

## PRIVACY NOTICE

### [Selection procedure for traineeship at the European Union Agency for Fundamental Rights \(FRA\)](#)

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.

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### 1. Why do we collect personal data?

The Agency collects personal data in order to allow it to process and evaluate the received applications in relation to the selection procedure for trainees.

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

The Agency collects data from the applicants regarding:

- identification (name, surname, date of birth, gender, nationality, photo,);
- contact details (postal address, email address, phone, mobile number);
- experience (work experience, education, training skills, languages, letter of motivation);
- banking details);
- information on the needs for reasonable accommodation arrangements, in case of individuals applying for the traineeship programme for people with disabilities (Art 7 of the Director's decision DIR/007/2021)

Only for selected candidates, the Agency collects on top of the data mentioned above:

- a copy of ID or Passport, social security certificate, medical certificate, military/civil service record, criminal record, true certified copies of their diplomas and their banking details (financial identification form, bank account information and in case of individuals with disabilities, an official document from a national authority or any accredited body confirming the disability).

### 3. How do we collect your personal data?

We collect only the personal data you provide us during your application for traineeship by filling in the forms in an online tool (i.e. Limesurvey). No personal data or cookies are stored by the tool or, if so, these are anonymised.

### 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 processing activity is in line with the Staff Regulations and Conditions of Employment of Other Servants which in accordance to Article 24 of FRA founding Regulation (EC) 168/2007, apply to the FRA staff. In case of trainees, although the Staff Regulations and Conditions of Employment of Other Servants are not directly applicable to trainees, the latter are still considered to be part of the staff of the Agency. Therefore, the processing activity is lawful under Article 5(a) of the Regulation (EU) No 2018/1725. In addition, since the participation in traineeships is not mandatory, the processing of the personal data is also in accordance with Article 5(d) of Regulation (EU) No 2018/1725. In case of trainees, although the Staff Regulations and Conditions of Employment of Other Servants are not directly applicable to trainees, the latter are still considered to be part of the staff of the Agency. The collection of criminal records and medical certificates are justified based on Article 28 of Staff Regulation and Article 12(2) of the Conditions of

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Employment. Information about applicant's disability (in case of the traineeship for people with disability) is necessary for the proper run of the selection, the organizational arrangements required for providing reasonable accommodation and for the additional grants that can be provided and is justified based on Article 1d of the Staff Regulations and therefore in accordance with Article 10(2)(b) of the Regulation 2018/1725.

The recruitment of trainees is covered by FRA's Decision CS/023/2017 on the rules governing the traineeship programme, FRA's Decision CS/024/018 on the rules governing the Roma traineeship programme and FRA's Director decision DIR/007/2021 on the rules governing the traineeship programme for people with disabilities.

### **6. Who can see your data?**

During the selection process, the personal data of the applicants are handled by a restricted number of staff in Corporate Services Unit, the Head of Unit Corporate Services, the Heads of Unit and restricted number of staff working within the Unit or the Director's Office interested to select an applicant, and the Agency's Director. The information related to disability will be only made available to people within the Corporate Services Unit designated for processing those kind of data having as aim to ensure the proper run of the selection, the arrangements required for providing reasonable accommodation and the additional grants that can be provided.

### **7. Do we share your data with other organisations?**

The personal data of selected applicants are transferred to the staff members involved in the financial workflow for reimbursement of expenses and to a restricted number of staff members from the Directorate-General for Budget (DG BUDG) at the European Commission. 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 start filling in the application form for the trainee 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 a trainee position for five years counting from the starting of the traineeship contract. In this case, upon arrival, we will check your criminal record and give it back to you.

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- b) A non-recruited candidate for a trainee position for two years counting from the starting date of the traineeship period that you have applied.

### 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 [recruitment@fra.europa.eu](mailto:recruitment@fra.europa.eu). More details are provided below.

#### 11.1. How valuable is your consent for us?

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. 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 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. Can you modify your data?

You have the right to modify your data without delay of inaccurate or incomplete personal data at any time by sending an email request to [recruitment@fra.europa.eu](mailto: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.

##### b) 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

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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. 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..

### **c) Can you request the transfer of your data to a third party?**

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.

### **d) 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. 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.

## **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](mailto: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](mailto:dpo@fra.europa.eu).

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- 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 privacy notice?**

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

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