with the retention periods detailed below and considering the amount of personal data which are processed for the purposes identified above, the Controller performs a **yearly** overall check of all personal data identified above **in January of each year**.

Personal data whose retention period has expired before or on the date on which such yearly check is performed is irrevocably deleted/destroyed from all storage locations.

It is therefore stressed that the retention periods identified below may be marginally extended in order to account for the fact that the deletion/destruction of personal data occurs once a year in January of each year.

1. Personal data of candidates for TA, CA and SNE positions

- i. Documents related to recruited candidates for TA, CA and SNE positions:* As regards the recruited candidates for TA, CA and SNE positions whose data are stored in their personal file (Article 26 of the Staff Regulations), data are kept for a period of eight years as of the termination of employment or as of the last pension payment, provided there are no pending claims or any other open issues concerning their EUSPA employment relationship.
- ii. Documents related to non-recruited TA, CA and SNE candidates:* In the case of non-recruited candidates the data retention period is two years as of the date the data subject became aware of the result of the recruitment procedure, unless it is necessary to keep the data for budgetary and audit purposes – in which case the retention period shall be extended to a maximum of five years and

provided that there are no pending claims concerning the outcome of the recruitment process.

- iii. *Non-recruited TA, CA candidates entered on a reserve list:* The retention period for data relating to the non-recruited candidates whose names were put on the “reserve lists for appointment” is to be determined in terms of the validity and the actual extension of the respective reserve lists.

The same retention periods apply for TA and CA participating in internal mobility selection procedures.

2. Personal data of candidates for trainee positions

- i. *Recruited Trainees:* Files are kept eight years as of the date the data subject became aware of the result of the recruitment procedure.
- ii. *Non-recruited Trainees:* Files are kept two years as of the date the data subject became aware of the result of the recruitment procedure.

3. **Personal data collected for the purpose of (i) submitting video recordings, (ii) participating in assessment centers and (iii) undergoing psychometric tests:** the retention period is two years as of the date the data subject became aware of the result of the recruitment procedure.

After the above-mentioned periods, only data needed to provide overall statistics on the exercise (number of eligible and non-eligible applications, total number of applications, etc.) will be kept. These statistics do not contain any personal data as they are anonymous and cannot be used to identify one or more persons either directly or indirectly.

II. Storage locations

- All the collected data are stored online in a secure database within the EUSPA servers hosted by EUSPA contractors which are located in the EU and abiding by the necessary security provisions
- Paper copies are stored within the EUSPA Headquarters in Prague in the Human Resources Department Offices in locked cupboards accessible only by staff of the Human Resources Department
- Personal data collected for the purpose of (i) submitting video recordings, (ii) participating in assessment centers and (iii) undergoing psychometric tests are also stored in the servers of the respective EUSPA contractor (data processor) providing each service; the servers of all EUSPA contractors are located within the EU and abide by the necessary security provisions

The data subjects' rights:

- **Right of access:** candidates can access all their data collected by the EUSPA at any time; they can also access their evaluation results, with the exception of comparative results of other candidates or of the opinions of individual members of the Selection Board
- **Right to rectification:** candidates can update, correct and complement at any time their data. However, data demonstrating compliance with the eligibility and selection criteria may not be updated, corrected or complemented after the deadline for applying for the respective selection procedure
- **Right to erasure:** candidates may obtain the erasure of their personal data provided that there are grounds for the exercise of this right, as per the applicable rules
- **Right to restriction of processing:** candidates may obtain from the EUSPA restriction of processing of their personal data provided that there are grounds for the exercise of this right, as per the applicable rules
- **Right to data portability:** candidates may obtain their personal data, submitted to the EUSPA, in a structured, commonly used and machine-readable format and transmit them to another controller provided that there are grounds for the exercise of this right, as per the applicable rules
- **Right to object:** candidates may object, on grounds relating to their particular situation, at any time to the processing of personal data concerning them provided that there are grounds for the exercise of this right, as per the applicable rules. It is noted that pursuant to such a request, the EUSPA shall no longer process the personal data unless the EUSPA demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defense of legal claims
- Candidates are entitled to lodge a complaint at any time with the European Data Protection Supervisor (<http://www.edps.europa.eu>; EDPS@edps.europa.eu) if they consider that their rights under the applicable rules 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 have been infringed as a result of the processing of their personal data by the EUSPA

Any request for the exercise of any of the abovementioned rights shall be addressed to the EUSPA Human Resources Department at jobs@euspa.europa.eu; candidates are kindly requested to describe their requests explicitly.

Contact information:

- Regarding the processing of your personal data: Head of the EUSPA's Human Resources Department, jobs@euspa.europa.eu
- Regarding the interpretation, application or breach of the applicable rules: EUSPA Data Protection Officer (DPO), Janovskeho 438/2 170 00 Praha 7 Czech Republic, dpo@euspa.europa.eu

ANNEX 1

ACKNOWLEDGEMENT OF RECEIPT

The undersigned selected candidate provided the following document(s) to the HR Department of EUSPA:

<input type="checkbox"/> Certificate of good conduct <input type="checkbox"/> Criminal record / police record <input type="checkbox"/> Sworn affidavit <input type="checkbox"/> Other (<i>please specify</i>):

This document was released by: _____ **on** _____

It is hereby confirmed that in the process of recruitment, the undersigned selected candidate, provided the above-mentioned document(s) to demonstrate:

- the appropriate character references as to his/her suitable for the performance of his/her duties
- that he/she enjoys his/her full rights as a citizen

The above-mentioned document has been returned to the selected candidate.

Done in _____ on ____/____/____

Signature	Signature
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HR representative	Candidate selected for EUSPA employment
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To: Personal file (original)
 Selected candidate (copy)