

REGISTER NUMBER: 736

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 13/09/2011

Case number: 2011-0834

Institution: FHC - FUEL CELLS AND HYDROGEN JOINT UNDERTAKING

Legal basis: Art. 27 Regulation (CE) 45/2001

(1) OJ L 8, 12.01.2001

INFORMATION TO BE GIVEN⁽²⁾

(2) Please attach all necessary backup documents

1/ Name and address of the controller:

FCH JU - TO56-Brussels

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

Personal Assistant of the FCH JU Executive Director and the selection committee (co-processor)

3/ Name of the processing

Recruitment of trainees

4/ Purpose or purposes of the processing

Identify applicants for traineeships at the FCH JU and support the procedures of traineeship management (recruitment, progress of training, definition of individual rights, placement of trainees etc.)

5/ Description of the category or categories of data subjects

Candidates in the recruitment procedures for traineeship

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

Name, gender, birth date, place and country of birth, address, email, phone number, nationality, civil status; data on university studies, knowledge of languages, professional experience, and motivation; any other information provided by the applicant

7/ Information to be given to data subjects

The FCH JU traineeship privacy statement indicates that the applicants' personal information will be processed in line with Regulation (EC) N° 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the European Union institutions and bodies and on the free movement of such data.

In case of queries or complaints, the data subjects have the right to contact the FCH JU DPO, the controller in practice (FCH Executive Director). In case of complaint, data subjects have the right to address the issue to the EDPS.

Additionally, the privacy statement specifies the purposes of data collection, the data categories, the technical means used to process the data, the recipients, the data retention policy, and the rights of data subjects to access and correct their information.

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

The procedures to grant rights to data subjects are laid down in Articles 9 to 18 of the FCH JU Implementing rules concerning data protection. These include access to the DPO's register of data processing operations; requests from data subjects to the Data Controller to exercise their rights; as well as detailed procedures to exercise the rights to access, rectify, erase, block, and object (as required by articles 13-16 of Regulation (EC) No 45/2001).

9/ Automated / Manual processing operation

Manual

The recruitment of trainees data processing is subject predominantly to manual review and treatment.

Automated

Electronic processing is limited to online applications and excel sheets which serve as aids in the management of the recruitment processes.

10/ Storage media of data

The data are stored electronically with access limited to authorised staff. Paper application files are stored in a locked cabinet by the PA until their destruction.

11/ Legal basis and lawfulness of the processing operation

Decision of the Executive Director on Rules governing traineeships at the FCH JU

Article 5 (a,d) of Regulation (EC) No 45/2001;

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

The staff recruitment data is accessed by the Personal Assistant of the FCH JU Executive Director, the HR Officer and the members of the selection committee.
Authorised staff from external bodies (Court of Auditors, Internal Audit Service of the European Commission) may also have access to relevant personal data for audit control purposes.

13/ retention policy of (categories of) personal data

Applications are stored for the duration of the application period prior to the recruit phase and until the end of the year of the traineeship period, after which time they are destroyed. Paper copies of recruited trainees files are only stored for a period of two years following the traineeship, after which time they are destroyed.*

* As the indicated period may exceed the date of existence of FCH JU (2017), the exact location where the data will be archived will be defined in the context of the liquidation procedure or the renewal of FCH JU.

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 Data Controller shall take a decision within 15 working days of receiving a request for data to be blocked. If the request is accepted, it shall be acted upon within 30 working days and the Data Subject notified thereof. Should the request for blocking be rejected, the Data Controller shall have 15 working days within which to inform the Data Subject by means of a letter stating the grounds for the rejection (Article 13(3) of FCH JU Implementing rules).

The Data Controller shall reply within 15 working days of receiving a request for erasure. If the request is accepted, it shall be acted upon immediately. If the Data Controller deems the request unjustified, he or she shall have 15 working days within which to inform the Data Subject by means of a letter stating the grounds for the decision (Article 14(3) of FCH JU Implementing rules).

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,

N.A.

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

N.A.

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

The recruitment of trainees data processing involves the evaluation of personal aspects relating to the data subject as foreseen in Article 27.2.(b).

17/ Comments

PLACE AND DATE:

DATA PROTECTION OFFICER:

INSTITUTION OR BODY: