

REGISTER NUMBER: 334

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 04/03/2008

Case number: 2008-141

Institution: European Commission

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

(1) OJ L 8, 12.01.2001

INFORMATION TO BE GIVEN⁽²⁾

(2) Please attach all necessary backup documents

1/ Name and adress of the controller

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

3) Title: Official

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.F.01

JRC.C.06

JRC.D.01

JRC.H.01

JRC.G.01

JRC.I.01

JRC.J.01

JRC.B.01

JRC.C.02

JRC.C.07

PMO.Not Applicable.06

JRC.C.03

<p>3/ Name of the processing</p> <p>SELECTION PROCEDURE FOR CANDIDATES AS SECONDED NATIONAL EXPERTS (SNE) AT THE JRC</p>
<p>4/ Purpose or purposes of the processing</p> <p>Constitution and management of the SNEs' files.</p>
<p>5/ Description of the category or categories of data subjects</p> <p>14) Data Subject(s) concerned:</p> <p>Candidates as a SNE.</p> <p>16) Category(ies) of Data Subjects:</p> <p>Candidates as a SNE.</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> <ul style="list-style-type: none"> - name, gender, nationality Data on SNEs are listed in documents requested to the expert (see enclosure 3) - Application form signed and dated (within the ambit of PECO calls, e-mail applications) - updated curriculum vitae with the list of publications - certified true copy of university diplomas - certificate of good conduct from the police register - copy of the passport/ ID card (if applicable also for family members) - medical certificate of good health - 7 passport photos (if applicable also for family members) (only for Non-EU MS citizens) in order to ask the Permit of Stay. - Family/civil status certificate - marriage certificate and children's birth certificates (if applicable) - copy of passport or identity card - proof of cover of expenses both for medical treatment and hospitalisation in the country where the expert will be seconded, valid for the whole period of secondment (ex: E111/E106 form, EHIC, private insurance, etc.) - Declarations from the employer according to Article 1 (2) of the C(2006) 2033 Commission Decision that lays down rules on the secondment of national experts to the Commission, according to Article 6 (4), according to Articles 17(2), 21 and 22, - A statement on the expert's honour according to Articles 6 and 7. - Legal entity + bank information - Entry VISA for non EU citizens (if applicable) - C. F. request (only for Ispra) <p>For Karlsruhe:</p> <ul style="list-style-type: none"> - a certificate of good conduct for each country in which they lived for more than 6 months over the last 10 years is needed - "Sicherheitsüberprüfung" form, which should be filled in and signed in original for an obligatory security check carried out by the competent German authorities and required for all staff working in nuclear installations <p>Legal entity form (except for staff already working in the country of assignment)</p> <ul style="list-style-type: none"> - Financial Identification form (except for staff already working/resident in the country of assignment) <p>The processing falls under Art. 10</p>

18) Category(ies) of data fields of Data Subjects:

Attention: Please indicate and describe in the answer to this question also categories of data fields which fall under article 10

Personal and relevant professional data of the data subject.

The processing falls under Art. 10

7/ Information to be given to data subjects

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 (in attachment) at the first time the candidates are contacted by mail or letter.

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 for candidates as Seconded National Experts (SNE) at the Joint Research Centre (JRC).

Detailed explanation of the procedure for the secondment of national experts is provided in the attachment. The main steps of the above-mentioned procedure are as follow:

1. Institute proposal
2. File preparation by relevant Management Support Units (MSUs) of the Institutes
3. File verification by Human Resources (HR) Unit (Ispra)
4. File constitution by HR Unit (Ispra)
5. File finalisation by HR Unit (Ispra)

The selection is performed via cv or interviews. Minutes of the selection are published where applicable or a note of justification from the Institute is written.

Periods of secondment may not be less than 6 months nor more than 24 months. They may be renewed once or more, up to a total period not exceeding 48 months.

8) Automated Processing operation(s):

Use of functional mailbox of DG ADMIN sector SNE.

A spreadsheet containing the SNE's data for the exclusive use of the file managers: date of receipt; date of the signature of the request, date for secondment, period, duration, Institute, Name, first name, gender, birthday, nationality/country, chosen project/comments, 1st step letter, 2nd letter, letter from the PR (Diplomatic Mission for extra-EU candidates), date introduction in the SIRE system (EC System).

