

## **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 non-management staff – officials and temporary agents to be employed on non-management posts in the establishment plan

**Data Controller:** Directorate HR.DDG.B, Talent management and diversity

**Record reference:** DPR-EC-01029

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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.

This statement concerns data processed within the selection for vacancies for non-management staff. The Heads of Unit HR.DDG.B.4 and HR.DDG.B.1 in DG HR are the controller of the processing. The entity processing your data is the line manager (and his hierarchy) in the DG where the vacancy was published, the HR Business Correspondent (HR BC) in that DG, the Account Management Centre (AMC) responsible for staff of that DG, the selection panel members, unit HR.DDG.B.1 in charge of Recruitment and unit HR.DDG.B.4 in charge of Career Management and Mobility.

## **2. Why and how do we process your data?**

The purpose of the processing is to organise and manage the selection process for non-management posts which are part of the establishment plan of the European Commission to ensure that the most suitable candidate is selected, appointed and where applicable, recruited for the published position.

Whenever published, a vacancy at the Commission can be filled by:

- mobility of an internal candidate (a Commission official) or,
- if none of the internal candidates is successful,
  - o by an inter-institutional transfer, or
  - o by a new recruitment (of an EPSO competition laureate or of a temporary agent).

The data collected in the selection process is used to assess whether the candidate fulfils the criteria of the post, depending on his/her status (official, laureate etc.). It is also used to assess the suitability of the candidate for the post. Certain data (concerning professional experience and training) is used for a comparative analysis between the candidates.

Data of the candidates for vacancies is recorded in the relevant Sysper module (VAC module) for the purposes of conducting the selection. Some of the administrative data of the selected candidate (first name, surname, Per-ID, function group, grade, type of post currently occupied, CV) is then used in the career module or recruitment module, for the purpose implementing the resulting mobility, interinstitutional transfer or recruitment (respectively covered by DP record DPR-EC-02071.1 for mobility, DP record DPR-EC-02056.1 for interinstitutional transfers and DP record DPR-EC-02057.1 for recruitment).

Moreover, staff who applied for a vacant post but were not selected, have the possibility to express their consent to be contacted by the corporate HR units or by the involved AMCs in case other mobility opportunities open in the future. This processing falls under the headhunting policy of DG HR and is covered by DP record DPR-EC-00968.

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

This processing of your data is lawful in terms of the provisions of Art. 5(a) of Regulation (EU) 2018/1725, i.e.: *'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'*

This processing enables the Commission to implement the provisions of Articles 27 – 33 of the Staff Regulations and Article 12 of the CEOS, namely to publish vacancy notices and select candidates for vacant posts and carry out all necessary further steps for the mobility of Commission officials,

transfer of officials from other EU institutions or recruitment of candidates from EPSO reserve lists, or of temporary agents.

#### **Legal basis**

- Article 27-33 of the Staff Regulations.
- Article 12 of the Conditions of Employment of other Agents of the Union.
- Commission Decision C(2013)9049 on policies for the engagement and use of temporary agents.

#### **4. Which data do we collect and process?**

The following data is processed:

- the candidate's application: Full name, address, gender, nationality, date and place of birth; Contact details (e-mail address, telephone number, mobile telephone number, fax number, postal address, current DG and entity of assignment or current employer outside the Commission in case of inter-institutional and external applicants: institution/company and department, country of residence). Function group, grade, step, seniority in the current job, type of post of the person, type of post of the current job, in case of AST officials applying for AD vacancies: information related to certification procedure;
- the CVs, motivation letters and other supporting documents submitted by the applicants including information on education, diplomas and certificates, professional experience (including names of previous and current employers, duration of employment, level of responsibility), competencies, language skills, motivation.

The source of this data is the CV of the candidate, his/her motivation letter and other supporting documents submitted.

For the selected candidate, information related to potential conflict of interest is also processed.

Normally, no data falling under Article 10 of the Regulation is processed. However, if candidates for vacancies communicate health data relating to special needs (e.g.: regarding physical access to buildings and physical mobility), then such information would also be processed for the purposes of organising the logistics for the selection panel interviews.

#### **5. How long do we keep your data?**

Data in electronic format in the Outlook inbox at the AMC/DG and on the protected shared drive of the AMC concerned (your application forms, CV and any supporting document, as well as evaluation grids) and the selection report (if any), is stored for 2 years after the closure<sup>1</sup> of the selection process or, in case of appeals or judicial proceedings, 5 years after the final administrative or judicial

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<sup>1</sup> 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.

decision was rendered, in line with the 'Common Commission-Level Retention List for European Commission Files - second revision', SEC(2019)900, file Ares(2019)2627677 dated 15/04/2019.

The electronic and paper versions of the applications received by the panel members will be destroyed by them after the conclusion of all the interviews.

If you gave consent, part of the data may be used within the scope of the headhunting policy. Please see record DPR-EC-00968 concerning headhunting.

For your applications for vacancies recorded in Sysper, the retention period applicable for Sysper database applies. Please see DP record on Sysper DPR-EC-01230.1.

## **6. How do we protect and safeguard your data?**

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 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 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.

In the Sysper Vacancy module, your online 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), Resource Director, HR BC and the AMC of the DG concerned by the vacancy, HR.DDG.B.4 – the corporate HR (business owner of the Sysper vacancy module / online selection module for non-management staff).

In addition, selection panel members will be given access to your application in electronic and/or paper format.

In the Sysper Recruitment module, your recruitment file will be accessible to: the AMC in question (responsible for preparation and launch of the recruitment request) and unit HR.DDG.B.1 in charge of recruitment at corporate HR level (see separate (see DP record DPR-EC-02056 for interinstitutional transfers and DP record DPR-EC-02057.1 for recruitment).

## **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).

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 Controllers, DG HR.DDG.B.4 ([HR-MAIL-B4@ec.europa.eu](mailto:HR-MAIL-B4@ec.europa.eu)) and DG HR.DDG.B.1 ([HR-MAIL-B1@ec.europa.eu](mailto:HR-MAIL-B1@ec.europa.eu))

### **- The Data Protection Officer (DPO) of the Commission**

You may contact the Data Protection Officer ([DATA-PROTECTION-OFFICER@ec.europa.eu](mailto: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](mailto: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 has been notified to the DPO with the following reference **DPR-EC-01029**.