

**REGISTER NUMBER: 336**

**NOTIFICATION FOR PRIOR CHECKING**

Date of submission: 05/03/2008

Case number: 2008-143

Institution: European Commission

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

(1) OJ L 8, 12.01.2001

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

(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.B.01

JRC.C.06 JRC.D.01

JRC.E.07 JRC.F.01

JRC.E.01 JRC.G.01

JRC.H.01 JRC.I.01

JRC.J.01 JRC.C.02

JRC.C.07

JRC.F. Not Applicable

JRC.D. Not Applicable

ADMIN.C.03

PMO. Not Applicable.06

JRC.C.03

<p>3/ Name of the processing</p> <p>MANAGEMENT OF RECRUITMENT FILES FOR TEMPORARY AGENTS AT THE JRC</p>
<p>4/ Purpose or purposes of the processing</p> <p>Constitution and management of recruitment files for temporary agents</p>
<p>5/ Description of the category or categories of data subjects</p> <p>14) Data Subject(s) concerned:</p> <p>- Candidates to be recruited as temporary agents</p> <p>16) Category(ies) of Data Subjects:</p> <p>- Temporary agents</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>Candidates' personal data:</p> <p>- name, surname, birthday, nationality, civil status, private address.</p> <p>List of requested documents to candidates (see standard letter in attachment):</p> <ul style="list-style-type: none"> <li>- certificate of good conduct (N.B. 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 is needed)</li> <li>- "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 (for candidates to work with the JRC, Karlsruhe site only)</li> <li>- No. 1 passport photo</li> <li>- updated curriculum vitae (CV)</li> <li>- birth certificate</li> <li>- document proving the candidate's nationality</li> <li>- civil status certificate</li> <li>- residence certificate</li> <li>- copy of passport or identity card</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>Candidates' personal data:</p> <p>List of requested documents to candidates.</p> <p>The processing falls under Art. 10</p>

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 person to whom the Conditions of employment of other servants of the European Communities apply may submit to the relevant authority a request that it take a decision relating to him in accordance with Title II, Chapter 8, Article 46 of the above-mentioned Conditions of employment.

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)"

Recruitment procedure for temporary agents at the Joint Research Centre (JRC).

Where it proves impossible to fill a vacant post following the procedure described in notification DPO-646, the recruitment of a temporary agent may be envisaged. A detailed breakdown of the process is provided in attachment.

The main steps of the above-mentioned process are as follows:

1. File verification [by Resource Management, Human Resources Unit (Ispra)]
2. File verification [by Personnel and Administration, Staff and Careers, Officials and External Staff - Administrative Procedures Unit (DG ADMIN A4)]
3. File finalisation [by Resource Management, Human Resources Unit (Ispra) / or the Management Support Units (MSU) of other sites]

With specific reference to the candidates' selection phase, the JRC Institutes/Directorates follow the procedure described from point V to point X of the Excel sheet in attachment.

Namely, in the framework of the interview, candidates are requested to answer to a number of specific questions depending on the job requirements. The questions serve the scope of filling in the appropriate candidates' evaluation sheet and establishing the relevant short-list, which is eventually reported in the report of the selection panel.

The processing falls under Art.27.

8) Automated Processing operation(s):

A spreadsheet detailing all recruitment steps is available for the exclusive use of the file managers.

9) Manual Processing operation(s):

1. Where an ad-hoc call for interest is published (see point V of the Excel sheet attached to point 7), the relevant template is available accordingly for both AD and AST positions (see point 37).

2. Templates for the management of the paper version of the file are available as follows (see point 37):

At HR level or MSU of other sites:

- Internal circulation fiche
- Letters to selected candidates
- Request for medical visit
- Request for security clearance
- Request for "codice fiscale" (except other sites, staff already working with the JRC, Ispra site and candidates already resident in Italy)
- Acknowledgment of receipt of Staff Regulations and Commission Decision C(2004) 1313 on general implementing provisions concerning the criteria applicable to classification in grade and step on appointment of engagement
- Contract of employment of selected candidate and corresponding accompanying letter
- Programme of first day of work (Ispra site only)
- Form to request a flat (Ispra site only)
- Negative letters to non-selected candidates

10/ Storage media of data

Paper and electronic media

11/ Legal basis and lawfulness of the processing operation

11) Legal basis of Processing:

- Staff Regulations of Officials of the European Communities and Conditions of employment of other servants of the European Communities
- Commission Decision C(2004) 1313 on general implementing provisions concerning the criteria applicable to classification in grade and step on appointment of engagement
- Commission Decision C(2004) 1597 (no. 74-2004) on a new policy for the engagement and use of temporary agents
- Commission Decision C(2004) 1597 (no. 75-2004) on the maximum duration for the recourse to non-permanent staff in commission services

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 recruitment file:

1. A master file collecting all documents pertaining to the recruitment process is available and registered via NOMCOM and ADONIS (document management system).

2. A file for transmission to the personal dossier is available and registered in Sysper2 via NDP. The same file is previously processed by PMO.6 in order to establish the candidate's individual rights.

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

Requests for medical examinations are submitted as soon as the selected candidate confirms his/her interest in the proposed job. Requests 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 JRC Ispra Security Service/German Competent Authority issue the medical aptitude and the security clearance respectively.

The JRC Ispra Welcome Desk (or equivalent service on the other sites) receives the personal data of candidate recruited as temporary agents on the occasion of their entrance into service.

Transfer of data to recipients following Art. 7

21) Category(ies) of recipients:

- ADONIS (document management system)
- DG ADMIN
- PMO.6
- Medical Services (Ispra, Brussels and 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

Recruitment files, both paper and electronic versions, are stored for 10 years to allow for consultation in accordance with Commission SEC(2007)970 of 4 July 2007.

Personal data of recruited candidates in Sysper2 are stored according to the retention policy of Sysper2.

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 (addressed to the following Functional Mail Box:  
jrc-recruitment-data-protection@ec.europa.eu) 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 acceptable, 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.

Not applicable

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

Not applicable

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

7) Description of Processing:

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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 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 candidates contains a request for documents listed at point no. 17. Furthermore, it is to be noted that all external correspondence is also registered into 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:05/03/2008

DATA PROTECTION OFFICER: RENAUDIERE Philippe

INSTITUTION OR BODY:European Commission