

(To be filled out in the EDPS' office)
REGISTER NUMBER: 1289

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NOTIFICATION FOR PRIOR CHECKING

DATE OF SUBMISSION: 03/12/2014

CASE NUMBER: 2014-1123

INSTITUTION: EASO

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

INFORMATION TO BE GIVEN²

1/ NAME AND ADDRESS OF THE CONTROLLER

EASO
MTC Block A
Winemaker's Wharf
Valletta Harbour
Malta MRS 1917

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

Achilles Symeonidis, General Affairs and Administration Unit/Human Resources

3/ NAME OF THE PROCESSING

Recruitment of Temporary Agents, Contract Agents and Seconded National Experts

4/ PURPOSE OR PURPOSES OF THE PROCESSING

The purpose of the processing is to recruit staff for vacancies at EASO.

1) Human resources starts the process by drafting a vacancy notice in consultation with the Head of Unit/Centre concerned. The vacancy notice is submitted to Executive Director (Appointing Authority) for approval.

2) The vacancy notice is advertised on the EASO website and in other communication channels as

¹ OJ L 8, 12.01.2001.

² **Please attach all necessary backup documents**

applicable (i.e. EPSO website). Applications arrive and are registered by Human Resources (HR) staff in an Excel database accessible only to HR.

3) The Executive Director appoints the members of the Selection Committee.

4) Selection Committee members sign an 'Absence of Conflict of Interest' declaration (Absence of Conflict of Interest declarations notified in a separate prior check on 23 May 2014)

5) HR checks the applications for the eligibility requirements as stated in the vacancy notice. Files are prepared and a copy is given to each member of the Selection Committee for assessment.

Assessment of applications takes place:

In the first phase: An evaluation grid is provided by HR to the selection committee to make the evaluations and assessment of applications on file. The outcome is a list of applicants in order of merit. The best-scoring applicants are invited for interview and written test(s).

In the second phase: The Selection Committee scores the applicants on their interview and written test. The outcome of this process is a proposal for a reserve list of suitable applicants, which is submitted to the Executive Director. Following this proposal the reserve list may be approved and an offer made.

A position is offered to the applicant selected by the Executive Director. All candidates are informed of the outcome of their application, including candidates who were not invited to an interview.

For Seconded National Experts: The offer letter is sent to the Seconded National Expert's permanent representation.

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

Candidates for vacancies at EASO, and staff members appointed as Selection Committee members.

6/ DESCRIPTION OF THE DATA OR CATEGORIES OF DATA

(including, if applicable, special categories of data (Article 10) and/or origin of data)

For the selection and recruitment of TAs, CAs and SNEs, the following data is collected during the Selection Process:

Application Form

- 1) Data about the position: title and reference number
- 2) Data to identify and contact the applicant: family name, name, title, date of birth, place of birth, gender, nationality, correspondence address including mobile number e-mail address

Data relevant to demonstrate, in the framework of the selection procedure, that the applicant fulfils the profile advertised in the vacancy notice:

- 1) Professional experience, where applicants describe how they meet the essential and desirable selection criteria. For each position the data collected are: From (date) to (date), Total (years, months, days), Full-time or Part-time and %, name and address of employer, exact designation of post/rank, number and type of staff under your responsibility, description of duties, question regarding contacting previous employer, notice period (current job) or reasons for leaving (only for previous jobs, not for the current job).

2) Education: secondary, post-secondary, University, post-graduate and training courses: From (date)/To (date), Title of diploma obtained and level in ISCED classification, Name and address of institution. In addition, mother tongue and other languages: written/spoken/understanding.

3) Skills: Description of IT skills, organisational skills, communication skills and other relevant skills.

4) Motivation to apply for the position. References

A declaration of honour

If requested to come for an interview:

1) Application for reimbursement

2) Original boarding passes

If a contract is offered, supporting documents:

1) Educational diplomas

2) Evidence of work (contracts, payslips, etc.)

