



EUROPEAN COMMISSION

PROTECTION OF YOUR PERSONAL DATA

This privacy statement provides information about the processing and the protection of your personal data.

Processing operation: Delivery of online tests in competitions and selection procedures organised by EPSO.

Data Controller: EPSO

Record reference: DPR-EC-26928

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1. Introduction

The European Commission (hereafter ‘the Commission’) is committed to protect your personal data and to respect your privacy. The Commission collects and further processes personal data pursuant to [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 (repealing Regulation (EC) No 45/2001).

This privacy statement explains the reason for the processing of your personal data, the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you have in relation to your personal data. It also specifies the contact details of the responsible Data Controller with whom you may exercise your rights, the Data Protection Officer and the European Data Protection Supervisor.

The information in relation to processing operation “Delivery of online tests in competitions and selection procedures organised by EPSO”, undertaken by EPSO is presented below.

2. Why and how do we process your personal data?

Purpose of the processing operation: EPSO collects and uses your personal information to organise competitions and selection procedures within the meaning of Article 7 of Annex III to the Staff Regulations.

This data privacy statement and relevant record cover only the processing operation relating to the delivery of online tests to candidates in EPSO's competitions and selection procedures, as a standalone processing operation, and as delivered by TestWe (EPSO's contractor).

The privacy statements relating to competitions and selection procedures, organised by EPSO, are covered by the following Data privacy statements: [EU careers : The European Personnel Selection Office is the place to start! \(europa.eu\)](#).

For online testing, candidates are invited to take an exam using the testing platform provided by TestWe. This requires the local installation of software on the candidates' computer. The downloaded software locks the candidate's computer functions during the exam, to prevent actions such as access to Internet or to a communication channel, that could unfairly advantage the candidate. A camera integrated or connected to the candidate's computer is required for the duration of the exam.

The identity of the candidate is verified by collecting his or her identity data and taking a photograph of the candidate. Video recordings are then made at the beginning of the session by the candidate to ensure that he/she complies with the rules and regulations of his/her environment (video taken from the room in which he/she is present and the applicant's ears).

Throughout the examination, photographs are taken at regular intervals of five seconds accompanied by continuous sound recording. The taking of photographs is necessary to detect any unauthorised behaviour, including detection of several faces present. The sound recording makes it possible to detect whether the candidate speaks to a third party during the examination.

Your personal data will not be used for an automated decision-making including profiling.

3. On what legal ground(s) do we process your personal data

We process your personal data, because:

- (a) 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;
- (b) processing is necessary for compliance with a legal obligation to which the controller is subject;

Processing is based on:

- **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 (OJ 45, 14.6.1962, p. 1385), as last amended by Commission Delegated Regulation (EU) 2016/1611 of 7 July 2016, in particular Annex III thereof.

- **Decision N° 2002/620/EC** of the European Parliament, the Council, the European Commission, the Court of Justice, the Court of Auditors, the European Economic and Social Committee, the Committee of the Regions and the European Ombudsman of 25 July 2002 establishing the European Communities Personnel Selection Office.

- **Decision N° 2002/621/EC** of the Secretaries-General of the European Parliament, the Council and the European Commission, the Registrar of the Court of Justice, the Secretaries-General of the Court of Auditors, the European Economic and Social Committee, the Committee of the Regions, and the Representative of the European Ombudsman of 25 July 2002 on the organisation and operation of the European Communities Personnel Selection Office.

We process special categories of personal data indicated in Section 4, because:

- (a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes.

4. Which personal data do we collect and further process?

In order to carry out this processing operation EPSO collects the following categories of personal data:

Personal data of candidates required for organising and running online testing:

- first name, last name, email address, candidate number, languages selected by the candidate for the test/s, the candidate's test answers, details of the operating system and device used for the tests;
- webcam feeds during the tests, including an image of the candidate's identity document (ID).
- For online testing, personal data relating to health is not directly shared with the processor, but some candidates might, due to their temporary, permanent medical condition and/or disability, require special accommodation of the tests.

