

REGISTER NUMBER: 715

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 08/07/2011

Case number: 2011-0667

Institution: ERA - European Railway 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

European Railway Agency, Anders Lundström , Head of Safety Unit 160 Bld Harpignies, 59300 Valenciennes, France tel, +33 3 27 096500
email: Anders.Lundström@era.europa.eu

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

Safety Unit- European Railway Agency

3/ Name of the processing

Selection of independent experts pursuant to the ERA 'Call for applications to establish a list of prospective independent experts to assist the work of the Working Groups/Task Forces of the European Railway Agency in the field of Railway Safety'.

4/ Purpose or purposes of the processing

The main purpose of personal data collection and processing is to select independent experts to assist the work of the working groups / task forces of the European Railway Agency in the field of railway safety. Further on, personal data of successful applicants are processed for formulating the contractual relationship, i.e. an appointment letter, definition of rights and entitlements of the experts.

5/ Description of the category or categories of data subjects

Any natural person who applies to the selection of independent experts pursuant to the ERA 'Call for applications to establish a list of prospective independent experts to assist the work of the Working Groups/Task Forces of the European Railway Agency in the field of Railway Safety'. see annex ' Call'

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, given name, date of birth, gender, nationality, private postal address, e-mail address, fax and telephone number. Data relevant to demonstrate, in the framework of the selection procedure, that the applicant fulfills the profile advertised in the vacancy notice: CV in European format and application form. Additional Data in case an appointment letter is offered: any document verifying the candidate's technical and professional competence (diplomas, certificates of previous work experience) upon request, ID/passport number and bank account details for reimbursement of expenses and payment of allowances. Other categories of personal data: in the form of personal identification number -concerning pay, allowance and bank accounts - concerning recruitment and contracts - concerning the data subject's career- concerning telephone numbers and communications - name, address No category of personal data whose processing is prohibited.

7/ Information to be given to data subjects
A personal data protection statement/privacy statement attached to the Call details the procedures in place. See attached to this notification.
8/ Procedures to grant rights of data subjects (<i>rights of access, to rectify, to block, to erase, to object</i>)
The personal data protection statement/privacy statement attached to the Call details the procedures in place. These are relating to: - the right to verify, modify, block or delete the information – contact Safety Unit in writing to a dedicated email address - the right to appeal – recourse via the European Data Protection Supervisor to a dedicated email address, and/or the possibility to contact ERA's Data Protection Officer through a dedicated email address.
9/ Automated / Manual processing operation
Automated.
10/ Storage media of data
In electronic form on the Agency network: T://Safety drive. Hard copies are kept in closed cabinets in the Secretariat. Only the secretariat of the safety Unit and the members of the selection committee can have access to the files.
11/ Legal basis and lawfulness of the processing operation
Article 3(4) of Regulation No (EC) 881/2004 establishing a European Railway Agency as amended by Regulation No (EC) 1335/2008 offers the possibility to the European Railway Agency to "if necessary, add to the working parties independent expert recognised as competent in the field concerned".
12/ The recipients or categories of recipient to whom the data might be disclosed
The data provided by the candidates is accessible by the secretariat of the Safety Unit and the members of the selection committee. The Appointing Authority and any of the supervisory instances of the ERA (i.e. European Court of Auditors, Internal Audit Service, and in case of controversy, the Civil Service Tribunal, the staff Ombudsman, etc.) may have access to this data upon request.
13/ Retention policy of (categories of) personal data
For the candidates whose names have not been included in a list : Three (3) years from the date when the data subject became aware of the result of the selection procedure, i.e. from the date when the applicant received the notification of the decision of the selection committee not including him/her in the list. For the candidates whose names have been included in a list: until the date of expiry the list of independent experts. For the candidates who have been offered an appointment letter: Until the end of the 3rd year after the expert was appointed.
13 a/ time limits for blocking and erasure of the different categories of data (on justified legitimate request from the data subject)

One month for blocking and erasure
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>
Not Applicable
15/ Proposed transfers of data to third countries or international organisations
None
16/ The processing operation presents specific risk which justifies prior checking (<i>please describe</i>):
Yes, the data are used to evaluate personal aspects of the data subject (ability, efficiency, conduct).
AS FORESEEN IN (tick on the appropriate box):
<input type="checkbox"/> Article 27.2.(a) Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,
NA
<input type="checkbox"/> Article 27.2.(b) Processing operations intended to evaluate personal aspects relating to the data subject,
Yes
<input type="checkbox"/> Article 27.2.(c)
NA
<input type="checkbox"/> Article 27.2.(d)

NA

Other (general concept in Article 27.1)

The notification concerns an ex-post prior check (the processing operations are already implemented).

PLACE AND DATE: Valenciennes France,
DATA PROTECTION OFFICER: Zografia Pyloridou

INSTITUTION OR BODY: ERA