

**REGISTER NUMBER: 482**

**NOTIFICATION FOR PRIOR CHECKING**

Date of submission: 15/02/2009

Case number: 2009-0135

Institution: EUROFUND

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

(1) OJ L 8, 12.01.2001

**INFORMATION TO BE GIVEN**

- Sample competition notice with application form
- Eurofound Recruitment procedure
- Sample spreadsheet containing summary data of the Selection Committee

**Recruitment and Selection of Officials, Temporary Agents and Contract Agents up to submission of Reserve List to the Appointing Authority**

It is the policy of the European Foundation to fill posts in the staff table by the recruitment of Temporary Agents who are employed on contracts of indefinite duration. Contract Agents are used to meet other staffing needs and are engaged on fixed term contracts.

- Establish a competition, indicating to the Staff Committee the job description, and nature and level of post; (Official, Temporary Agent (TA) and Contract Agent (CA))
- Appoint a Selection Committee; (Official/TA/CA)
- Advertise the post through Internal Competition; (Official/TA)
- Launch an Interinstitutional Competition, for publication on IntraComm and in the Agencies; ; (Official/TA)
- Vacancies may, where appropriate, be published on the Interagency Jobs Market when the relevant agreement is in place; (TA)
- Launch an Open Competition, to be published in the Official Journal and on the Eurofound and EPSO websites. Where it is considered useful, the notice may also be published in the media (TA); In the case of Contract Agents, the vacancies are published on both the Eurofound and EPSO websites;
- Candidates for Official, TA and CA positions apply through the Eurofound online application system., using the following process:
  - They register on the system providing their name, address, nationality, gender and other contact details;
  - They select a password for secure access to the system – this allows them to browse the system at any time and to submit applications for vacancies in which they are interested;
  - They apply for a position attaching the following:
    - A completed on-line questionnaire, based on the competencies and

- other requirements for the competition;
      - A completed application form;
      - A curriculum vitae;
      - A letter of motivation
    - The system generates an automatic message to the candidate acknowledging receipt of the application and assigning them an automatic candidate number.
  - At midnight of the closing date for the competition the vacancy closes and no further applications are accepted
  - Candidates are shortlisted by the Selection Committee and are invited for testing and interview (Official/TA/CA).
  - Candidates are required to take written tests in both language and EU knowledge. Where appropriate, other tests may be administered. Candidates may be invited to more than one interview. Prior to appointment they are interviewed by either the Appointing Authority or his representative.

Following discussion with the Head of Unit, a Notice of Internal Transfer is signed by the Director and advertised internally (Official/TA). Staff currently at or junior to the grade of the vacancy are eligible. If there is no internal interest in the vacancy a decision to establish a competition is taken.

Where there is not appointment from the Internal Transfer stage, the Appointing Authority establishes a competition (Official/TA).

Each Selection Committee consists of a Chair (usually the Head of HR), a management representative, a staff representative and, if appropriate, an Advisor.

The Appointing Authority sends an Instruction Note to the Selection Committee, outlining the specifications and requirements.

An Internal Competition is launched. The Selection Committee agrees a Competition Notice, based on the Instruction Note. All officials and temporary agents are eligible to apply for TA vacancies. Only serving officials may apply for official vacancies.

If there is no result from the Internal Competition, or if the number of applicants is insufficient to form a reserve list, a Restricted (Interinstitutional) Competition is launched. The Selection Committee drafts the Competition Notice (Officials and TA) .

The Selection Committee drafts an Open Competition Notice. Eurofound does not organise open competitions for Officials, since this falls within the mandate of EPSO. For Temporary Agent competitions, it is translated into all EU working languages and advertised in the Official Journal, on EUROFOUND website and on EPSO website.

Interinstitutional and Open Competitions are accessed by candidates using the Eurofound on-line application system (see above).

Details of applicants are registered on a spreadsheet is generated by the on-line applications system. Applications are accessed on-line by each member of the Selection Committee (they may also be printed down) who read and score each application and log individual marks on electronic spreadsheets, which are linked to central spreadsheet. One or two meetings are held to discuss and agree shortlist of candidates to be invited for interview. Access to the online applications system by Selection Committee members is by personal password and spreadsheets are also password protected.