The provision of personal data is mandatory to meet a statutory requirement, namely to organise competitions and selection procedures in EU staff selection.

5. How long do we keep your personal data?

For the processing operation covering the online delivery of tests, EPSO only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing, namely for the following periods:

- Test/s answers and data provided for organising and running the online testing for a maximum of 1 year from the date of the online testing.
- Candidates' webcam images: Webcam images taken of candidates during the tests, including of their ID document, are stored by TestWe for 2 months and are then deleted. In the event that a candidate's webcam images show clear evidence of suspicious behaviour during the test, the candidate's webcam images may be transferred to EPSO, the Selection Board and, where applicable, to the staff in charge of managing the complaint in the EU Institution(s) concerned and stored for 5 years from the date of the online test in order to be available should complaints pursuant to Article 90(2) of the Staff Regulations be made.

6. How do we protect and safeguard your personal data?

All personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored either on the servers of the European Commission or of its contractors. All processing operations are carried out pursuant to the Commission Decision (EU, Euratom) 2017/46 of 10 January 2017 on the security of communication and information systems in the European Commission.

The Commission's contractors are bound by a specific contractual clause for any processing operations of your data on behalf of the Commission, and by the confidentiality obligations deriving from the transposition of the General Data Protection Regulation in the EU Member States ('GDPR' Regulation (EU) 2016/679).

In order to protect your personal data, the Commission has put in place a number of technical and organisational measures in place. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.

7. Who has access to your personal data and to whom is it disclosed?

Access to your personal data is provided to EU staff responsible for carrying out this processing operation and to authorised staff according to the "need to know" principle. Such staff abide by statutory, and when required, additional confidentiality agreements.

- Data recipients within the EU organisation:
 - Selection boards, statutory assessors and EPSO staff.
 - EU institutions and bodies.
 - EU Courts, Legal services of the appointing authority concerned.
 - OLAF, IDOC, IAS and the European Court of Auditors.
 - European ombudsman.
 - EDPS.
- Data recipients outside the EU organisation:
 - EPSO's contractor in charge of the practical organisation of tests.

The information we collect will not be given to any third party, except to the extent and for the purpose we may be required to do so by law.

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

You have specific rights as a 'data subject' under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725, in particular the right to access, your personal data and to rectify them in case your

personal data are inaccurate or incomplete. Where applicable, you have the right to erase your personal data, to restrict the processing of your personal data, to object to the processing, and the right to data portability.

You have the right to object to the processing of your personal data, which is lawfully carried out pursuant to Article 5(1)(a) on grounds relating to your particular situation.

You can exercise your rights by contacting the Data Controller, or in case of conflict the Data Protection Officer. If necessary, you can also address the European Data Protection Supervisor. Their contact information is given under Heading 9 below.

Where you wish to exercise your rights in the context of one or several specific processing operations, please provide their description (i.e. their Record reference(s) as specified under Heading 10 below) in your request.

9. Contact information

- The Data Controller

If you would like to exercise your rights under Regulation (EU) 2018/1725, or if you have comments, questions or concerns, or if you would like to submit a complaint regarding the collection and use of your personal data, please feel free to contact the Data Controller, EPSO, EPSO-DATA-PROTECTION-COORDINATOR@ec.europa.eu.

- The Data Protection Officer (DPO) of the Commission

You may contact the Data Protection Officer (DATA-PROTECTION-OFFICER@ec.europa.eu) with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725.

- The European Data Protection Supervisor (EDPS)

You have the right to have recourse (i.e. you can lodge a complaint) to the European Data Protection Supervisor (edps@edps.europa.eu) if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Data Controller.

10. Where to find more detailed information?

The Commission Data Protection Officer (DPO) publishes the register of all processing operations on personal data by the Commission, which have been documented and notified to him. You may access the register via the following link: <http://ec.europa.eu/dpo-register>.

This specific processing operation has been included in the DPO's public register with the following Record reference: DPR-EC-26928.