

*(To be filled out in the EDPS' office)*

**NOTIFICATION FOR PRIOR CHECKING**

**DATE OF SUBMISSION: 04/09/2017**

**CASE NUMBER: 2017-0787**

**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

Luminita Moldovan, CEPOL's Internal Control Officer,  
[Luminita.Moldovan@cepol.europa.eu](mailto:Luminita.Moldovan@cepol.europa.eu)

European Union Agency for Law Enforcement Training (CEPOL)  
1066 Budapest, Ó utca 27, Hungary

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

CEPOL Human Resources Officer

3/ NAME OF THE PROCESSING

Recruitment procedure for the position of the Executive Director of CEPOL.

4/ PURPOSE OR PURPOSES OF THE PROCESSING

To enable evaluation of candidates for the position of Executive Director.

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

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

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

Candidates applying for the position of Executive Director of CEPOL.

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

CV Data including identity data (name, gender, age and nationality), addresses, education, language skills, and qualifications obtained, professional experience.

Motivation Letter

Data originating from the assessment centre

Overall performance data from interview and assessment centre

Copies of proof of nationality, of diplomas required for admission to the selection and of statements of employment (for candidates invited to interview)

Bank account details, certificate of good conduct

Data concerning health may be processed. For the purposes of complying with Articles 28(e) and 33 of the Staff Regulations (SR) and Articles 12(d) and 13 of the Conditions of Employment of Other Servants (CEOS) requiring that a candidate may be recruited as a member of staff only on condition that “he is physically fit to perform his duties” the candidate who is offered the position is requested to pass a medical examination resulting in a medical aptitude certificate.

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

The data subjects have been informed about the recruitment procedure and have received the privacy statement for this processing by reference in the vacancy notice, as below:

*“The European Commission and CEPOL will ensure that candidates' personal data are processed as required by Regulation on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data”.*

In addition, candidates were provided with the privacy statement on the Commission online platform (page for on-line applications for management and advisory functions at the European Commission:

Candidates invited to the next round, will also be provided with the CEPOL privacy statement on processing of personal data related to the recruitment procedure for the position of Executive Director of the Agency.

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

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

The time limit to provide access shall be at any time within three months from receipt of the request.

Candidates have the right to access the data they have provided as part of their application and to request its rectification or erasure until an appointment decision has been taken by the Management Board. Candidates are permitted to rectify and to erase any data that is inaccurate or incomplete in their applications during the recruitment procedure:

- In the case of identification data, applicants can rectify those data at any time during the procedure;
- In the case of data related to the eligibility or selection criteria, the right of rectification cannot be exercised after the deadline for applications for the specific vacancy has passed.

Substantiated requests should be e-mailed to [Luminita.Moldovan@cepol.europa.eu](mailto:Luminita.Moldovan@cepol.europa.eu)

The rectification/erasure of inaccurate or incomplete data will take place without undue delay starting from the date of receipt of such request, in line with the timelines described below under point 13A.

#### 9/ AUTOMATED / MANUAL PROCESSING OPERATION

Part of the processing is automated as candidates submit applications via a dedicated Commission HR website.

Part of the processing is based on manual processing (eligibility screening, interview by the Selection Committee, examination in the assessment centre (external contractor), and an interview by the Management Board.

#### 10/ STORAGE MEDIA OF DATA

Data are stored electronically in the CEPOL server and in folders with restricted access. External contractor ensures proper storage.

#### 11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

Regulation (EU) 2015/2219 of the European Parliament and of the Council of 25 November 2015 on the European Union Agency for Law Enforcement Training (CEPOL) and replacing and repealing Council Decision 2005/681/JHA, in particular Article 23 thereof.

Decision of the Management Board 07/2017/MB, Laying down rules on the selection and the appointment of the Executive Director of CEPOL.

Article 5(a)(d) of Regulation (EC) 45/2001.

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

- Commission department performing eligibility screening (only for data in online application).
- Selection Committee (online application form data and outcome of assessment centre).
- Support function of CEPOL: one member of HR Team and one member of Governance Team, plus 1 alternate member of each team if necessary (all data only if needed).
- Members of the Management Board (only for shortlisted candidates and only for data contained in the CV, motivation letter, assessment centre results and report, and reports prepared by the Selection Committee).
- External contractor (only for certain data of pre-selected candidate for assessment).
- EU bodies: European Court of Justice, European Ombudsman, European Data Protection Supervisor, European Anti-Fraud Office (OLAF), Internal Audit Service of the European Commission, European Court of Auditors (upon request).

13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

Online application data: Data contained in the European Commission online platform is subject to a data storage period of ten years from the close of the selection procedure in question.

Administration file of the recruitment procedure: Data are stored electronically and kept for a period of five years after the nomination of the Executive Director. (This file is a record of the recruitment procedure including names of candidates, names of shortlisted candidates, marks received by candidates in the interview phase and results of recruitment procedure).

Data of successful candidate: The data of the recruited candidate will be stored in their personal file for a period of ten years as of the termination of employment or as of the last pension payment.

13 A/ TIME LIMIT TO BLOCK/ERASE ON JUSTIFIED LEGITIMATE REQUEST FROM THE DATA SUBJECTS

Time limit to rule on a request: 15 working days (starting as of reception of the request).

Blocking period: Immediately if feasible (maximum delay of 5 working days).

Erasure Period: Maximum delay of 5 working days after the ruling on the request.

*(Please, specify the time limits for every category, if applicable)*

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

N/A

PLACE AND DATE: BUDAPEST, 1 SEPTEMBER 2017

DATA PROTECTION OFFICER: IOANNA PLIOTA

INSTITUTION OR BODY: EUROPEAN UNION AGENCY FOR LAW ENFORCEMENT TRAINING (CEPOL)