First Interviews are organised and invitations issue to candidates, by hard copy and email. (Official/TA/CA)

Following the interviews, the written tests are corrected and checked. The Selection Committee discusses and agrees on final scoring for all interviewees. A final password-protected scoresheet is signed by the Committee and a decision taken as to which

candidate will be invited back for second interview Official and TA).

Second / Final interviews are organised – for Officials and Temporary Agents at AD and AST3+ only.

Unsuccessful candidates are informed of the outcome at the appropriate stage of the competition i.e. after shortlisting, after first interview or after second/final interview.

The recommendation of the Selection Committee is sent to the Appointing Authority who sends his decision regarding establishment of reserve list to the Head of HR.

An offer of employment is made to the successful candidate, requesting original documentation to support application. A recruitment medical examination is organised – in Brussels for Temporary Agents.

Candidates who have been placed on the reserve list are informed of that fact and also that the reserve list will:

- For Temporary Agents be in place for a period of 2 years from the closing date for the competition and may be extended for a further year;
- For Contract Agents be in place for a period of 1 year from the date of the decision.

**1/ Name of the controller**

Raymond Comerford, Head of Human Resources, EUROFOUND

**2/ Organisational area of EUROFOUND**

Human Resources Unit

**3/ Name of the processing**

Recruitment and Selection of Temporary Agents up to submission of Reserve List to the Appointing Authority

**4/ Purpose or purposes of the processing**

To fill posts authorised in EUROFOUND's Budget (Officials/TA) and to meet other staffing needs not catered for by the authorised staffing list (Contract Agents).

**5/ Description of the category or categories of data subjects**

Internal candidates (Eurofound Staff) and External candidates, Selection Committee, HR Consultants (in some cases)

**6/ Description of the data or categories of data (including, if applicable, special categories of data (article 10<sup>1</sup>) and/or origin of data)**

The following data is collected in the application form (see sample attached):

- Name
- Date of Birth
- Address
- Telephone number
- Knowledge of Languages
- Sex
- Nationality
- Email address
- Educational awards and dates of achievement, and copies of same
- Proficiency in ICT programmes
- Career history and certification of career experience
- Salary details
- Names of referees

<sup>1</sup> Personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, and of data concerning health or sex life

- Long periods spent working or studying abroad
- Interests and skills not connected with work, including social or sports activities **(article 10)**
- Details of any previous offences committed **(article 10)**

The following data is collected by the Selection Committee:

- Results of preliminary screening by Selection Committee
- Results of in-depth screening by Selection Committee
- Results of assessment by Selection Committee at one or more interviews
- Results of tests
- Letters to candidates informing them of outcome of process
- Bank and legal entity details
- ID Card/Passport details
- Documentation for reimbursement of expenses

#### 7/ Information to be given to data subjects

The Following data protection disclaimer is included on the application form for the competition.

“Any personal data provided by the candidate shall be processed pursuant to European Regulation related to personal data protection, in particular Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movements of such data. It shall be processed solely for the purposes of the performance, management and follow-up of information requested by the candidate. The candidate shall have the right of access to his/her personal data and the right to rectify any such data that is inaccurate or incomplete.

Should the candidate have any queries concerning the processing of his/her personal data, he shall address them to the Data Protection Officer, European Foundation for the Improvement of Living and Working Conditions, Wyattville Road, Dublin 18, Ireland”.

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

- The Data Protection Disclaimer states the following:  
“The candidate shall have the right of access to his/her personal data and the right to rectify any such data that is inaccurate or incomplete. Should the candidate have any queries concerning the processing of his/her personal data, he shall address them to the Data Protection Officer, European Foundation for the Improvement of Living and Working Conditions, Wyattville Road, Dublin 18, Ireland”.
- Candidates are permitted to rectify any data that is inaccurate or incomplete in their applications during the recruitment procedure as outlined in the data protection disclaimer.

#### 9/ Automated / Manual processing operation

Application forms are held in both electronic and paper formats. Copies are made for all members of the Selection Committee who read and score each application and log individual marks on an electronic spreadsheet on the shared drive, which is linked to a central spreadsheet on the HR drive. These sheets are password protected.

Data on the spreadsheet includes a reference no. for the Candidate, Name, Contact Details, Country, selection and award criteria (see attachment 3- Eurofound Summary Information Sheet). The central spreadsheet is password protected and may be accessed by the Secretary of the Selection Committee and the Chairperson of the Committee (usually a member of HR) only.

