

## **Information about the processing of personal data provided by applicants for positions at Bielefeld University**

With these data protection notices, the University of Bielefeld seeks to comply with its duty to inform applicants about the type of data collected and how it will be processed in accordance with Articles 13 and 14 of the EU General Data Protection Regulation (GDPR).

Terms such as "personal data", "processing", "data controller", "third party", etc. are used as defined in Article 4 GDPR.

### **1. Contact information**

The controller responsible for data processing is Bielefeld University, a legal entity under public law established by the state of North Rhine-Westphalia (NRW). It is represented by its rector, Prof. Dr. Ing. Gerhard Sagerer.

#### **Contact details for the data controller**

Bielefeld University

Universitätsstraße 25

D-33615 Bielefeld, Germany Tel: +49 (0) 521/106 - 00

Email: [post@uni-bielefeld.de](mailto:post@uni-bielefeld.de) Web: <https://www.uni-bielefeld.de>

#### **Contact details for the data protection officer**

The data protection officer can be reached by post at the data controller's address (see above).

Tel. +49 (0) 521 106-5225

Email: [datenschutzbeauftragte@uni-bielefeld.de](mailto:datenschutzbeauftragte@uni-bielefeld.de)

For any further questions regarding the application process and the data protection matters related to it, please do not hesitate to contact the [Department of Human Resources and Organization](#) or the data protection officer.

### **2. Purposes and legal bases of the data processing**

As part of your application for a position at Bielefeld University, you will be submitting to the university the personal data provided in your application documents. This data will be processed with the purpose of carrying out the application and selection process itself and to ensure the necessary participation of various committees (staff councils, equal opportunity representatives, representatives of disabled persons) in the hiring process.

For the purpose of completing the selection process, your application documents will be reviewed by employees of the Department of Human Resources and Organization as well as the hiring unit / faculty. Furthermore, the committees mentioned above will be granted access to your application documents within the scope of the university's legal obligations.

This processing is based on the following regulations:

#### **When applying for employment:**

- **Article 88 (1) GDPR** in conjunction with **section 18 (1) of the NRW State Data Protection Act (DSG NRW)** serves as the legal basis where the processing of personal data is necessary for an employer to fulfil its contractual obligations within the employment relationship. This also applies to processing necessary for pre-contractual activities.
  - The selection of suitable candidates for a position takes place before any contract

of employment is offered to the best candidate. As a public institution, the university is obligated per **Article 33 (2) of the German Basic Law (*Grundgesetz*)** to hire the most suitable candidate. To ensure this, the data submitted with the application documents will be evaluated.

- **Article 6 (1) b) GDPR** contains the corresponding general regulation for all types of contractual relationships.

#### For the participation of the internal committees:

- **Article 88 (1) GDPR** in conjunction with **section 18 (1) DSG NRW** also serves as the legal basis where the university has a legal obligation to process personal data.
  - The obligations to involve the committees in application and hiring procedures are set forth in **section 72 (1) of the NRW State Act on Representative Staff Councils (*LPVG NRW*)**, **section 18 (1) of the NRW State Equal Opportunities Act (*LGG NRW*)**, and **section 178 (1) and (2) of the German Social Code IX (*SGB IX*)**.
- **Article 6 (1) c) GDPR** contains the corresponding general regulation.

#### Specific regulations governing the appointment of professors:

- The legal basis for filling professorial posts by means of appointment procedures is **Article 38 of the NRW Higher Education Act (*HG NRW*)** in conjunction with the [Appointment Procedures \(\*Berufungsordnung\*\)](#) of Bielefeld University; in addition, **the NRW Civil Service Act (*LBG NRW*)** applies. **Article 38 (1) clause 1 HG NRW** contains the obligation to publically advertise open professorship positions.
- During the application and appointment process, external members of the hiring committee as well as external reviewers will gain access to your personal data.
  - This is required by law per **Article 38 (3) clause 2 and (4) clause 1 HG NRW** and further elaborated in the **Appointment Procedures**. This transfer of data is governed by **Article 45 and 46 GDPR**; it may also be justified in some cases per **Article 49 (1) lit. d** (transmission of data for important reasons of public interest) and **Article 49 (4) GDPR**, in each case in conjunction with the aforementioned provisions of **HG NRW** and the **Appointment Procedures**.

In individual cases, data may also be legally transmitted to third parties, for example, to law enforcement authorities for the investigation of criminal offences within the framework of the **Code of Criminal Procedure (*StPO*)**.

### 3. Data storage period, subsequent deletion

The submitted application documents will be deleted 4 months after completion of the hiring process, as mandated by the internal regulations governing the storage and safekeeping of documents (*Aufbewahrungsordnung*). This specific storage duration is due, among other factors, to the time frame in which applicants can raise claims under the **General Equal Treatment Act (*AGG*)**. **Section 18 (7) DSG NRW** provides the legal basis for the storage of personal data for this duration.

### 4. Your rights as a data subject

As a data subject, you have certain rights under GDPR that you may assert at any time:

- the right to obtain information about whether or not personal data concerning you is processed, and if so, what categories of data are being processed (**Article 15 GDPR**),
- the right to demand the rectification or completion of data concerning you (**Article 16 GDPR**),
- the right to erasure of your personal data (**Article 17 GDPR**),
- the right to demand that the processing of your data be restricted per **Article 18 GDPR**,

- the right to withdraw your consent to processing at any time. The withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal (**Article 7 (3) GDPR**),
- the right to object to the future processing of your data (**Article 21 GDPR**).

***Please note: If you choose to withdraw your consent to processing or demand erasure of your personal data, your application cannot longer be considered for the position you originally applied for as the data it contains can no longer be processed.***

In addition to the aforementioned rights, you have the right to lodge a complaint with the data protection supervisory authority (**Article 77 GDPR**); for example, the university is under the supervision of the

North Rhine-Westphalia State Commissioner  
for Data Protection and Freedom of Information  
(*Landesbeauftragte für Datenschutz und  
Informationsfreiheit Nordrhein-Westfalen*)  
Kavalleriestraße 2-4  
40213 Düsseldorf, Germany