3) A medical certificate from the Commission's Medical Service and a criminal records check. This criminal records check is stored for 2 years from the date of recruitment and then destroyed.

For Selection Committee members their first and last name

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

Privacy statement made available on the EASO internet website (for candidates) Declaration of confidentiality (for Selection Committee members)

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

(Rights of access, to rectify, to block, to erase, to object)

Candidates are permitted to correct any data in their applications until the deadline for submission, by sending a new application. After that they may only correct their contact details. Candidates have the right to access their evaluation results, with the exception of comparative results of other applicants.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

Manual, with storage of electronic files in a restricted access folder on the shared drive.

10/ STORAGE MEDIA OF DATA

Files are stored in access-restricted folders on the shared drive. Access is restricted to HR staff members. Paper files are stored in locked cupboards.

11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

Legal basis:

- 1) EASO Recruitment Policy for Temporary and Contract Agents (October 2014)
- 2) Articles 12 - 15 and 82 - 84 of the Conditions of Employment of other servants of the European Communities (CEOS) in the case of temporary and contract agents.
- 3) Decision No. 1 of the Management Board of the European Asylum Support Office of 25 November 2010 Laying down rules on the secondment of national experts (SNE)
- 4) Decision No 10 of the Management Board of the European Asylum Support Office of 4 July 2012 on the adoption of Implementing Rules to the Staff Regulations
- 5) Decision No 11 of the Management Board of the European Asylum Support Office of 4 July 2012 on implementing rules on middle management staff
- 6) Decision No 12 of 4 July 2012 General implementing provisions on the procedure governing the engagement and use of Temporary agents at the European Asylum Support Office
- 7) Decision No 13 of 4 July 2012 General implementing provisions on the procedures governing the engagement and use of contract staff at the European Asylum Support Office
- 8) EASO Document Retention Schedule – Administrative (October 2014).

Lawfulness:

The processing is necessary the performance of a task carried out in the public interest as per Article 5(a) of Regulation 45/2001.

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

Regarding Candidates' personal data:

- 1) Human Resources staff
- 2) Head of General Affairs and Administration
- 3) EASO staff taking part as member in the Selection committee
- 4) Executive Director

For candidates invited to interviews, in addition to the above:

- 5) Finance staff (i.e. for the purpose of reimbursement of travel costs related to interviews)

EASO does not make public the names of successful candidates on reserve lists. However, it is possible that, for the purpose of recruitment and related planning, members of EASO's management team have access to reserve lists, and in specific cases to candidates' applications (without supporting documents, which are kept in confidence by HR staff)

Regarding the names of Selection Committee Members:

Candidates short-listed for interviews receive the name of their panel members on their invitation letters.

13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

Candidates who are selected for employment have their personal data transferred to their personal file. The personal file follows the retention period of the Commission. Criminal records checks, once verified by Human Resources, are kept in the personal file for up to 2 years to allow for audits, after which they are destroyed.

Documents related to recruited candidates for Temporary Agent and Contract Agent positions are kept in the Agent's personal file in accordance with Article 26 of the Staff Regulations. The same filing practice is used for Seconded National Experts (SNEs). Currently EASO follows the European Commission's retention period for personal files .

Selection files are kept for 10 years following the expiry of the reserve list related to the selection procedure. Following this 10 year period, selection files are destroyed.

Unsolicited CVs kept for one year and then destroyed.

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)

The personal data will not be processed upon request of the data subject. Requests shall be handled without delay.

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*)

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

List of Annexes:

Annex 1 – Application Form

Annex 2 – Application Procedure

Annex 3 – Privacy Statement – Selection of TAs, CAs, SNEs

Annex 4 – Legal Basis – Policies and Decisions Annex 5 - Template letter – invitation to interviews

Annex 6 – Template declaration of confidentiality

PLACE AND DATE: VALLETTA, 3 DECEMBER 2014

DATA PROTECTION OFFICER: PAULA MCCLURE

INSTITUTION OR BODY: EASO