

# Data Protection Notice for recruitment

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Luxembourg Institute of Health (LIH), 1A-B rue Thomas Edison L-1445 Strassen, Luxembourg (“we”) is committed to the protection of your personal data in accordance with data protection legislation, especially the General Data Protection Regulation EU 2016/679 (the “GDPR”).

This Data Protection Notice for recruitment concerns candidates who apply for a job at LIH (“you”). It provides you with detailed information relating to the way we protect your personal data.

## I. 1. Who is the controller of your personal data?

LIH is responsible as a data controller, for collecting and processing personal data in relation to your application for a position at LIH and our recruitment process. The purpose of this Data Protection Notice for recruitment is to inform you about which personal data we collect, the reasons why we use and share such data, how long we keep it, what rights you have and how you can exercise them.

## II. 2. What personal data do we process?

We collect and use your personal data to the extent necessary in relation to our recruitment process.

We may collect various types of personal data that you decide to submit in relation to your application for a particular job position, including:

- identification data (such as your name, date and place of birth, nationality, contact details, address, telephone, email, country, or other contact information),
- job application data (CV, cover letter, previous work experience, education, additional qualification, or other information regarding your professional qualification and experience, additional skills and abilities, professional interest, details of your right to work in Luxembourg),
- pre-employment checks (interview notes, records/results of pre-employment checks, information included on your CV/resume and/or any application forms),
- image: **we do not require from job applicants** to include photos as part of their job application documentation. It is up to you if you would like to voluntarily submit your photo,
- identification of the job and personal requirements (type of employment sought, desired salary, willingness to relocate, or other job preferences you decide to voluntarily submit),
- referees (reference letters, names and contact details for referees),
- any other information that you decide to voluntarily share with us, such as hobbies, interests, professional plans, how you found about our job offer, what motivates you to apply for a job at LIH, marital status, salary level...

If you decide to attach reference letters to your job application, it is your responsibility to inform the concerned referees (before providing their personal data to us) that their personal data will be processed by LIH in accordance with this Data protection notice for recruitment. We will not contact directly your referees, unless you have informed us that we may proceed in such a manner.

**We do not require from job applicants** to include any special categories of data - racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data

(which allow or confirm your unique identification), data concerning health, data concerning sex life or sexual orientation) - nor any judicial data (e.g. criminal records) as part of the job application documentation. **Please do not include such sensitive data in your job application.**

We may collect information about you from publicly accessible sources (such as LinkedIn) where we collect your full name, email, work history, and other data included on your profile.

We may also receive information about you from recruitment agencies (such as your CV and motivation letter as well as any personal data you voluntarily include in your application) and from ADEM (*Agence pour le développement de l'emploi*) if you have an employment reintegration contract with ADEM and ADEM suggests you to apply for an LIH position. In this case, ADEM provides us only your contact details and we confirm if you applied or not.

You can choose what type of information to submit as part of your job application. Normally, the following categories of data would be strictly necessary, so we can consider your job application for a particular position: your identification data, your job application data, pre-employment checks and identification of the job and personal requirements.

In certain cases, an LIH job advertisement may specify additional categories of personal data required for a specific position. If so, provision of such information is also mandatory (please check the job advertisement again).

The submission of any other information is entirely voluntary.

### III. 3. What are the purposes of and the legal basis for our processing?

We collect and use your personal data for the following purposes:

- to assess your skills, qualifications and interests against our career opportunities,
- to maintain our relationship during the recruitment process, including by calling you and inviting you to interviews, exchange of offers and terms of employment, etc.,
- to verify the information you provide us, to run our internal compliance and conflict checks and to conduct reference/background checks (if required under applicable law or subject to your consent);
- to communicate with you and, with your consent, inform you of other career opportunities,
- for security and protection of our organization, IT networks and LIH information;
- to improve our recruitment process, and
- to defend ourselves in any legal or court proceedings.

We collect your personal data on the following basis:

- pre-contractual measures necessary to establish a contractual relationship with you or take steps in this direction, at your request,
- to comply with our legal and regulatory obligations related to recruitment campaigns,
- for our legitimate interests, including: to ensure that our institute, IT networks and information are secure, to manage our recruitment process, (where applicable) to conduct tests about your personality, to keep records of the recruitment process and to protect our interest and rights in the event of investigated, suspected or actual violations of applicable law, or
- with your consent (only when legally required or permitted).

#### IV. 4. Whom do we share your personal data with?

In order to fulfil the aforementioned purposes, your personal data may be shared internally for the purposes of the recruitment process with members of the LIH Human Resources department, interviewers involved in the recruitment process, and managers in the business area with a vacancy if access to the data is necessary for the performance of their roles. LIH Human Resources will have access to your personal data for the purposes listed above. Please note that in the course of the recruitment of candidates, personal data of these candidates (CVs) may be shared with non-LIH members of the selection committee (e.g: researchers from the University of Luxembourg, LIST, LISER, Hospitals in Luxembourg, private company involved in your project, researchers abroad...).

