



Privacy Statement on the protection of personal data in relation to the

Selection and Recruitment of Temporary Agents (TAs) and Contract agents (CAs) & Sharing of Reserve lists

All personal data are processed in accordance with the provisions of 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (hereinafter – Regulation 2018/1725).

1. Who is the controller regarding the processing of your personal data?

The controller is Cedefop and the responsible department is DRS/Human Resources.

In relation to the **Sharing of Reserve lists**, other EU Agencies and Joint Undertakings ('participating Agencies') that signed the Memorandum of Understanding ('MoU') for the sharing of reserve lists of suitable candidates among EU Agencies and Joint Undertakings may act as Joint Controllers.

In relation to **Selection and recruitment procedures**, the European Training Foundation (ETF) may act as a joint controller for the processing of personal data.

2. What is the purpose of processing your personal data?

The purpose of the processing is the selection and recruitment of Temporary Agents (TAs) and Contract agents (CAs) [**'Selection and recruitment'**], as well as the sharing of reserve lists of suitable candidates among EU Agencies and Joint Undertakings [**'Sharing of Reserve lists'**].

Regarding the **Selection and Recruitment** procedure, the purpose of the processing is to collect and process data in a view of possible employment at Cedefop. The data processing supports the evaluation of the applicant's ability to perform the job functions for which the selection procedures are organised. Any personal data shall be collected and processed solely in the framework of the organisation and management of selection and recruitment procedures of Temporary Agents (TAs) and Contract Agents (CAs) in view of filling vacancies and/or establishing reserve lists of suitable candidates for future recruitments at Cedefop.

Regarding the processing activity of **Sharing of Reserve lists**, EU Agencies and Joint Undertakings participating in this procedure sign the MoU for the sharing of Reserve Lists of suitable candidates among EU Agencies and Joint Undertakings to:

- Facilitate recruitment by leveraging reserve lists established by the Agencies,
- Promote efficiency by reducing the overall timelines of recruitment and selection procedures and associated costs,
- Ensure access for the Agencies to a broader pool of candidates from diverse geographic locations,

- Foster cooperation among the Agencies, maximizing synergies and avoiding duplication of effort for common transversal job profiles,
- Increase the attractiveness of Agencies as employers of choice, potentially increasing the number of candidates applying for posts published by the Agencies.

The processing of personal data collected by the leading agency ⁽¹⁾ within the context of its selection procedure for candidates included in the Reserved List of suitable candidates, may be shared, upon consent of those candidates, with a receiving Agency ⁽²⁾.

The processing of such data includes sharing of the data of the candidates on the Reserve List with the receiving Agency/Agencies interested in using the shared reserve list to meet their recruitment needs, and the related processing operations undertaken by the Joint Controllers for the purpose of managing the personal data of the candidates in the shared reserve list.

3. What personal data are collected and processed?

For the **Selection and Recruitment procedure** the following personal data are processed:

- Contact details of applicants, such as but not limited to: telephone, email, etc.
- Personal details of applicants, such as but not limited to: name, surname, proof of nationality/ies, date of birth.
- Education, work experience, criminal record, information about military service.
- Eligibility criteria, preselection criteria as per each vacancy notice.

Candidates applying through Cedefop's online application tool are invited to respond to three questions aimed at assessing Cedefop's attractiveness as an employer. The responses are treated as confidential and used exclusively by the HR service for this specific purpose. They are not communicated to the Selection Board and have no impact on the assessment of applications.

For the **Sharing of Reserve lists**, there are personal data of the following category of data subjects collected: candidates that apply to a post (temporary or contract agent) published by any of the EU Agencies or Joint Undertakings that have signed the MoU on sharing reserve lists, where the vacancy notice includes the relevant provisions.

Furthermore, the following categories of data subjects' personal data are collected by the leading Agency within its selection procedure and may be shared with the receiving Agency, upon consent of candidates on the reserve list:

- Contact and identification details (name, first name, address, email address, telephone);

⁽¹⁾ According to the MoU, the leading Agency is the EU Agency or Joint Undertaking which has organised the selection procedure and is ready to share its established Reserve List.

⁽²⁾ According to the MoU, the receiving Agency is the EU Agency or Joint Undertaking which is interested in using the shared reserve list to meet its recruitment needs, and is listed in the relevant vacancy notice as 'participating Agency'.

- Application form containing all information provided by the candidate regarding eligibility and selection criteria applicable to the selection procedure; and/or
- Curriculum vitae, if applicable.