#### 10/ Storage media of data

Data is stored on paper files (original application forms, copies of all application forms held by members of selection committees, administration file held by Chairperson and secretary of the Selection Committee).

Copies of all correspondence with candidates and table evaluating selection and award criteria of candidates is held in folders on the network drives (see point 9).
<b>11/ Legal basis and lawfulness of the processing operation</b>
<ul style="list-style-type: none"> <li>Articles 27 – 32 of Staff Regulation, Annex III Staff Regulation,</li> <li>Article 1, CEOS, Letter of Instruction from Director to Selection Committee,</li> <li>Regulation (EC) No 45/2001</li> </ul>
<b>12/ The recipients or categories of recipient to whom the data might be disclosed</b>
<p>The data may be disclosed to the following:</p> <ul style="list-style-type: none"> <li>Head of HR (usually Chairperson of the Selection Committee)</li> <li>Secretary to Selection Committee and other authorised HR staff (i.e. staff replacing the Secretary)</li> <li>Members of the Selection Committee</li> <li>In exceptional cases, to external HR consultants who are assisting with the process (e.g. in the recruitment of the Director/Deputy Director)</li> <li>Appointing Authority (Director)</li> <li>Court of Auditors</li> <li>Internal Audit Service (IAS)</li> <li>Document Management Officer (when files are transferred to archive for interim storage)</li> <li>European Ombudsman</li> <li>The Civil Service Tribunal</li> <li>European Data Protection Supervisor</li> </ul>
<b>13/ a Retention policy of (categories of) personal data</b>
<ul style="list-style-type: none"> <li>Original Applications are held for 2 years (from closure of the procedure i.e. recruitment) for applications from candidates who are not placed on the reserve list. Copies are returned by the selection committee and destroyed after a procedure.</li> <li>Applications and correspondence with Candidates who have been selected for interview or placed on a reserve list but have not been appointed are held for 5 years from closure of procedure i.e. recruitment, (Note the reserve list is open for up to 2 years from closing date of competition and may be extended see Article III, Section B of sample competition notice). In most cases the reserve lists are extended for another 12 months. Refer to CA</li> <li>The Administration file from the Recruitment procedure is retained for 5 years from closure of the procedure (this file is a complete record of the recruitment procedure including shortlist, longlist, marks received by candidates in any tests or interviews, correspondence with candidates and results of recruitment procedure).</li> <li>During this retention period, data in the file (usually in the spreadsheets) may be used to provide statistical reports to the Governing Board or in response to specific requests for information. These reports are for statistical purposes only and data are anonymised (the reports usually concern the overall picture of nationality, gender, educational qualifications of applicants etc).</li> </ul>
<b>13/ b Time limits for blocking and erasure of the different categories of data (on justified legitimate request from the data subject) <i>(Please, specify the time limits for every category, if applicable)</i></b>
Following justified legitimate request from the data subject 15 working days is required for erasing or blocking data in the file after closure of a procedure
<b>14/ Historical, statistical or scientific purposes</b> <i>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,</i>
Not applicable
<b>15/ Proposed transfers of data to third countries or international organisations</b>
None
<b>16/ The processing operation presents specific risk which justifies prior checking <i>(please</i></b>

<i>describe):</i>
<b>AS FORESEEN IN:</b>
<i>Article 27.2.(a)</i> <i>Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,</i>
There is one question on the application form asking candidates if they have ever been convicted of any offence
<i>Article 27.2.(b)</i> <i>Processing operations intended to evaluate personal aspects relating to the data subject</i>
The processing is designed to evaluate the suitability of candidates to carry out a particular role. This relates to professional and technical competence, interpersonal and communications skills, etc.
<i>Article 27.2.(c)</i> <i>Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes,</i>
Not applicable
<i>Article 27.2.(d)</i> <i>Processing operations for the purpose of excluding individuals from a right, benefit or contract,</i>
The processing is designed to evaluate the suitability of candidates to carry out a particular role. This relates to professional and technical competence, interpersonal and communications skills, etc. It will exclude most candidates and select a minority as being suitable for appointment.
Other (general concept in Article 27.1)
17/ Comments
<p>PLACE AND DATE: <b>DUBLIN APRIL 2008</b></p> <p>DATA PROTECTION OFFICER: <b>Markus GRIMMEISEN</b></p> <p>INSTITUTION OR BODY: <b>EUROFOUND</b></p>