We may also communicate your personal data to:

- service providers/vendors (such as recruitment agencies) that perform services on our behalf,
- law enforcement or other government and regulatory bodies or agencies, upon request and to the extent permitted by law
- certain regulated professionals such as lawyers or auditors.

We may also receive requests from third parties with authority to obtain disclosure of personal data. We will only respond to such requests where we are permitted to do so in accordance with applicable laws and regulations.

We require all third parties to respect the security of your personal data and to process it in accordance with the law.

#### V. 5. Where do we transfer your personal data?

We may use third party providers to deliver our services and this may involve transfers of your personal data to countries outside of the European Union/European Economic Area (EU/EEA). In case of international transfers originating from the EU/EEA to a country outside the EU/EEA, the transfer of your personal data may occur where the European Commission has decided that the country outside the EU/EEA ensures an adequate level of data protection.

For transfers to countries outside the EU/EEA for which the level of protection has not been recognised as adequate by the European Commission, we will either implement appropriate safeguards provided for by current data protection law (e.g. the entry into standard data protection clauses) or rely on a derogation applicable to specific situations (such as your explicit consent).

You can obtain more information regarding relevant safeguards we rely on by contacting us at [dpo@lih.lu](mailto:dpo@lih.lu).

In case of recruitment of high-profile candidates, members of the selection committee may be located outside the EU/EEE (e.g. researchers in foreign universities) and the CVs of these candidates are sent to them in order to ensure that recognised experts in the field assess the application, given the magnitude and the impact of the research projects conducted by LIH. Such transfers are occasional and necessary for the implementation of pre-contractual measures taken following the application of such high-profile candidates (art. 49(1)(b) of the GDPR) and particularly necessary in order to complete the selection process and proceed to the contract with the candidates.

## **VI. 6. Security of your personal data.**

The processing of your personal data is carried out through IT, electronic and manual tools, with logics strictly related to the aforementioned purposes and, in any event, in compliance with the appropriate technical and organisational measures required by law to ensure a level of security that is adequate to the risk, in order to avoid unauthorised loss or access to your data.

## **VII. 7. How long do we keep your personal data?**

If your job application is unsuccessful, we will retain your personal data for 2 (two) years after the end of the relevant recruitment process (to keep records of the recruitment process and to protect our interest and rights in the event of investigated, suspected or actual violations of applicable law and, where applicable, to contact you regarding future employment opportunities). At the end of that period, or once you oppose to your personal data being processed, your personal data will be deleted or destroyed.

We may process your personal data for the purposes of contacting you in case of future employment opportunities, in the event you gave us your consent to do so.

Note that in case you are selected for the job position you applied for, the above categories of personal data will continue being processed as part of your employment file with LIH (more information will be provided to you upon the start of your employment).

## **VIII. 8. What are your rights regarding your personal data?**

You may exercise at any time, the following rights in relation to your personal data processed by LIH for recruitment purposes:

- right to access, which enables you (according to art. 15 of the GDPR) to obtain from us confirmation of whether personal data are being processed or not and, if so, obtain access to such data; we process a large quantity of information, and can thus request, in accordance with the GDPR, that before the information is provided, you specify the information or processing activities to which your request relates;
- right to rectification, which enables you (according to art. 16 of the GDR) to obtain from us the correction and/or integration of any of your personal data that are incorrect and/or incomplete; and in certain limited cases (in which case we will analyse whether the conditions for the exercise of such rights are fulfilled):
- right to erasure, which enables you, in specific cases provided for by art. 17 GDPR, to obtain from us the erasure of your personal data;
- right to restriction of processing, which enables you, in the specific cases provided for by art. 18 of the GDPR, to restrict the processing of your personal data by us;
- right to object, which enables you to object to the processing of your personal data when the conditions provided for by art. 21 of the GDPR are met;
- right to data portability, which enables you, in specific cases provided for in art. 20 of the GDPR and with regard only to the data you have provided to us, to request receipt of your personal data in a structured and commonly machine-readable format.

If you have provided your consent to the processing of your personal data, you can withdraw such consent at any time.

To exercise any of these rights, you may contact our Data Protection Officer by email at [dpo@lih.lu](mailto:dpo@lih.lu) or by postal mail:

Luxembourg Institute of Health (LIH)  
Data Protection Officer 1A-B rue Thomas Edison L-1445 Strassen

You have the right to lodge a formal complaint with the *Commission nationale pour la protection des données* (CNPD). Full details may be accessed on the complaints section of [CNPD's website](#).

#### **IX. 9. Changes to this data protection notice for recruitment.**

Changes may occur in the way we process personal data. In case these changes oblige us to update this Data Protection Notice for recruitment, we will clearly communicate it to you, either via our site or via other appropriate means. The latest applicable version will always be available on our site.