

**REGISTER NUMBER: 330**

**NOTIFICATION FOR PRIOR CHECKING**

Date of submission: 04/03/2008

Case number: 2008-136

Institution: European Commission

Legal basis: article 27-5 of the regulation CE 45/2001<sup>(1)</sup>

<sup>(1)</sup> OJ L 8, 12.01.2001

**INFORMATION TO BE GIVEN<sup>(2)</sup>**

<sup>(2)</sup> Please attach all necessary backup documents

1/ Name and address of the controller

2) Name and First Name of the Controller: RICHARDS Megan

3) Title: Director

4) Directorate, Unit or Service to which the Controller is attached: B.

5) Directorate General to which the Controller is attached: JRC

2/ Organisational parts of the institution or body entrusted with the processing of personal data

26) External Company or Directorate General to which the Processor is attached:

25) External Company or Directorate, Unit or Service to which the Processor is attached:

JRC.A.05

JRC.D.01

JRC.F.01

JRC.J.01

JRC.C.06

JRC.G.01

JRC.I.01

JRC.H.01

JRC.B.01

JRC.C.02

JRC.C.07

JRC.C.03

PMO.Not Applicable.06

<p>3/ Name of the processing</p> <p>SELECTION PROCEDURE AND MANAGEMENT OF TRAINEES AT THE JRC</p>
<p>4/ Purpose or purposes of the processing</p> <p>Constitution and management of a traineeship files</p>
<p>5/ Description of the category or categories of data subjects</p> <p>14) Data Subject(s) concerned:</p> <p>Candidates for a traineeship and selected trainees</p> <p>16) Category(ies) of Data Subjects:</p> <p>Trainees</p>
<p>6/ Description of the data or categories of data (including, if applicable, special categories of data (article 10) and/or origin of data)(including, if applicable, special categories of data (article 10) and/or origin of data)</p> <p>17) Data field(s) of Data Subjects:</p> <p>Attention: Please indicate and describe in the answer to this question also data fields which fall under article 10</p> <p>1. Selection phase:</p> <p>For all types of traineeships:</p> <ul style="list-style-type: none"> <li>- Trainee's personal data: name, first name, , nationality/country, gender, birthday</li> <li>-List of requested documents to the candidate ( see standard letter in attachment)</li> <li>- updated CV - certificate of good conduct (A certificate of good conduct for each country in which they lived for more than 6 months over the last 10 years is needed) - sickness insurance - copy of passport or ID card - Legal Entity (LE) form and bank account information</li> <li>- Financial Identification form (resident in the country of assignment) - n° 2 passport photos</li> </ul> <p>- Depending on the type of the traineeship:</p> <p>If Type 1 Proof of the applicant's university registration</p> <p>if Type 2 Copy of University Degree, Master Degree or PHD</p> <p>if Type 3 Proof of the requirement for an industrial placement.</p> <p>-Trainees receiving a scholarship from a bona-fide institution must declare the amount to the JRC (see art. 6.1.2 of the "Rules governing the traineeship scheme of the JRC").</p> <p>2. Managment phase:</p> <ul style="list-style-type: none"> <li>-check availability of budget for a trainee</li> <li>- per id number</li> <li>- e-mail 1st contact to the trainee with annex of accommodation form</li> <li>- security clearance form ("Zuverlässigkeitsüberprüfung" at ITU)</li> <li>- medical aptitude</li> <li>-preparation of the traineeship contract</li> <li>-preparation of the renewal of the traineeship contract (when requested)</li> <li>- Entry Visa for non EU citizen (if applicable)</li> <li>- Reimbursement of travel and subsistence expenses form</li> <li>- preparation of certificate at the end of the traineeship.</li> </ul> <p>18) Category(ies) of data fields of Data Subjects:</p> <p>Attention: Please indicate and describe in the answer to this question also categories of data fields which fall under article 10</p> <p>Relevant academic and personal data of the trainee</p>
<p>7/ Information to be given to data subjects</p>

15a) Which kind of communication(s) have you foreseen to inform the Data Subjects as described in articles 11 - 12 under 'Information to be given to the Data Subject'

The data subjects will be informed by Privacy Statement (modified version in attachment) published on the internet web site as part of the call for trainees.

The non selected candidate are informed by e-mail about the result of the selection process.

In the Privacy Statement, note that different retention periods for personal files are defined for selected trainees and non selected candidates.

8/ Procedures to grant rights of data subjects (rights of access, to rectify, to block, to erase, to object)(rights of access, to rectify, to block, to erase, to object)

15b) Which procedure(s) did you put in place to enable Data Subjects to exert their rights: access, verify, correct, etc., their Personal Data as described in articles 13 - 19 under 'Rights of the Data Subject' :

On the possibility of integrating, modifying and/or deleting personal data, see Privacy Statement attached to point 15.

