

## **GDPR maturity assessment and gap analysis of the recruitment process**

You are a consultant in an advisory firm and have been engaged by the French subsidiary of IBC Bank, an international banking institution, to perform a GDPR maturity assessment and gap analysis.

As part of the engagement, you must assist the HR teams of your client in formalizing the actions required to make the recruitment process compliant with the GDPR.

You have conducted several workshops with HR stakeholders located in France to understand the global recruitment process.

Following these workshops, you have drafted a summary detailing the company's context and your understanding of the overall recruitment process.

You now need to analyze this summary and identify actions that need to be undertaken by the HR teams to ensure that the process is or becomes compliant with GDPR.

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### **Summary of the workshops**

#### **1. Context**

IBC Bank is an international banking institution established in the United States 20 years ago. The bank employs 2,000 employees and has branches all around the world, including in Europe.

This growing bank, whose turnover in 2017 reached 500 million euros, recruits around 250 employees worldwide per year.

The bank appointed a Data Protection Officer (DPO) for its French subsidiary in 2012.

#### **2. The Recruitment Process**

When a position opening is validated, the manager formalizes a job description and provides it to the HR teams.

HR advertises it through numerous channels:

- **Bank's recruitment portal** (accessible through the "Careers" section of the corporate website)
- **Social media** (LinkedIn)
- **Recruitment agencies** (mostly for management positions)
- **General and specialized internet job boards**
- **Forums & recruitment fairs** attended by the HR teams (junior positions only)

## **2.1. Sourcing Channels**

### **2.1.1. The Bank's Recruitment Portal**

The bank has engaged a contractor based in Canada for the setup and operation of a recruitment portal directly linked to the corporate website. On this portal, job offers for all countries are posted.

The entire HR team has access to this portal and the complete pool of candidates.

A candidate wishing to apply to a job offer must start by creating a user account. They must provide the following mandatory information through a form: name, surname, email address, and password.

At the end of this form, there is an information notice detailing the objectives of the data collection and providing a link for candidates to exercise their rights.

Once the form has been submitted, an email is generated and sent to the candidate with a link to confirm the creation of the account.

In a second step, the candidate logs into their account and, for each job offer, submits their resume and a cover letter. They also need to fill out another form with the following mandatory fields: name, surname, date of birth, nationality, diplomas, education undertaken, religion, disability (yes/no). A free comment field is available (optional). This collection form is identical for all countries.

The candidate may then be contacted through the email address provided for a first interview.

Additionally, each time a new offer is published, the HR team browses the profiles database to select relevant candidates. They check the selected profiles against the employees' database and the candidate files (see 2.2) before contacting the candidates.

No contact is made through the platform: candidates are contacted directly via email or phone.

After a year and a half of user inactivity, an email is automatically generated to the email address with a link on which the candidate can click to confirm that they want to keep their account active. Without response, the user account and all associated data are permanently deleted.

The bank has no information on the database storage location nor on the security measures that have been implemented.

### **2.1.2. External Recruitment Agencies / Headhunters**

The bank engages with different external recruitment agencies in each country. Contracts have been in place for years to cover these services.

For each relevant profile, the agency sends the following documents to the bank by email:

- Resume
- Cover letter (when requested)

The bank then contacts the candidate directly if they are selected for a first interview.

If the candidate is recruited, the agency receives payment according to the contract.

HR teams don't have any information regarding the GDPR compliance of these agencies (information to be provided to data subjects, consent collection, deletion, etc.).

### **2.1.3. Forums / Recruitment Fairs**

During forums and recruitment fairs, the teams on-site collect resumes and cover letters (in paper format).

Resumes and cover letters are scanned and stored in the bank's internal pool of candidates. The entire database of resumes and cover letters is stored indefinitely in the HR database.

## **2.2. Candidate Selection**

Once the candidate has been selected through one of the three channels above, a personal file is created by the HR teams in the internal HR shared folders. Initially, this file only contains the cover letter, resume, and the information collected on the candidate.

HR teams then contact the candidate through their phone number or email address to set a date for the first interview, the completion of an online English exam, and the mandatory personality test.

The English test and the personality test are administered by external contractors. The HR teams are unaware of any contract or legal framework to cover the services provided.

The HR manager then completes the candidate file with the interview notes and test results. The answers of the candidate to the personality test are not stored; only the result is saved.

If the profile doesn't suit, the HR manager contacts the candidate and informs them of the rejection of their application. The candidate file is not deleted from the system.

If the profile is suitable, the HR manager will communicate the entire candidate file by email to the business manager.

The manager then downloads the attached files to their computer and decides whether to contact the candidate after analyzing the application.

In the event that the application is retained, the manager informs the HR manager by email and contacts the candidate directly to schedule the second face-to-face interview.

They meet the candidate in their offices and provide feedback (positive or negative). They then contact the HR manager to inform them of the decision taken: rejected, favorable, very favorable.

During the interview with the candidate, the manager will take notes and communicate them to their line manager by email.

If the application is rejected, the candidate will receive a rejection email from the HR department.

### **3. Other Observations**

- Up to this day, no breach of candidate data has been detected.
- No Data Protection Impact Assessment (DPIA) has been performed regarding this processing activity.
- This personal data processing activity was documented in the record of processing activities in 2015. None of the HR team interlocutors have seen the corresponding record.