

*(To be filled out in the EDPS' office)*  
**REGISTER NUMBER: 1210**

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**NOTIFICATION FOR PRIOR CHECKING**

**DATE OF SUBMISSION: 17/12/2013**

**CASE NUMBER: 2013-1395**

**INSTITUTION: CEPOL**

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

**INFORMATION TO BE GIVEN<sup>2</sup>**

1/ NAME AND ADDRESS OF THE CONTROLLER

██████████ Head of Corporate Services Department  
European Police College (CEPOL)  
Bramshill, Hook  
Hampshire RG27 0JW  
United Kingdom

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

Corporate Services Department

3/ NAME OF THE PROCESSING

Processing of tender applications and contracts to manage public procurement procedures

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<sup>1</sup> OJ L 8, 12.01.2001.

<sup>2</sup> **Please attach all necessary backup documents**

4/ PURPOSE OR PURPOSES OF THE PROCESSING

The Agency collects personal data from candidates or tenderers and further processes for the purpose of the management and administration of procurement procedures, in particular for assessing the candidates or tenderers against the exclusion criteria and selection criteria.

The data received is not used for any further purpose than the one for which they were transmitted.

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

Candidate or tenderer, its staff and any subcontractors applying for a public procurement tender.

Tender Opening and Evaluation Committee members / Tender Evaluators (exclusively from CEPOL).

6/ DESCRIPTION OF THE DATA OR CATEGORIES OF DATA (*including, if applicable, special categories of data (Article 10) and/or origin of data*).

Data is collected about the absence of a conflict of interest for reasons involving family, emotional life, political affinity, economic or any other shared interest, as well as information about (the absence of) certain convictions, bankruptcy, professional misconduct, fraud or corruption.

Candidate or tenderers:

Name (title, first name, surname) and function

Contact details (company and department, postal address, country of residence, business telephone number, mobile telephone number, fax number, e-mail address, internet address)

Bank account details (account number, name of the account holder, name and address of the bank, IBAN and BIC codes)

Passport/ID number (natural persons) or company registration number (legal persons), VAT number and/or membership in a trade or professional organisation

Information for the evaluation of selection criteria: financial and economic capacity (bank statements or professional risk indemnity insurance or balance sheet or statement of turnover)

Expertise, technical and language skills, educational background, professional experience including details on current and past employment

Certificates for social security contributions and taxes paid, extracts from judicial records

Other personal data contained in CVs (gender, date of birth, nationality)

Tender Opening and Evaluation Committee members / Tender Evaluators:

Name

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

The data subjects are provided with the following information in a privacy statement:  
identity of the controller

purpose of the processing  
data categories  
whether replies to the question are obligatory or voluntary, as well as possible consequences of failure to reply  
possible data recipients  
existence of all data subjects' rights  
right to have recourse to the EDPS  
legal basis of the processing  
applicable data retention periods

The data provided does not undergo automated processing.

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS  
(*Rights of access, to rectify, to block, to erase, to object*)

The data subjects have the right to obtain without constraint from the Data Controller, communication in an intelligible form of the data undergoing processing and any available information as to their source.

Data subjects are not requested to specify the purpose of their request for access. Access to the aggregated evaluation results is granted, but not the access to scores and opinions of individual members of the evaluation committee.

The data subject has a right to rectify inaccurate or incomplete data but it is limited to the objective factual data. The applicants nevertheless have the possibility to complement the existing evaluation data by means of the respective review procedures.

Substantiated requests should be e-mailed to the Data Controller at [procurement@cepol.europa.eu](mailto:procurement@cepol.europa.eu) .

General requests can be e-mailed to the CEPOL Data Protection Officer at [dpo@cepol.europa.eu](mailto:dpo@cepol.europa.eu)

Data subjects may have recourse at any time to the European Data Protection Supervisor at [edps@edps.europa.eu](mailto:edps@edps.europa.eu)

9/ AUTOMATED / MANUAL PROCESSING OPERATION

The processing operations are manual.

10/ STORAGE MEDIA OF DATA

The data are stored in hard copies in locked file cabinets in the Corporate Service Department (Procurement function) and in electronic form in the dedicated drive O folders accessible to the staff involved the grant management process only (via access control).

11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

Article 5(a) of Regulation (EC) No 45/2011

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

Relevant CEPOL staff involved in the procurement management process (Procurement Support Officer, Authorising Officers, Head of Corporate Services Department, actors of the financial workflow)

Tender Opening and Evaluation Committee members / Tender Evaluators (CEPOL)

Internal Audit Service, European Court of Auditors, OLAF and any other institution or body competent in the fields of auditing or investigation (upon request)

Members of the public - personal data (such as name, address, telephone, email) of the winner of the call for tender will be made available to the public in accordance with the obligation to publish information on the outcome of the procurement procedures

13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

Processing begins on the date of receipt of the document containing personal data, In general, the absolute maximum during which data is kept in this context is **7 years**.

Specific data retention periods are as follows:

Files relating to procurement procedures are kept for a period of 5 years from the date of decision granting discharge in respect of implementation of the CEPOL's budget

Successful candidates or tenderers and the Tender Opening and Evaluation Committee members / Tender Evaluators: 7 years after the signature of the respective contract

Unsuccessful candidates or tenderers: 5 years after the end of the particular procedure to allow for all possible appeals

Extracts from judicial records are kept for 2 years after the signature of the contract or cancellation or abandonment of the procurement procedure

13 A/ TIME LIMIT TO BLOCK/ERASE ON JUSTIFIED LEGITIMATE REQUEST FROM THE DATA SUBJECTS  
(Please, specify the time limits for every category, if applicable)

Time limit to block/erase on justified legitimate requests from the data subjects is 15 working days starting from the date of receipt of such request.

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.*

Data is not stored for longer periods than mentioned above for historical, statistical or scientific purposes.

15/ PROPOSED TRANSFERS OF DATA TO THIRD COUNTRIES OR INTERNATIONAL ORGANISATIONS

Data is not transferred to third countries or international organisations.

Members of the public will be informed of the winner of the call for tender (in accordance with the obligation to publish information on the outcome of the procurement procedures).

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)

*Processing operations intended to evaluate personal aspects relating to the data subject,*

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

N/A

PLACE AND DATE: BRAMSHILL, UK, 13/09/2013

DATA PROTECTION OFFICER:



INSTITUTION OR BODY: EUROPEAN POLICE COLLEGE (CEPOL)