Any data subject may submit the relevant request to the controller using a functional mailbox (FMB). See also privacy statement.

9/ Automated / Manual processing operation

7) Description of Processing:

Attention: Please describe in the answer to this question if you process personal data falling under article 27 "Prior-Checking (by the EDPS - European Data Protection Supervisor)"

Selection procedure and management of trainees of the Joint Research Centre (JRC) by the Human Resource (HR) Unit (Ispra) or the Institute Management Support Unit (MSU) (other JRC sites) .

Detailed explanation of the procedure for the selection of trainees is provided in the attachment.

The main steps of the above-mentioned procedure are as follow:

1. Institute proposal (published in a call )
2. File preparation by Institute MSU
3. File verification by HR in Ispra or MSU of other sites
4. File constitution by HR in Ispra or MSU of other sites
5. File finalisation by HR in Ispra or MSU of other sites

Report of the selection panel and evaluation sheets are produced.

Management of the selected trainees using a working database (spreadsheet) containing the names effectively hosted at the JRC Institutes, the unit where they work, the monthly allowance. In this spreadsheet a verification of the monthly invoiced amounts is made. A certificate is delivered at the end of the trainee period.

Three different types of traineeship are proposed (see attachment at point 11):

- Type 1: Training related to the preparation of a thesis for a university degree
- Type 2: Training after university education
- Type 3: Industrial placement

Training duration will be not less than two months and not more than twelve depending on the type of in-service training concerned.

The processing falls under Art.27.

8) Automated Processing operation(s):

1. A spreadsheet containing the trainees' data. This file is for the exclusive use of the file managers and it must include the following information: name, first name, per id number, nationality, assignment, traineeship duration.
2. A monitoring spreadsheet detailing all the steps for the creation of the traineeship file. This file is available for the use of the file managers and the Institute MSUs.
3. A working spreadsheet is used for the management of the selected trainees during their presence period on site and contains only personal data related to the location/assignment

See point 17

9) Manual Processing operation(s):

Templates for the management of the paper version files are available as follows:

at MSU Level:

- Specific letters to selected and non-selected trainee.
- Report of the selection panel and evaluation sheets.
- Trainee request and extension forms.
- Application form.
- Invoices
- Legal entity form
- Financial Identification form

At HR level (Ispra) or MSU level (other sites)

- Internal circulation fiche.
- Request for security clearance.
- Request of medical aptitude for the medical service (Ispra/Luxembourg).
- Request of a per id number for Sysper2.
- Letter to the selected trainee.
- Contracts and their extensions.
- Request of fiscal codes for foreign trainee (Ispra).
- Visa requests (non-EU citizens) if applicable.
- Information letters to trainee.
- Schedule of arrivals.
- Declaration of entry into service.
- Declaration of discretion.
- Leaving forms for the ending of trainee contracts.
- Certificates for the ?End of traineeship?.
- Reimbursement of travel expenses form.

10/ Storage media of data

Paper and electronic media

11/ Legal basis and lawfulness of the processing operation

11) Legal basis of Processing:

- Treaty establishing the European Atomic Energy Community ( E.A.E.C. - Euratom ), title two - provisions for the encouragement of progress in the field of nuclear energy, chapter 1 promotion of research.
- Decision No 1982/2006/EC of the European Parliament and of the Council of 18 December 2006 concerning the Seventh Framework Programme of the European Community for research, technological development and demonstration activities.
- Rules governing the traineeship scheme of the Joint Research Centre (JRC) signed on 21/03/2007 (see attached document).
- Financial Regulation

12) Lawfulness of Processing:

Answering this question please also verify and indicate if your processing has to comply with articles 20 "Exemptions and restrictions" and 27 "Prior checking (by the EDPS)"

The processing is necessary and lawful as per Art. 5 a)

The processing falls under Art.27.

12/ The recipients or categories of recipient to whom the data might be disclosed

20) Recipient(s) of the Processing:

For every traineeship file:

- in ADONIS is registered an electronic master file collecting all documents (personal, academic and administrative) of the trainee. - In the framework of the creation of a traineeship file, specific documents have to be provided to both the JRC Medical Service and the JRC Security Service as follows:

To the Medical Service

For Ispra Site: ? Request for medical visit ? ?Workplace evaluation sheet (WES)?

For other Sites: ? Request for the certificate of Health Aptitude ? ?Workplace evaluation sheet (WES)?

