



EUROPEAN MEDICINES AGENCY
SCIENCE MEDICINES HEALTH

15 December 2021
EMA/208342/2019
Administration and Corporate Management Division

European Medicines Agency - Privacy statement for Selection and Recruitment

The European Medicines Agency (EMA or Agency) is committed to respecting the privacy of its candidates for recruitment. Within the framework of the staff selection and recruitment procedures at EMA, all personal data provided by candidates are dealt with in compliance with Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 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.

This statement explains how the EMA collects and uses the personal data provided by candidates within the different stages of the staff selection and recruitment procedures.

The Agency processes the personal data contained in this e-recruitment portal, and provided by candidates outside of it, in accordance with Regulation (EU) 2018/1725, for the purpose of selection and recruitment at the European Medicines Agency. The Agency does not make public the names of successful candidates on the reserve lists. For recruitment purposes members from the management team of the Agency have access to data relating to candidates on the reserve lists and to their application form. Anonymised statistical information will be used for human resource planning purposes.

1. Who is responsible for your data?

1.1. *Who is the data controller?*

The European Medicines Agency represented by its Executive Director is responsible as the data controller to ensure compliance with Regulation (EU) 2018/1725. Internally, the Head of Administration and Corporate Management Division has been appointed to act as the data controller.

In this specific context, the internal controller is the Head of Administration and Corporate Management of the European Medicines Agency. Should you wish to get in touch with the controller, please contact datacontroller.administration@ema.europa.eu.



1.2. Who is the data processor?

The Agency may engage third parties to process data on behalf of the Agency and, in particular, to carry out the following activities: online job application, proctored remote testing, online personality and ability assessments, asynchronous video interviews, Assessment Centres.

The contact details of the data processor(s) are the following:

Activity	Provider	Contact
Online job application	SuccessFactors	privacy@sap.com
Non-automated proctored remote testing	TestReach	info@testreach.com
Assessment Centres	Hudson Benelux	be.privacy@hudson.com
	Price Waterhouse Coopers	dpo-advisory@pec-pwc.it
Online personality and ability assessments, asynchronous video interviews	SHL	dpo@shl.com

2. Purpose of this data processing

We use the personal information we collect about you to:

- Enable the organisation of selection and recruitment procedures to recruit temporary agents, contract agents, seconded national experts and trainees. This includes assessing your skills, qualifications, and suitability for the position within EMA, communicating with you about the recruitment process, keeping records related to our recruitment processes;
- Ensure the management of applications at the various stages of these selections and recruitment;
- Ensure the management and control of the use of reserve lists;
- Comply with legal or regulatory obligations and requirements as laid down by EU law, including Regulation (EC) 726/2004 of the European Parliament and of the Council laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency and Staff Regulations of Officials (SR) and the Conditions of Employment of Other Servants of the European Communities (CEOS), in particular Art. 27-34 (SR) and Art. 12-15 and 82-84 (CEOS) and the applicable Implementing Rules for Temporary Agents and Contract Agents, Decision of the Executive Director on rules governing the secondment of national experts to the EMA and Decision of the Executive Director on rules governing the traineeship programme at the EMA. Should you choose to provide information about your racial or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, we will use such information to ensure meaningful equal opportunity monitoring and reporting and for statistical purposes. We will also use information about your health and disability status to provide appropriate adjustments during the recruitment process.

EMA may also use the data, in an anonymised format, for testing and development purposes of the SuccessFactors platform. For this purpose, the data would be anonymised by internal EMA system administrators who are otherwise supporting this data processing activity from an information management point of view.

3. What personal data do we collect and how?

3.1. *Personal Data concerned*

We collect personal data directly from candidates who apply for open vacancies. Candidates are free to provide personal information on a voluntary basis, although failure to provide data in the mandatory fields will not allow the submission of the application form or be assessed in the later stages of the selection process.

The personal data processed are the ones provided in the form used for the electronic application, in particular:

- Basic personal information about the candidate, e.g. surname, first name, date of birth, gender;
- Contact details and information provided by the candidate to allow the practical organisation of selection and recruitment, e.g. address information: street, postcode, town, country, telephone, fax, e-mail;
- Information provided by the candidate to verify whether he/she fulfils the eligibility and assessment criteria laid down in the vacancy notice, e.g. information about nationality, languages, education, previous working experience, fulfilment of military/civil service duties, health information, criminal convictions, relatives working at EMA, etc.

Moreover:

If applicable, EMA may also collect other records, such as results of asynchronous video interviews¹, various online assessments², results of written/oral custom tests delivered in person or remotely, and documents from selected candidates to demonstrate the claimed information, experience and skills, such as (but not limited to) a copy of passport or identity card and proof of academic qualifications and work experience.

EMA may collect personal data directly from candidates as well as from information sources that are publicly available, such as social media or other publicly available websites.

Please note that the explanations of this Privacy Statement also apply to selection and recruitment procedures in the case of internal mobility opportunities offered by EMA to its staff. In relation to such opportunities, data is collected from internal staff members who express their interest to be involved in the internal mobility process in view of capturing staff member's skills and competences. This data is processed with the same conditions as applications.