The processing does not include special categories / sensitive data according to Article 10(1) of Regulation (EU) No 2018/1725 (i.e. data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs and data concerning health or sex life or sexual orientation). Applicants are asked not to include any such information in their application documents. A criminal record is only requested from recruited candidates and kept in their personal file (see corresponding data protection record on [Personal files](#)).

4. What is the legal basis for the processing of your personal data?

Personal data is processed based on:

The lawfulness of the processing for the **Selection and Recruitment procedure** is defined by Article 5(1)(a) of Regulation 2018/1725 in that “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” and particularly as set forth in Articles 12-15 and 82-84 of the Staff regulations and the Conditions of Employment of Other Servants of the EU (CEOS), as well as their implementing provisions (Cedefop/DGE/23/2015 and Cedefop/DGE/40/2019). Furthermore, for middle management position, there are also the implementing provisions Cedefop/DGE/36/2019.

Additionally, personal data are processed based on Article 5(1)(d) of Regulation 2018/1725, in that applicants give consent to the processing of their personal data.

The lawfulness of the processing for the **Sharing of Reserve Lists** is defined by Article 5(1)(a) of Regulation 2018/1725 in that “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” and as set forth in Regulation No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community.

Additionally, personal data are processed based on Article 5(d) of Regulation (EU) 2018/1725. The leading Agency establishes the reserve list of candidates whose personal data will be shared with the receiving Agency after receiving consent of candidates on the reserve list.

A Joint Controllorship Agreement has been signed by the participating Agencies in line with Article 28 of Regulation (EU) 2018/1725.

5. Who has access to your personal data and to whom they are disclosed?

During the **Selection and Recruitment procedure** access to personal data is granted to:

Internal recipients:

- the staff in the HR service responsible for the selection procedures;
- the members, advisors and/or observers of the selection board (internal or external) appointed by the Executive Director;
- Cedefop’s Executive Director and hiring manager (if necessary, i.e. in case of second interview);

- designated Cedefop ICT administrators with access to the online tool for application (if necessary, i.e. in case of technical issue with a specific application);
- the legal function of Cedefop (if necessary, i.e. in case of an appeal);
- the appeals committee (if necessary, i.e. in case of an appeal);
- Cedefop's staff internally responsible for audit activities, as well as staff of external entities providing audit services to Cedefop may have access to the personal data collected through this processing operation, to the extent necessary for carrying out their activities.

External recipients:

- Cedefop's contractor in charge of the practical organisation of written tests (TestReach).
- Cedefop's contractor providing the software as a service platform used for the online application platform (OLEEO).
- Cedefop's contractor providing Assessment Centre services, namely PWC (for selections in managerial functions).
- Cedefop's provider of Sharepoint (the tool for processing and storing information and documents by Cedefop), and Teams (video conferencing application).
- European Commission and Management Board members (this would only apply to the selection of the Executive Director and Deputy Director).
- External lawyers contracted to provide advice/assistance with issues concerning specific selection cases/procedure (if necessary).
- Court of Auditors, Cedefop's ICC, the Internal Audit Service of the Commission, the European Ombudsman, the Court of Justice of the European Union may also have access, as may lawyers contracted, in connection with a selection-related lawsuit.

During the **Sharing of Reserve lists** procedure access to personal data is granted to:

- Any EU agency or Joint Undertaking that signed the MoU for sharing reserve list, when acting as a leading Agency.
- Any EU Agency or Joint Undertaking when acting as receiving Agency, provided they were listed in the relevant vacancy notice, and that suitable candidates on the reserve list have given explicit and specific consent for their personal data to be shared with the specific receiving Agency.
- By default, authorised staff from EU agencies and Joint Undertakings, acting either as the lead or receiving agency, may access the personal data of a data subject, in line with the principles of necessity and data minimisation.

In addition, data may be disclosed to:

- Upon request and for the purposes of legal proceedings: Access to your personal data is provided to authorised staff of the EU Courts (e.g. the General Court and the Court of Justice) or national Courts, as well as, the lawyers of the parties;

- The competent Appointing Authority of the leading or receiving Agency, in case of a request or a complaint lodged under Article 90 of the Staff Regulations;
- OLAF, in case of an investigation conducted in application of Regulation (EU, Euratom) No 883/2013;
- The Internal Audit Service of the Commission within the scope of the tasks entrusted to it by article 118 of the Financial Regulation and by Article 49 of Regulation (EC) No 1653/2004;
- The Court of Auditors within the tasks entrusted to it by Article 287 of the Treaty on the Functioning of the European Union and Article 20, paragraph 5 of Regulation (EC) No 58/2003;
- The European Ombudsman within the scope of the tasks entrusted to it by Article 228 of the Treaty on the Functioning of the European Union;
- The European Data Protection supervisor in accordance with Article 58 of the Regulation (EU) 2018/1725.

