

## NOTIFICATION TO EDPS FOR PRIOR CHECKING <sup>1</sup>

Register Number: 0830

Date of submission:	18/01/2012
Case number:	2012-0067
Institution:	REA
Legal basis:	Article 27-5 of the regulation CE 45/2001 <sup>2</sup>

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<sup>1</sup> To be filled out in the EDPS' office

<sup>2</sup> OJ L 8, 12.01.2001

## Information to be given <sup>3</sup>

### 1 Name and address of the controller

Wim DE MEYERE  
Research Executive Agency (REA)  
Unit A.3.001 (Human Resources)  
COV2 15/052  
B - 1049 Brussels

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

REA, Unit A.3.001 (Human Resources)

### 3 Name of the processing

Administration of spontaneous applications

### 4 Purpose or purposes of the processing

The human resources sector (hereinafter referred to as "REA HR") of the REA defines, coordinates and ensures the implementation of human resources policies (covering the whole employment life-cycle) within the Agency, on the basis of the relevant provisions of the Staff Regulations and the Conditions of Employment of Other Servants of the European Communities.

The processing operation is necessary for the selection procedure of the best qualified candidates according to the job description.

In particular it is necessary in order to:

- Manage the applications sent by candidates;
- Keep a stock of suitable candidates for future vacancies who already expressed their interest in working for the Agency;
- Pre-select the candidates to be invited for interviews in the context of a Contract Agent selection procedure.

### 5 Description of the category or categories of data subjects

Applicants/candidates applying for posts (potential) to be offered by the Agency.

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<sup>3</sup> Please attach all necessary backup documents

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

Candidates send an email with their CV and motivation letter attached, which may include the following information (at the candidate's discretion):

- Personal details

Surname at birth, current surname, forename, street, postcode, place, country, date of birth, town/city of birth, country of birth, sex, nationality, other nationality, telephone No.1, telephone No. 2, mobile telephone, fax number, email, personal website.

- Professional experience

Duration, economic sector, employer, country, job, field (s) of activity, size of organisation, management experience, description of duties and main achievements

- Education

Level of education, diploma obtained, duration, title of diploma, field (s) of activity, name of institution, place, country

- Training

Duration of training, subject of training, years, name of institution, town/city, country

- Languages

Mother tongue, other languages (level of speaking/writing/reading/understanding), etc

- Skills and competencies

Social, organisational, technical, IT, artistic, other

- Publications

Title of publication, date of publication, name of publisher, publications web address

- References

Referee's name, referee's forename, referee's job, referee's e-mail address, referee's telephone number, referee's address

- Additional information

Do you suffer from a disability requiring individual measures to be taken to enable you to take part in the selection interview, other comments.

- Candidate's letter of motivation

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

A Specific Privacy Statement, relevant to the procedure for spontaneous applications will be created and published on the public website of the REA.

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

Data subjects can request access to the personal data the Agency keeps by sending an e-mail to the functional mailbox [REA-SPONTANEOUS-APPLICATIONS@ec.europa.eu](mailto:REA-SPONTANEOUS-APPLICATIONS@ec.europa.eu).

## **9 Automated / Manual processing operation**

The Agency advertises on its website the possibility for candidates already listed in the ERL/CAST database (candidates selected by EPSO following the selection procedure described in art. 5 of the Commission Decision of the 7<sup>th</sup> of April 2004 C(2004) 1313 , owned by EPSO, hereafter called ERL/CAST) to send a spontaneous application to its functional mailbox [REA-SPONTANEOUS-APPLICATIONS@ec.europa.eu](mailto:REA-SPONTANEOUS-APPLICATIONS@ec.europa.eu).

Candidates may send an email with their CV and motivation letter attached, which may include the following information (at the candidate's discretion):

- Personal details (name, surname, date of birth, gender, nationality, email address)
- Contact details (address, postcode, city, country, telephone and fax number, email address)
- Work experience and workplace details
- Education and training
- Personal skills and competences
- Languages
- Driving skills
- Additional information
- References

REA staff members who receive spontaneous applications are asked to forward them to the respective functional mailbox ([REA-SPONTANEOUS-APPLICATIONS@ec.europa.eu](mailto:REA-SPONTANEOUS-APPLICATIONS@ec.europa.eu)) and delete their own copy.