¹ The asynchronous video interview is a new form of interview in which the applicant is guided through a structured interview process, which they do on their own. In the interview, applicant's answers (text-based) questions in front of their webcam. "Asynchronous" means that interviewee does not do the interview at the same time as the interviewer. The interviewer is not online at the same time as applicant, but instead applicant does the interview independently, at a time and place of their choosing. Selection Committee assesses recorded responses after recording is completed. There is no possibility of downloading interviews from the platform. Candidates invited to asynchronous video interviews receive a specific privacy statement explaining how their personal data is processed in relation to the performance of such interviews.

² Among others, online assessments may include personality questionnaires, behavioural assessments (e.g. situational judgement), job focused assessments (e.g. PM knowledge, secretarial skills, MS Office), cognitive ability assessments (e.g. verbal, numerical or abstract reasoning). Candidates invited to online assessments receive a specific privacy statement explaining how their personal data is processed in relation to the performance of such assessments.

3.2. Legal Basis

We process the candidate's personal data on the basis of their consent provided directly when registering to the e-recruitment system. Please see in the Annex the statements that candidates are asked to confirm when registering to the e-recruitment system Jobs@EMA.

In addition, the selection and recruitment procedures are necessary for the management and functioning of the Agency. The processing of data is necessary for the performance of tasks carried out in the public interest as provided for under:

- Regulation (EC) 726/2004 of the European Parliament and of the Council laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency;
- Staff Regulations of Officials (SR) and the Conditions of Employment of Other Servants of the European Communities (CEOS), in particular Art. 27-34 (SR) and Art. 12-15 and 82-84 (CEOS) and the applicable Implementing Rules for Temporary Agents and Contract Agents, Decision of the Executive Director on rules governing the secondment of national experts to the EMA and Decision of the Executive Director on rules governing the traineeship programme at the EMA.

3.3. Evaluation , automated decision-making or profiling:

As a part of the application form, candidates have to answer pre-defined disqualification and pre-screening questions. Those questions are based on the eligibility and assessment criteria as stated in the vacancy notice, and include pre-defined correct answers.

The answers to such questions may be evaluated by automated means. If the candidate's response is negative to one of the disqualification questions, he or she may be rejected from being admitted to the selection process. This is explained to the candidates on the page where such pre-screening questions are asked.

The Selection Committee can also use the responses to the pre-screening questions to help them in shortlisting.

4. How long do we keep your data?

Applications and Candidate profiles in SuccessFactors e-recruitment³	Disposal of paper and electronic records	
	Successful candidates	Unsuccessful candidates
Temporary Agents and Contract Agents	5 years after expiry of the reserve list (including any extensions)	2 years from the last communication
Second National Experts	3 years from the application date	1 year from the last communication
Visiting experts	8 years from the application date	6 months from the last communication
Experts	8 years from the application date	6 months from the last communication
Trainees	8 years from the application date	1 year from the last communication
Interims	8 years from the application date	6 months from the last communication

³ Should a candidate apply with the same candidate id to multiple selection procedures where different retention periods apply, the candidate id and the application forms will be deleted only once the latest retention period has reached. This is necessary for technical reasons linked to SuccessFactors.

Candidates Declaration of Interests	1 month after candidate has informed the Agency of not joining anymore. Otherwise, kept in personal file and personal file retention period applies	N/A
Police certificate/criminal record or similar documents on Personal files (AT/CA/SNE)	2 years following recruitment and destroyed confidentially	N/A
Video recordings of the non-automated proctored remote testing		
6 weeks after the exam or until the settlement of an appeal process		
Candidates that created the profile but did never apply		
1 year from the date of the profile creation		
General candidate /recruitment queries relating to recruitment or selection procedures, not necessarily specific to one selection procedure		
2 years from date of query		

Note: Creating a candidate profile allows candidates to apply to multiple selection procedures without the need to re-enter their own details. However, candidates can completely delete their profile by themselves or by contacting EMA recruitment@ema.europa.eu. Therefore, their profile will be permanently deleted from any successful and unsuccessful job application for which they have applied.

5. Who has access to your information and to whom is it disclosed?

We may share your personal data with the following EMA internal departments:

- Staff Relations and Support Department;
- Members of the Selection Committee;
- Appointing Authority (Executive Director);
- Also, if appropriate, access will be given to the Internal Audit Service, the European Ombudsman, the Civil Service Tribunal and the European Data Protection Supervisor, the European Court of Auditors;
- Should your name be placed on a reserve list, access to the reserve list and to the applicant's data will be provided to the concerned internal services interested in the recruitment of the person.

In case the Agency outsources services to third parties, such as, but not limited to, selection providers or test administrators, personal data of the candidates may be shared with them in order to organise the procedure. We may also share your personal data with other EU bodies or other third-parties within the EU when we are required to do so by law, including for monitoring, auditing or inspection purposes in accordance with European Union legislation.

6. Non-automated proctored remote testing

Apart from point 3.3., no automated processing and profiling takes place. On an ad hoc basis, further to a necessity test, EMA may use non-automated proctored remote testing, meaning that a trained real

person is invigilating the exam of a candidate, as opposed to a machine. The invigilator watches the candidate during the whole exam.

