

REGISTER NUMBER: 517

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 29/06/2009

Case number: 2009-0467

Institution: European Environment Agency

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

Catia Marigo, Head of HRM Group. Administrative Services Programme

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

HRM Group (ADS 1)

3/ Name of the processing

Recruitment of temporary agents and contract agents

4/ Purpose or purposes of the processing

The purpose of processing of data is to manage candidates' applications in view of a possible recruitment at the EEA, therefore to acquire sufficient number of appropriately qualified personnel, on the broadest possible basis from among nationals of Member countries of the EEA, in an efficient and transparent manner.

5/ Description of the category or categories of data subjects

Candidates who apply to EEA vacancy notices.

6/ Description of the data or categories of data (including, if applicable, special categories of data (article 10) and/or origin of data)

Information and data that the data subject writes in the Europass CV format, in the motivation letter and in the eligibility/selection criteria grid.

Sensitive data such as age and gender which could be included in the CV or in the motivation letter or in the eligibility/selection criteria grid will not be used for the purpose of the recruitment process.

Candidates invited to interview are also requested to provide the Legal Entity Form and the Financial Identity Form in order to encode their data in the EEA financial management system (SI2) for payment of expenses. Certified copies or originals proving evidence of nationality and qualifications are requested before final recruitment.

7/ Information to be given to data subjects

The surname, first name and function of the Controller, the purpose of the processing, the recipient of the data, whether replies to the questions are obligatory or voluntary, as well as the possible consequences of failure to reply. According to Article 14 of the EEA Code of Good Administrative Behaviour stating that a reply to a letter addressed to the EEA shall be sent within 15 working days from the date of receipt of the letter; the existence of the right of access to, and the right to rectify, the data concerning him or her; the legal basis of the processing operation for which the data are intended; the time-limits for storing the data; the right to have recourse at any time to the EDPS. In the vacancies there is a paragraph on data protection and handling of personal data.

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

Candidates can contact the HRM Group by email and submit their request to access, rectify, block, erase, object to the processing of their data according to Articles 13, 14, 15, 16, 17 and 18 of the Regulation 45/2001. The HRM Group will post on the "job opportunities" page of the EEA website a "data protection note", previously checked by the DPO, that will also include complete information on rights of data subjects.

9/ Automated / Manual processing operation

Applications must be submitted online through the EEA website and must include a motivation letter, a CV in the Europass CV format and the eligibility/selection criteria grid. Complete information and instructions on how to submit applications are stated in the vacancy notices published on the EEA website. Applications and all related documents are stored in a Lotus Notes database and are firstly checked against the eligibility criteria by the HRM group. Applications are then printed and circulated to the Selection Committees (SC) Members for the screening phase (against eligibility and selection criteria - essential and advantageous). The SC members examine the applications provided in order to shortlist the best candidates to be interviewed; the screening is carried out on selection criteria that can be verified on the basis of the applications only. The SC members reach a final decision, by consensus. After the interviews the SC members draw up a short list of eligible candidates, some or all of which can be interviewed by the ED in order to offer the position and define the candidates for the reserve list.

10/ Storage media of data

Electronic applications are stored in a Lotus Notes database. Electronic documents related to different recruitment procedures are kept in the HRM Group network partition, with access restricted to the HRM Group. Paper documents are kept inside closed cupboards in the HRM Group's main offices.

11/ Legal basis and lawfulness of the processing operation

Staff Regulations - Conditions of Employment of Other Servants of the Communities.
Executive Director Decision EEA/07/GEN/2 on the implementing rule regarding recruitment and employment of temporary agents and Executive Director Decision EEA/05/GEN/3 on the implementing rule regarding recruitment and engagement of contract staff.
Financial Regulations (EC and EEA Fin. Reg. Title II, Art. 3)

Moreover, processing operation for which the data subject has unambiguously given his/her consent is clearly covered by the mandate of EEA and is necessary for compliance with legal obligations of the Agency.

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

Human resource management group (ADS1)
Selection Committee (SC) members
Executive Director
Members of the Senior Management Team may have access to applications of candidates included in reserve lists for recruitment purposes.

13/ retention policy of (categories of) personal data

The HRM Group applies time limits suggested by the EDPS for the 3 different categories of data subject:

- for recruited applicants: data retention period of 10 years as of the termination of employment
- for unsuccessful candidates: data retention period of 2 years following the recruitment procedure
- for non-recruited applicants on a reserve list: data retention period determined by the validity of the reserve list

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)

The HRM Group will respond to justified, legitimate requests from a data subject within two weeks from the receipt of the 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,

Only aggregated data (in an anonymous form) is used for statistical purpose.

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

No transfer of data will be done to third (non-EU) countries or international organisations.

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

AS FORESEEN IN:

Article 27.2.(a)

Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,

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,

Article 27.2.(d)

Processing operations for the purpose of excluding individuals from a right, benefit or contract,

Other (general concept in Article 27.1)

17/ Comments

PLACE AND DATE: Copenhagen, 20 April 2009

DATA PROTECTION OFFICER: Mr. Gordon McInnes

INSTITUTION OR BODY: EUROPEAN ENVIRONMENT AGENCY