

(To be filled out in the EDPS' office)
REGISTER NUMBER: 1129

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NOTIFICATION FOR PRIOR CHECKING

DATE OF SUBMISSION: 12/07/2013

CASE NUMBER: 2013-0873

INSTITUTION: TEN-T EA

LEGAL BASIS: ARTICLE 27-5 OF THE REGULATION CE N° 45/2001⁽¹⁾

INFORMATION TO BE GIVEN²

1/ NAME AND ADDRESS OF THE CONTROLLER

Name: Mr Marcos Roman Parra, Head of Unit, Resources Unit T1
Address: W910 03/042, Trans-European Transport Network Executive Agency (TEN-T EA),
Chaussée de Wavre 910, B-1049 Brussels

2/ ORGANISATIONAL PARTS OF THE INSTITUTION OR BODY ENTRUSTED WITH THE PROCESSING OF PERSONAL DATA

Resources Unit T1, Human Resources Sector

3/ NAME OF THE PROCESSING

Selection, recruitment and management of atypical trainees at the TEN-T Executive Agency.

4/ PURPOSE OR PURPOSES OF THE PROCESSING

The personal data processed during the selection and recruitment phases are necessary to evaluate the eligibility, the expertise and the profile of job applicants as well as to complete the recruitment of the most suitable candidates for open positions and manage their personal file during the traineeship.

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

Atypical trainees.

¹ OJ L 8, 12.01.2001.

² **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*).

The personal data processed is contained in the CV's submitted to the Agency by the applicant: name, surname, address, phone number, email, nationality, date of birth, gender, professional experience, whole education and training, unit of assignment, function group and grade, job title.

A motivation letter is also requested when applying for an internal position.

The applicant for an in-service traineeship needs to submit the following documents:

- A Curriculum Vitae (name, surname, address, phone number, email, nationality, date of birth, professional experience, professional education experience, linguistic skills)
- A motivation letter stating the reasons for the application and the requested period for the in-service traineeship;
- A copy of the passport or identity card, giving the surname, forenames, date and place of birth, as well as the nationality of the applicant;
- A copy of the degrees or diplomas held or a statement describing the professional activity in which they are engaged;
- Copies of all relevant professional experiences;
- Copies of diplomas or certificates proving the thorough knowledge of one of the official languages of the European Union and a good knowledge of another of these languages, one of which has to be English;
- • A declaration on honour of the trainee which certifies that the applicant has not already undertaken more than 6 weeks in-service traineeship with a European Institution or body;
- An extract from their police record have to be presented before the beginning of the traineeship.
- Before the beginning of the traineeship, the trainee is required to provide documentary evidence of his/her health insurance.

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

The trainees receive information on their rights and obligations at the beginning of the traineeship. They have access to information on the website of the TEN-T EA.

The Agency's guidelines governing atypical traineeships and a Specific Privacy Statement are also available on the TEN-T EA website.

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

As mentioned in the Privacy Statement, and in line with the Implementing Rules on data protection, each candidate can access his/her personal data and have them rectified upon a written request addressed to the data controller, sending an e-mail to the controller. Concerning the processing of personal data at the Agency, trainees can contact the Controller for any questions on their rights and can ask access to their data and to have it rectified by sending an e-mail to the following mailbox: TENEA-HR-INFO@ec.europa.eu.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

The in-service traineeship is offered as an exceptional and short traineeship scheme, strictly subject to the needs, resources and availability of the TEN-T EA units, the priority being given to the standard "bluebook" traineeship.

To be allowed access to an in-service traineeship, the trainee should not already have benefitted from another in-service training or employment in one of the EU Institutions or bodies for a period exceeding 6 weeks.

This traineeship is addressed mainly to recent higher education graduates.

Admission to this traineeship shall not confer on the trainees the status of officials or other servants of the European Institutions and bodies.

The purpose of the traineeship for the trainee shall be to:

- obtain first-hand experience of the workings of the TEN-T EA in particular, and the European institutions in general;
- acquire practical experience and knowledge by means of the contacts made in the course of their everyday work;
- have the opportunity to work in a multi-cultural, multi-linguistic and multi-ethnic environment, contributing to the development of mutual understanding, trust and tolerance and thus contributing to raising awareness of true European citizenship
- deepen and put into practice the knowledge acquired during their studies or early professional careers.

The purpose of the traineeship for the Agency shall be to:

- benefit from the input of motivated recent graduates, who can provide fresh insight and up-to-date academic knowledge;
- create a pool of people with experience with the European Institutions procedures, who will be better prepared to collaborate and co-operate with the European Institutions and bodies in the future.
- create long-term "goodwill ambassadors" for European ideas and values both within the European Union and outside.

The in-service traineeship is an unpaid scheme. Therefore, trainees accepted under this scheme do not receive any remuneration, grant, financial support or reimbursement from the TEN-T EA.

A traineeship agreement may be concluded with the trainee for a period from one up to a maximum of five months, depending on the requirements of the applicant's educational establishment and the needs and resources available at the TEN-T EA (Annex 4.3). The date of commencement is fixed by the Director.

