

To be filled out in the EDPS' office

REGISTER NUMBER: 598

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 27/05/2010

Case number: 2010-0395

Institution: EMCDDA

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

Mr. Dante Storti, Head of Unit Administration (EMCDDA. Cais do Sodre. 1249-289. Lisbon, Portugal)

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

Human Ressource Service (a Sector within the Unit Administration)

3/ Name of the processing

Recruitment of seconded national experts (SNEs).

4/ Purpose or purposes of the processing

The purpose of the processing is the recruitment of seconded national experts. Human resources starts the procedure by drafting a vacancy notice which is consulted with the EMCDDA Heads of the unit. Draft is submitted for approval by the Director. The Director appoints the members of the selection committee. The vacancy notice is advertised. Incoming applications are registered by HR staff in a database accessible only to HR staff. Pre-evaluation is made against the admissibility requirements as stated in the vacancy notice by HR staff. Files are prepared and a copy is given to the selection committee. Only applicants obtaining the minimum number of points as set in the vacancy notice might be invited for interview and tests or might have a telephone interview if deemed appropriate. The outcome is a list of suitable applicants in alphabetical order. The Director draws a reserve list, if any, and only applicants placed in the reserve list are informed of the outcome personally. The rest of the applicants shall consult the EMCDDA Web page to follow up the progress and outcome of the procedure. In case of budget availability a position of SNE might be offered to the applicant/s selected by the Director.

For more details on the procedure please refer to the Decision on Seconded National Experts (attached).

5/ Description of the category or categories of data subjects

Applicants either spontaneous or that answer to a call for expression of interest launched by the EMCDDA.

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

Data to identify and contact the applicant: family name, name, date of birth, gender, nationality, private address, e-mail address. Any data relevant to demonstrate, in the framework of the selection procedure, that the applicant fulfils the profile advertised in the call for expression of interest (if any) or to demonstrate to be able to be an added value to the institution as to positively assess the application (CV in European format, motivation letter and any needed supporting documents).

7/ Information to be given to data subjects

Data subjects have full access to the Management Board decisions of the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) on the secondment of national experts that is made available via the EMCDDA Web page in its section 'About the EMCDDA', 'Job vacancies'. Furthermore, they are called their attention to the privacy statement for the recruitment of SNE at the EMCDDA (attached) and also published in the EMCDDA Web page.

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

Applicants are informed of their rights and have always the possibility to access to their data, verify or correct it according to the privacy statement attached

9/ Automated / Manual processing operation

n.a

10/ Storage media of data

Paper-based storage system within the Human Resources Management Sector in locked cabinets and electronically in a password protected drive for exclusive use of HR staff.

11/ Legal basis and lawfulness of the processing operation
The processing of the data implies an assessment of incoming applications. Therefore, it falls within the scope of Article 27 of the Regulation. The processing is made on the basis of the Commission Decision C(2008) 6866 final of 12. 11.2008 laying down rules on the secondment to the Commission of national experts and national experts in professional training, approved by analogy by the EMCDDA Management Board by its decision DEC/MB/10/???. (Both attached)
12/ The recipients or categories of recipient to whom the data might be disclosed
HR staff, members of the selection committee, the Director for decision and appointment.
13/ retention policy of (categories of) personal data
Data regarding recruited applicants will be kept for ten years as of termination of the period of secondment or of the last payment. Data concerning non-recruited applicants will be kept for two years from the date the data subject became aware of the result of the recruitment procedure (i.e. from the date of publication in the EMCDDA Web page that the procedure was closed, or the date in which the applicant has received the information letter). Data of non-recruited applicants but successfully placed in the reserve list for appointment will be kept for the duration of 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) <i>(Please, specify the time limits for every category, if applicable)</i>
14/ Historical, statistical or scientific purposes <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>
The right to rectification can only apply to the factual data processed during the concerned selection procedure. The mentioned right can only be exercised up to the closing date for submissions of applications. After the conservation time indicated under 22.a., only data needed to provide overall statistics on the exercise (total number of applications, total number of seconded national experts, etc.) will be kept for statistical reasons. These statistics are not subject to Regulation 45/200 since they are anonymous and cannot be used to identify one or more persons either directly or indirectly.
15/ Proposed transfers of data to third countries or international organisations
16/ The processing operation presents specific risk which justifies prior checking (<i>please describe</i>):
AS FORESEEN IN: <input type="checkbox"/> Article 27.2.(a) Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,

<input checked="" type="checkbox"/> Article 27.2.(b) Processing operations intended to evaluate personal aspects relating to the data subject,
<input type="checkbox"/> Article 27.2.(c) Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes,
<input type="checkbox"/> Other (general concept in Article 27.1)
17/ Comments
PLACE AND DATE: Lisbon, 25,05,2010 DATA PROTECTION OFFICER: Cecile MARTEL INSTITUTION OR BODY:EMCDDA