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ASSISTANT SUPERVISOR

Mr Luis GARRIDO
Head of Division - Staffing
European Investment Bank
100 Blvd Konrad Adenauer
L-2950 Luxembourg

Brussels, 24 November 2011
GB/DH/kd D(2011)2105 C 2009-0761

Re : Prior check, file 2009-0761: "E-recruitment for the Graduate Recruitment and Development Programme"

Dear Mr Garrido,

We have examined the documents submitted to the European Data Protection Supervisor (EDPS) by the EIB concerning the notification for prior checking of data processing in connection with the "E-recruitment for the Graduate Recruitment and Development Programme". The GRAD programme of the EIB offers young graduates the opportunity of working at the EIB for a period of two years so as to gain professional experience. The processing is subject to prior checking by the EDPS as it involves the evaluation of personal aspects of the candidates for GRAD posts – their ability to take up the post for example – as set out in Article 27(2)(b) of Regulation (EC) No°45/2001.

The notification was sent to the EDPS by the DPO of the EIB on 13 November 2009. The EDPS subsequently suspended the procedure on 18 November 2009 so as to obtain a cover letter for the processing operations. On 25 May 2011, the DPO of the EIB informed the EDPS that the procedure had been amended (E-recruitment). The cover letter and the information about the procedure were received on 5 October 2011. The opinion of the EDPS must therefore be given at the latest by 30 November 2011 (2 months + 681 days of suspension).

The nature of the data protection procedures in the selection and recruitment of persons in the GRAD programme are similar to the procedures which have been examined in the Guidelines¹ published by the EDPS, dealing with selection and recruitment procedures in the institutions and agencies of the European Union.

¹ The guidelines are available on the EDPS website in the section on supervision under the heading "guidelines". The EPDS also published a joint opinion on 7 May 2009 (case 2009-0287), also available on the EPDS site.

As a reminder, on 29 October 2009, the EDPS requested those Institutions and Agencies which had not yet sent a notification about their recruitment procedures to make a comparison of the their own procedures and the Guidelines and to inform the EDPS of any differences in terms of data protection in a cover letter.

In this present case, your letter says that the rules on data protection adopted by the EIB for the GRAD recruitment are the same as those used the in recruitment of staff, which have already been examined and approved by the EDPS in file 2009-254, together with its follow-up procedure.

The EDPS has examined the revised notification and has found no difference in terms of data protection between that and the Guidelines. It should be noted however that it has not been able to check the "online" information given to potential data subjects.

In view of the foregoing, we have decided to shelve this file until such time as the EIB explains how the relevant information on its website is accessed or takes copies of the website information and sends them to the EDPS. We ask you to send us this information within three months from the date of receipt of this letter.

Yours sincerely,

(signed)

Giovanni BUTTARELLI

Cc: Mr Jean-Philippe Minnaert, Data Protection Officer, European Investment Bank