Finally, Information concerning the selection procedure may be disclosed to external lawyers subject to the GDPR and/or EUDPR, for specific and limited purposes only. In this case a written contract (service contract) is signed between the leading or receiving Agency and the external lawyer in order to ensure that that Article 29 of the Regulation (EU) 2018/1725 is respected by the external data processor. These written contracts include a specific article on data protection.

6. For how long are your personal data kept?

The time-limits for storing personal data are as follows:

For the **Selection and Recruitment procedure** all personal data of applicants will be stored in accordance with the retention schedule of the agency:

- Files related to procedures for the selection of contract staff and temporary staff will be kept for 5 years starting from the closure of the list of suitable candidates and afterwards will be deleted.
- For recruited candidates, the necessary documents are transferred to the agent's personal file and will follow its retention time, according to the respective [Privacy Statement](#).
- Video data of candidates taking a remote written test will be stored by the external service provider (TestReach) for a period of 3 months after which it is deleted.
- For the online application platform (OLEEO), in the absence of a specific written data retention agreement, Cedefop will retain candidate's data in line with its retention schedule.

For the **Sharing of Reserve lists**:

- The leading Agency shall store the shared reserve list and process the personal data contained therein for a period of two years. The leading Agency must be informed of candidates having accepted a job offer and being recruited by the receiving Agency; it should promptly remove them from the reserve list.

- The receiving Agency shall process the personal data from the shared reserve list until the completion of its selection procedure including the communication to the leading Agency on candidates accepting a job offer/recruited to ensure their prompt removal from the reserve list by the leading Agency.

7. Are there any transfers of your personal data to countries outside the EU/EEA?

Microsoft Ireland Operations Ltd., as the provider of Cedefop's Sharepoint, processes and stores most of the data, including all content data and all customer data at rest, in the EU/EEA (geolocation of Cedefop as the tenant). Limited sets of personal data might be transferred for the provision of services and technical support purposes to Microsoft Corporation located in the US and acting as a sub-processor. Any transfers to Microsoft Corporation are covered by the adequacy decision of the EU-US Data Privacy Framework (2023), of which Microsoft Corporation is an active participant.

Any personal data collected through our online application tool is stored in the contractor's certified data centres within the UK. The European Commission's adequacy decision concludes that the UK provides an adequate data protection regime to allow data transfers from the EU to the UK and is therefore the legal basis for personal data transfers to UK.

8. What are your rights and how can you exercise them?

Data subjects have the right to access their personal data, the right to rectify them, if necessary, and/or to restrict its processing or erase them, if applicable. Data subjects are also entitled to object to the processing of their personal data, where relevant.

To exercise the mentioned rights, data subjects may contact the controller by sending an email to the indicated mailbox. The controller shall provide information on action taken on a request 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. For further inquiries, the data subjects may refer to Cedefop's Data Protection Officer (data-protection-officer@cedefop.europa.eu). Finally, if they consider their data protection rights have been breached, they may lodge a complaint with the European Data Protection Supervisor as the supervisory authority using a dedicated complaint form: https://edps.europa.eu/data-protection/our-role-supervisor/complaints_en (see further contact information at https://edps.europa.eu/about-edps/contact_en).

Regarding the processing activity of **Sharing of Reserve Lists**, data subjects can withdraw their consent given to the leading Agency for sharing their personal data with other EU agencies/Joint Undertaking (receiving Agencies) at any time. This can be done by sending an email to the leading Agency that established the reserve list of suitable candidates.

Please note that access to data subject personal data and its modification or deletion may be restricted by the Joint Controllers that have adopted Internal Rules restricting data subjects' rights as provided for by Article 25 of the Regulation. This is in order to safeguard the rights of other data subjects and/or to respect the principles of equal treatment among applicants and/or the secrecy of deliberations of the Selection Board. In that context, these rights may be restricted by the relevant Joint Controller on a case-by-case basis in line with the relevant Internal Rules, where necessary and appropriate for the purposes. This restriction shall be proportionate to what is strictly necessary for the purpose of the processing. In order to lift this restriction, the relevant Joint Controller will carry out a case-by-case assessment of each individual request and give the reasons underlying its decision. The restrictions will continue applying as long as the reasons justifying them remain applicable and may be lifted if these reasons would no longer apply.

Should data subjects have comments or questions, any concerns or a complaint regarding the collection and use of their personal data, or if they would like to exercise their rights as data subject, they can contact any of the Joint Controllers, i.e. either of the leading or the receiving Agency.

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