

PROTECTION OF YOUR PERSONAL DATA

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

Processing operation: Selection procedure for Contract Agents in Delegations outside the annual mobility exercise

Data Controller: HR.E.2, HR for Delegations

Record reference: DPR-EC-02054

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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 “Selection procedure for Contract Agents in Delegations outside the annual mobility exercise”, undertaken by HR.E.2. in coordination with the concerned Commission unit and HR Correspondent is presented below.

2. Why and how do we process your data?

Purpose of the processing operation: HR.E.2 collects and uses your personal information to organise and manage the selection process of candidate from the various databases, such as the CAST database or EU CV online, for the recruitment of a contract agent 3a or 3b in Delegations in accordance with Article 82 of the Conditions of Employment of Other Servants (CEOS) and ensure that the most suitable candidate is selected for the available position.

Whenever a Contract Agent position in a Delegation is available at the Commission outside the annual mobility exercise, it can be filled by:

- transfer of an internal candidate (already a contract agent at the Commission) or,
- a new recruitment.

The data collected in the selection process is used to assess whether the candidate fulfils the criteria of the job. It is also used to assess the suitability of the candidate for the job. Certain data (concerning professional experience and training) is used for a comparative analysis between the candidates.

Data of the selected candidate (first name, surname, Per-ID, function group, diplomas, professional experience, CV) is recorded in the relevant eSire module (i.e. “AC recruitment request”) for the purposes of processing the recruitment in a second step. Some of the administrative data of the selected candidate is then also used in the “career” module of Sysper. These data processing is covered by record DPR-EC-02057 for recruitment.

Your personal data will not be used for an automated decision-making including profiling. The data submitted may also be used for extraction of anonymised statistics (for example: average number of candidates for certain advertised functions), which may serve for analysis and forward planning in the area of Human Resources Management in the Commission.

3. On what legal grounds are we processing your personal data?

We process your personal data, because it 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 (Article 5(a) of Regulation (EU) 2018/1725).

The provision of personal data is mandatory to implement the provisions of Articles 3a, 3b and Title IV of the CEOS, namely, to engage contract staff, that is staff not assigned to a post included in the list of posts appended to the section of the budget relating to the institution concerned and engaged for the performance of full-time or part-time duties.

Legal basis

- Articles 3a, 3b and Title IV of the Conditions of Employment of Other Servants of the European Union (CEOS)
- Commission Decision C(2017) 6760 on the general provisions for implementing Article 79(2) of the Conditions of Employment of Other Servants of the European Union, governing the conditions of employment of contract staff employed by the Commission under the terms of Articles 3a and 3b thereof.

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

In order to carry out this processing operation, HR.E.2, “HR for Delegations” collects and processes the following categories of personal data:

- Personal data allowing identification of the candidates: first name(s), family name(s) currently used, family name(s) at birth, nationality or nationalities if relevant, place of birth, date of birth, address and contact details, civil status.
- Data concerning qualifications and professional experience: knowledge of languages, motivational letter, CV.
- Number and validity date of identification document, copy of identification document, email address, diplomas, work experience related document.
- Conflict of Interest form.
- Other administrative data: if applicable, personnel ID, Function Group, type of post of the person, budgetary coverage of former post, competition application number.

Normally, no data under Article 10 of the Regulation is processed. However, if applicants report health data related to special needs (e.g.: as regards physical access to buildings and physical mobility), this information would also be processed for the purposes of organising logistics for the interviews of the selection panel.

If you do not provide your personal data, your application will not be taken into consideration because of lack of required information.

5. How long do we keep your data?

The data controller only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing, namely for:

- The electronic and paper version of the applications received by the panel members and other documents, or emails received by the selection panel members, will be destroyed by them after the conclusion of interviews.
- Data in electronic format in the Outlook inbox, ARES and folders of HR.E.2 and concerned HR Correspondents and units, as well as on the protected shared drives of these services, are stored for 2 years after the closure¹ of the selection process or, in case of appeals or judicial proceedings, 5 years after the final administrative or judicial decision was rendered, in line with the 'Common Commission-Level Retention List for European Commission Files - third revision', SEC(2022)400.
- The results of the selection panel of selected candidates eligible to be recruited under Article 3a of the CEOS (application documents, CV and supporting documents, as well as the evaluation grids of all selected candidates together with the selection report) are kept for a maximum of 10 years (corresponding to a maximum of 5 years for the initial contract and a maximum of 5 years for its extension in accordance with article 85 of the CEOS). These data are kept until a permanent contract is obtained if they are necessary for the establishment of such a contract pursuant to Commission Decision C(2017) 6760 of 16.10.2017 on general implementing provisions for Article 79(2) of the Conditions of Employment of Other Servants of the European Union, governing the conditions of employment of contract staff engaged by the Commission under Articles 3a and 3 b of the said scheme.

6. How do we protect and safeguard your data?

Appropriate organisational and technical measures are ensured according to Article 33 of Regulation (EU) 2018/1725.

All personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored on the servers of the European Commission. 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.

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

¹ A selection procedure is closed in one of the following ways: (i) a person was selected and the follow-up procedure (effective recruitment or mobility) was finalised; (ii) or a decision was taken not to select anyone and either republish the post or take other measures.

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. The collected personal data are stored on servers that abide by pertinent security rules. Data is processed by assigned staff members. Files have authorised access. Measures are provided to prevent unauthorised entities from access, alteration, deletion, disclosure of data. General access to personal data is only possible to recipients with a User ID/Password. Physical copies of personal data are stored in a properly secured manner.

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

Access to your data is provided to authorised staff according to the “need to know” principle. Such staff abide by statutory, and when required, additional confidentiality agreements.

Your application for a vacancy will be accessible to: hierarchical superior in charge of the entity where the vacancy was published (Head of Unit, Director, Director General), HR Correspondent of the DG concerned by the vacancy, Unit HR.E.2 – “HR for Delegations”.

In addition, selection board members in the concerned Delegation will be given access to your application in electronic and/or paper format. The board is composed by the Head of the Delegation (or equivalent), the official who will be the line manager of the contract staff member, the Head of Administration of the Delegation (or equivalent) and a local Staff Representative. 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 the right to object to the processing of your personal data, which is lawfully carried out pursuant to Article 5(1)(a) of Regulation (EU) 2018/1725.

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

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 HR.E.2 (HR-DEL@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 publishes the register of all operations processing personal data. You can access the register on 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-02054**.