While the remote testing takes place, candidate are reminded that it is not necessary to disclose any personal information of sensitive nature. For example, they should refrain from accidentally opening an application running in the background or leaving applications open, that could eventually send notifications to the personal computer used by the candidate. Consistently with the rest of the selection process, remote testing is conducted without distinction regarding racial or ethnic origin, political, philosophical or religious beliefs, age or disability, gender or sexual orientation, and without reference to the candidates' marital status or family situation.

The selection panel will be notified of any infringements by candidates and the video recordings will be subject to human verification in that case. The recording is retained for six weeks and will be accessible only to specific trained EMA employees, on a need-to-know basis.

The legal basis for the processing of candidates' data in the context of online recruitment with remote invigilation is art 5(1)(a) of EUDPR, i.e. "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".

7. Your data protection rights

As data subjects, candidates have several rights:

- *Right to be informed* – This Privacy Statement is aimed at informing candidates how EMA collects and uses their personal data. If you any questions about this data processing, please contact the controller at datacontroller.administration@ema.europa.eu.
- *Right to access* - Candidates have the right to access their personal data. Normally, candidates' data can be access by logging in to the Jobs@EMA e-recruitment system. In addition to this, candidates have the right to request and obtain a copy of the personal data held by EMA.
- *Right to rectification* – Candidates have the right to obtain without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, in this case selection procedure, candidates have the right to have their incomplete personal data completed, prior to the closing date of the vacancy notice, by logging into by logging into their account in the Job@EMA e-recruitment system. Note: Data demonstrating compliance with the eligibility and selection criteria may not be updated or corrected after the closing date for the respective selection procedure.
- *Right to withdraw consent* - You have the right to withdraw your consent to the processing of your personal data. However, this will not affect the lawfulness of any processing carried out before consent is withdrawn.

Please note that if you withdraw your consent to the processing of your personal data which is necessary for the processing of your application, this will be considered as a withdrawal of your application. EMA will advise you if this is the case at the time you withdraw your consent.

- *Right to erasure* – candidates have the right to require EMA to delete or stop processing their data, for example where the data is no longer necessary for the purposes of processing.
- *Right to restrict processing* – In a few, codified cases, you have the right to obtain the restriction of the processing, meaning that your data will only be stored, but not actively processed for a limited period of time. For more information about this right and its limitations, see the EMA General Privacy Statement, hosted at www.ema.europa.eu/en/about-us/legal/privacy-statement.

- *Right to object* – Candidates have the right to object at any time to the processing of data relating to him or her, except in certain cases, such as where the processing is based on a legal obligation of the data controller.
- *Right to portability* - Where the processing is carried out based on your consent and in automated means, candidates have the right to receive their personal data (which was provided to the data controller by him or her) in a machine-readable format. Candidates may also ask the data controller to directly transfer such data to another controller.

The rights of the data subject's rights can be exercised in accordance with the provisions of Regulation (EU) 2018/1725.

Candidates have also the right to lodge a complaint with the European Data Protection Supervisor (EDPS) at any time at the following address: edps@edps.europa.eu.

Please see detailed information on your rights in the general EMA Privacy Statement: www.ema.europa.eu/en/about-us/legal/privacy-statement.

8. Contact information

In case you have any questions regarding the processing of your personal data, or you think that the processing is unlawful or it is not in compliance with this Privacy Statement or the general EMA Privacy Statement, please contact the Data Controller.

The contact details of the Data Controller is the following:

datacontroller.administration@ema.europa.eu

Postal address:

European Medicines Agency
PO Box 71010
1008 BA Amsterdam
The Netherlands

9. Recourse

Complaints, in case of conflict, can be addressed to:

- The Data Controller: datacontroller.administration@ema.europa.eu ; or
- The EMA Data Protection Officer: dataprotection@ema.europa.eu; or

[The European Data Protection Supervisor \(edps@edps.europa.eu\)](mailto:edps@edps.europa.eu)

Annex I – Registering at Jobs@EMA

Annex

Registering at Jobs:@EMA

By registering to the e-recruitment system Jobs@EMA:

- I give consent to the European Medicines Agency (EMA or Agency) to process my personal data in accordance with the Privacy Statement below.
- I understand that the information provided in my application and during the selection procedure will be used in determining my qualifications for possible employment with EMA and during recruitment, as necessary.
- I confirm that the statements made by me in my application are true, accurate, complete and correct to the best of my knowledge and belief.
- I understand I will be requested to supply documentary evidence in support of the statements I make in this application.
- I understand that any misrepresentation or material omission made on an application for employment or other document requested by the Agency may lead to my rejection in the selection process or to termination or dismissal.
- I understand that the Selection Committee will solely use my responses to the pre-screening questions to determine my eligibility and to assess my suitability for the position, and to determine whether or not I will be invited for further assessments.
- I understand that my personal file will be handled electronically, including, and not limited to offers and contracts issued in relation to future employment.

Please read this Privacy Statement carefully prior to providing your personal data into the Jobs@EMA e-recruitment system. If you do not agree with this Privacy Statement, you should not provide your personal data into the system.