For Karlsruhe site : In the framework of the selection procedure, specific documents have to be provided to both the Medical Services (Ispra, Brussels and Luxembourg) and the JRC Ispra Security Service (except for candidates to work with the JRC, Karlsruhe site) as follows:

To the Medical Service: ? Request for Medical visit ? Workplace exposure sheet (WES)

For candidates to work with the JRC, Karlsruhe Site:

? a certificate of good conduct for each country in which they lived for more than 6 months over the last 10 years

? " Sicherheitsüberprüfung" form

To the Security Service (and national security authorities):

? Request for security clearance

? Application form and updated CV

? Candidate's passport photo

? Recent certificate of good conduct

? Copy of ID Card or Passport

? Certificate for Derogation of Nationality when applicable

Requests for medical examinations are submitted as soon as the selected candidate confirms his/her interest in the proposed project.

Request for security clearances are submitted as soon as the selected candidate provides his/her certificate of good conduct.

Based on the above mentioned documents the Medical Service and the Security service issue the medical aptitude and the security clearance respectively.

The Welcome Desk receives documents for Residence Permit purposes.

\* Transfer of data to recipients following Art. 7 and 8.

21) Category(ies) of recipients:

? ADONIS

? Medical Service

? Security Service (including national security authorities for nuclear centres)

? JRC Ispra Welcome Desk (or equivalent service on the other sites)

? German Competent Authority for security checks (for Karlsruhe only)

13/ retention policy of (categories of) personal data

In accordance with Commission SEC(2007)970 of 4 July 2007, personal files for selected trainees are classified and stored for a period of 5 years.

For non-selected candidates, electronically stored and paper files are kept for 1 year after the closure of the selection procedure. A reduced file of the trainee in service ("le formulaire de candidature, l'offre de stage, la lettre d'acceptation et l'attestation de stage") will be kept for 5 years after the training period.

13 a/ time limits for blocking and erasure of the different categories of data (on justified legitimate request from the data subject)  
(Please, specify the time limits for every category, if applicable)  
(on justified legitimate request from the data subject)  
(Please, specify the time limits for every category, if applicable)

22 b) Time limit to block/erase data on justified legitimate request from the data subjects

Duly motivated requests submitted by the relevant candidate with regard to the integration, modification and/or deletion of personal data, shall be evaluated on a case by case basis. Where accepted, the relevant integrations, modifications and/or deletions will be done within 14 days from the corresponding request.

14/ Historical, statistical or scientific purposes

*If you store data for longer periods than mentioned above, please specify, if applicable, why the data must be kept under a form which permits identification,*

22 c) Historical, statistical or scientific purposes - If you store data for longer periods than mentioned above, please specify, if applicable, why the data must be kept under a form which permits identification

not applicable

15/ Proposed transfers of data to third countries or international organisations

27) Legal foundation of transfer:

Only transfers to third party countries not subject to Directive 95/46/EC (Article 9) should be considered for this question. Please treat transfers to other community institutions and bodies and to member states under question 20.

n/a

28) Category(ies) of Personal Data or Personal Data to be transferred:

n/a

16/ The processing operation presents specific risk which justifies prior checking (please describe):(please describe):

7) Description of Processing:

Attention: Please describe in the answer to this question if you process personal data falling under article 27 "Prior-Checking (by the EDPS - European Data Protection Supervisor)"

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Training duration will be not less than two months and not more than twelve depending on the type of in-service training concerned.

The processing falls under Art.27.

12) Lawfulness of Processing:

Answering this question please also verify and indicate if your processing has to comply with articles 20 "Exemptions and restrictions" and 27 "Prior checking (by the EDPS)"

The processing is necessary and lawful as per Art. 5 a)

The processing falls under Art.27.

Article 27.2.(a) Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,

Article 27.2.(a) Processing of data relating to health

Article 27.2.(b) Processing operations intended to evaluate personal aspects relating to the data subject,

Article 27.2.(b) Processing operations intended to evaluate personal aspects relating to the data subject,

Article 27.2.(c) Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes,

n/a

Article 27.2.(d) Processing operations for the purpose of excluding individuals from a right, benefit or contract,

n/a

Other (general concept in Article 27.1)

n/a

17/ Comments

1) Date of submission:

10) Comments if applicable:

The letter to the selected candidate contains a request for documentation listed at point 17.  
Furthermore, to be noted: all external correspondence is also registered in Adonis.

36) Do you publish / distribute / give access to one or more printed and/or electronic directories?

Personal Data contained in printed and/or electronic directories of users and access to such directories shall be limited to what is strictly necessary for the specific purposes of the directory.

If Yes, please explain what is applicable.

no

37) Complementary information to the different questions if applicable, including attachments to this notification which should not be public :

see attached files.

PLACE AND DATE:04/03/2008

DATA PROTECTION OFFICER: RENAUDIÈRE Philippe

INSTITUTION OR BODY:European Commission