Trainees are attached to specific TEN-T EA activities and placed under the responsibility of an Adviser. The Adviser is chosen from the unit where the trainee is allocated. S/he guides the trainee during his/her traineeship, acting as a mentor, instructs and closely follows the trainee during the traineeship. The Adviser establishes the job description of the trainee. During the traineeship, any questions concerning the daily work is to be discussed with the Adviser.

At the end of the traineeship, trainees receive an "in-service traineeship certificate" issued by the Human Resources Section (Annex 4.4).

Internal procedure:

The application has to be sent to the following e-mail address: TENEA-HR-INFO@ec.europa.eu

The applicant shall be any national of one of the Member States of the European Union who:

- has completed at least a post-secondary degree;
- has less than 5 years of professional experience after graduation
- has a thorough knowledge of one of the official languages of the European Union and a good knowledge of another of these languages, one of which has to be English;
- is enjoying the full rights of citizen and the appropriate character references as the suitability for the performance of the duties to take up in the TEN-T EA.

In order to enable as many European citizens as possible to familiarise themselves with the European Institutions and bodies, no application will be accepted from any person who has already received more than 6 weeks of any kind of in-service traineeship within the European Institutions or bodies, or who has been in any kind of employment within the European Institutions or bodies.

1. Applications are printed out/saved on HR Drive.
2. TEN-T EA will check the applications against the admission requirements set out here above and failing one of them, the applications will not be considered admissible.
3. HR prepares the file for the Head of Unit concerned (only CV and cover letter).
4. In case of suitable candidate the Head of Unit requests the Human Resources sector to recruit the trainee following approval of the Director.
5. Although admissible, the final acceptance of an application depends on the actual needs and resources available at TEN-T EA and an appropriate geographical distribution will be maintained.
6. The Agency will recruit trainees on an ad-hoc basis according to its needs taking them from the pool of spontaneous applications received.

10/ STORAGE MEDIA OF DATA

Data is stored in paper files in the personnel files and electronic files on the drive of the Human Resources sector with restricted access.

11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

Legal Basis:

- Council Regulation (EC) No 58/2003 laying down the statute for executive agencies : Article 11, paragraph 6, and Article 18.
- Rules governing in-service traineeship of the TEN-T EA.

Grounds for lawfulness:

Regulation (EC) No 45/2001, Article 5(a) in conjunction with Recital 27: the processing is necessary for the legitimate exercise of official authority vested in the Community institution or body and/or Article 5 (b) the processing is necessary for the performance of a task carried out in the public interest on the basis of the Treaties or other instruments adopted on the basis thereof.

12/ THE RECIPIENTS OR CATEGORIES OF RECIPIENT TO WHOM THE DATA MIGHT BE DISCLOSED

Human Resources sector, Head of Resources, Head of Unit and trainee advisor concerned, the Executive Director.

Some limited data is disclosed to the security services to ensure access to the premises (name, date of birth, number of ID card/passport).

The European Court of Justice, The Court of First Instance and/or the Civil Service Tribunal or a national judge as well as the lawyers and the agents of the parties in case of a legal procedure OLAF in case of an investigation conducted in application of Regulation (EC) No 1073/1999 and the Decision of the Steering Committee of the Agency of 9 June 2006

The internal auditor and the IAS within the scope of the tasks entrusted to him/her by Articles 85 to 87 of the Financial Regulation and by the article 49 of Regulation (EC) No 1653/2004
The Court of Auditors within the tasks entrusted to it by Article 248 of the EC Treaty and Article 20, paragraph 5, of Regulation (EC) No 58/2003, The European Ombudsman within the scope of the tasks entrusted to it by Article 195 of the EC Treaty, The European Data Protection Supervisor in accordance with Article 47, paragraph 2, of Regulation (EC) N° 45/2001.

13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

In case of candidates not recruited as trainees, no personal data are kept by the Agency. Data is destroyed after the eligibility check or the decision taken by the Director or Head of Unit concerned, but at the latest within one year from reception.

In the case of candidates recruited as trainees, the documents provided before the traineeship are kept in a file for the duration of the traineeship. The trainee file is stored for 10 years, and then eliminated. After 5 years all documents except application forms, offers of traineeships, letters of acceptance and attestations certificates of traineeships are eliminated.

13 A/ TIME LIMIT TO BLOCK/ERASE ON JUSTIFIED LEGITIMATE REQUEST FROM THE DATA SUBJECTS
15 days from receipt of justified legitimate request.

14/ HISTORICAL, STATISTICAL OR SCIENTIFIC PURPOSES

The Agency retains anonymous data for statistical purposes.

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*):

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)**

The processing operation intended to evaluate personal aspects relating to the data subject, with a view to select, recruit interim agents and manage interim staff.

↑ 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

Annexes:

Annex 4.1: Rules governing in-service traineeship of the TEN-T EA

Annex 4.2: Model traineeship agreement

Annex 4.3: Specific Privacy Statement

Annex 4.4: Model in-service traineeship certificate

PLACE AND DATE: BRUSSELS 2/7/2013

DATA PROTECTION OFFICER: ZSÓFIA SZILVÁSSY

INSTITUTION OR BODY: TRANS-EUROPEAN TRANSPORT NETWORK EXECUTIVE AGENCY