9) Manual Processing operation(s):

The manual operations for SNEs follow the following procedure:

- 1) Vacancy notices prepared by operational units and MSUs, verified by HR unit.
- 2) Selection of candidate according to the vacancy notice (selection via cv or interviews) organised via the MSU and at the operational unit's level. Minutes of the selection where applicable or note of justification from the Institute.
- 3) Proposal form for the secondment of an expert received via MSU but prepared and signed by the operational unit, MSU as well as the Director.
- 4) In certain cases, request for derogation on nationality or derogation if the expert comes from the private sector. Those requests are prepared and sent to the JRC Director General by the MSU with copy to HR.
- 5) Verification of budget allocation by HR.
- 6) First letter sent to candidate and candidate's employer requesting documents and declarations.
- 7) Checks upon receipt of documents from the expert, the expert's employer, the Security Service and the Medical Service.
- 8) Upon receipt of all documents: HR prepares a letter which states the request for the secondment of the expert for a specific period. That letter is signed by the JRC Director General and sent to the Permanent Representation (Diplomatic Mission for extra-EU candidates).
- 9) Receipt of the approval of the Permanent Representation (Diplomatic Mission for extra-EU candidates) which is the only agreement that confirms the secondment of the expert.
- 10) E-mail to invite the expert on the first day of his/her secondment upon the date specified in the PR's letter.
- 11) Declaration of the expert upon his entry into service: the SNE signs the rules of COM2006 (2033) 01/06/2006 for approval.
- 12) Request for CODICE FISCALE (Ispra Site)
- 13) Reimbursement of travel and subsistence 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:

C(2006)2033 Commission Decision of the 1st of June 2006 that lays down rules on the secondment of national experts (SNE) to the Commission.

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 expert's file:

- the Permanent Representations (Diplomatic Mission for extra-EU candidates) exchange letters scanned and saved in Adonis (document management system).
- the Medical Service receives the original medical certificate and 'scheda di posto' in order to issue the medical aptitude declaration.
- the Security Service receives the original police record (certificate of good conduct), and copies of the passport, the CV, the application form and the proposal form in order to issue the security clearance.
- the Welcome Desk (or equivalent in the JRC Institutes) receives a copy of the passport and a work certificate issued by HR for Residence Permit purposes.
- PMO6: staff data is stored by HR in the SIRE system (EC System) and visible to PMO6, where dates about beginning and end of secondment are also registered and updated on a regular basis.

Transfer of data to recipients following Art. 7 and 8

For Karlsruhe Site:

In the framework of the recruitment 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)

To the JRC Ispra Security Service:

- Request for security clearance
- Candidate's CV
- Candidate's passport photo
- Candidate's certificate of good conduct
- Relevant vacancy notice

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

Based on the above-mentioned documents, the Medical Service and the JRC Ispra Security Service/German Competent Authority issue the medical aptitude and the security clearance respectively.

21) Category(ies) of recipients:

- HR unit
- Institutes/Directorates MSUs
- ADONIS (document management system).
- Permanent Representations (Diplomatic Mission for extra-EU candidates)
- Medical Service,
- Security Service,
- Welcome Desk (or equivalent in the JRC Institutes),
- PMO/6

For Karlsruhe Site:

ADONIS (document management system)

- DG ADMIN
- PMO.6
- Medical Services (Ispra, Brussels, Luxembourg)
- JRC Ispra Security Service
- German Competent Authority for security checks (for Karlsruhe only)
- JRC Ispra Welcome Desk (or equivalent service on the other sites)

13/ retention policy of (categories of) personal data

In accordance with Commission SEC(2007)970 of 4 July 2007, recruitment files of SNE on paper are classified and stored for a period of 10 years.
Electronically stored recruitment files of SNE are kept for 10 years after the nomination of the candidate and the closure of the recruitment procedure for the non-selected candidates.
Personal data of the recruited SNE in the SIRE system (EC System for non permanent staff) are stored according to the retention policy of SIRE.

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

Personal data of selected candidates may be consulted at anytime. Duly motivated requests submitted by the relevant candidate to Human Resources unit 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.

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

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)"

Selection procedure for candidates as Seconded National Experts (SNE) at the Joint Research Centre (JRC).

Detailed explanation of the procedure for the secondment of national experts is provided in the attachment.

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

1. Institute proposal
2. File preparation by relevant Management Support Units (MSUs) of the Insititutes
3. File verification by Human Resources (HR) Unit (Ispra)
4. File constitution by HR Unit (Ispra)
5. File finalisation by HR Unit (Ispra)

The selection is perfomed via cv or interviews. Minutes of the selection are published where applicable or a note of justification from the Institute is written.

Periods of secondment may not be less than 6 months nor more than 24 months. They may be renewed once or more, up to a total period not exceeding 48 months.

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 and to security measures,

☐ 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 in 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 12 attached files related to the recruitment procedure

PLACE AND DATE:04/03/2008

DATA PROTECTION OFFICER: RENAUDIERE Philippe

INSTITUTION OR BODY:European Commission