Applications are collected in electronic Outlook folders whose access is restricted to the REA HR staff, responsible for the management of spontaneous applications, and classified by function group and profile.

Upon receipt of a spontaneous application, the REA HR whether the applicant resides under the ERL/CAST database.

The CVs of applicants/candidates not listed in the ERL/CAST database are deleted and the candidate is informed.

Every week, the CVs, received through spontaneous applications, of candidates listed in ERL/CAST are sent to the REA Heads of Units for review in the view of potential vacant posts. The REA HR also sends an email to the candidate acknowledging receipt of his/her spontaneous applications and informs him/her that his/her CV has been forwarded to the Heads of Unit and that they may be contacted by the REA services within a period of maximum four weeks.

Should the Heads of Unit be interested in a candidate they can request to include his/her CV in the list of candidates relevant to a Contract Agent selection procedure. The REA HR also requests that the Heads of Units delete any existing copies of the CVs that they have received.

## **10 Storage media of data**

The data relevant to the procedure is communicated and/or handled/stored electronically (email).

Information may also be stored in the ERL/CAST database.

## **11 Legal basis and lawfulness of the processing operation**

- Council Regulation (EC) No 58/2003 laying down the statute for executive agencies: Article 11, paragraph 6, and Article 18;
- Commission Decision 2008/46/EC of 14 December 2007 setting up the Research Executive Agency for the management of certain areas of the specific Community programmes People, Capacities and Cooperation in the field of research in application of Council Regulation (EC) No 58/2003;
- Commission Decision 2002/47/EC, ECSC, Euratom (OJ L 21 of 24/1/2002, p. 23) of 23 January 2002 (amending its Rules of Procedure by adding special provisions on document management).

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

- **REA**
  - a. REA HR sector
  - b. Director, Head of department "Administration, Finance and FP7 Support", Heads of Units, Heads of Sectors, Team Leaders of the REA
  - c. REA Internal Services (legal service, internal audit)
- **Other potential recipients**

The

- a. European Commission
- b. European Ombudsman
- c. Civil Service Tribunal
- d. Court of First Instance
- e. General Court of the European Union
- f. European Court of Justice
- g. Court of Auditors
- h. European Data Protection Supervisor
- i. OLAF

This transmission will be restricted to the information necessary for the competent entity to carry out its task.

- **Third parties**

The personal data may also be stored in the EPSO database.

### **13 Retention policy of (categories of) personal data**

- Spontaneous applications of candidates residing under the ERL/CAST database:

The CVs of candidates listed in the ERL/CAST are stored by the REA HR for 18 months.

- Recruited candidates:

The CVs of candidates not listed in the ERL/CAST will be deleted.

#### **13.1 Time limits for blocking and erasure of the different categories of data (on justified legitimate request from the data subject) <sup>4</sup>**

- Time limit to rule on a request: 45 working days (beginning from the reception of the request).
- Blocking period: Immediately (maximum delay of 5 working days).
- Erasure Period: Maximum delay of 5 working days after the ruling on the request.

### **14 Historical, statistical or scientific purposes <sup>5</sup>**

Not applicable.

### **15 Proposed transfers of data to third countries or international organisations**

Not applicable

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

The processing operations that occur in the context of selection aim at evaluating mainly the eligibility of each candidate for the post in question.

#### **As foreseen in:**

*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**

Not applicable

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<sup>4</sup> Please, specify the time limits for every category, if applicable

<sup>5</sup> 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

Other details	
Place and Date:	Brussels, 16 January 2012
Data Protection Officer	Evangelos TSAVALOPOULOS
Institution or Body	Research Executive Agency (REA)

EDPS Opinion <sup>6</sup>	
Of date:	
Case Number:	
Follow up (in case of acting measures to be taken):	

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<sup>6</sup> To be filled out in the EDPS' office