

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

**REGISTER NUMBER: 1002**

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**NOTIFICATION FOR PRIOR CHECKING**

**DATE OF SUBMISSION: 24/05/2013**

**CASE NUMBER: 2013-0541**

**INSTITUTION: EIOPA**

**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

Carlos Montalvo, Executive Director,  
EIOPA - European Insurance and Occupational Pensions Authority  
Westhafenplatz 1  
Westhafen Tower 14 floor  
D - 60327 Frankfurt am Main

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

HR Department

3/ NAME OF THE PROCESSING

Selection procedure of Temporary agents, contractual agents and national secondees

4/ PURPOSE OR PURPOSES OF THE PROCESSING

Recruitment of the most appropriate persons for open positions according to EIOPA's establishment plan

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

All candidates who sent their application for an open position regardless of the type of contract (TA, CA or SNE)

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

<sup>2</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*).

a) Application:

Basic personal data (name, address, date and place of birth, place of residence, telephone, e-mail, nationality)

Work experience (name of employers and description of tasks and responsibilities, start and end date of employment)

Education and training (name and type of degree/diploma/qualification, name of awarding institution and date awarded)

Courses

Language skills

Computer skills

References, memberships, stays abroad

Letter of motivation

b) Selection Process:

Assessment of candidates against criteria outlined in the vacancy note

Assessment of candidates' performance during the selection process

c) Selected candidate:

Information on health

Information on possible convictions

Information on possible conflict of interest (i.e. financial interest and dealing with financial instruments)

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

Rules for recruitment are defined in the Candidates Guidelines (annex 1) available on EIOPA's website.

The Candidates Guidelines contains reference to the EC Regulation 45/2001 and the link to EIOPA's Implementing Rules on Data Protection.

The webpage includes a personal data protection notice and the email address to the Data Protection Officer who may be consulted at any time by any person and in particular by data subjects in respect of any matter relating to the application of the Regulation, and the link to the EDPS' website.

<https://eiopa.europa.eu/about-eiopa/careers/vacancies/index.html>

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

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

EIOPA's Implementing Rules on Data Protection lay down the detailed rules pursuant to which a data subject may exercise his or her rights, the procedure for notifying a processing operation and the procedure for obtaining access to the register of processing operations kept by the Data Protection Officer.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

Full manual operation:

Applications should be submitted either by email (special dedicated email address) or by post. Applications are saved manually on the main EIOPA server with restricted access rights.

After the closing date of the campaign, HR staff operates the first selection with regard to the eligibility criteria and complete an evaluation grid accordingly.

CVs and letter of motivation of eligible candidates are sent to the Selection Committee. Each member of a Selection Committee is requested to confirm his/her duty of confidentiality and the absence of conflict of interest with the candidates. Each member of a SC assesses the candidates on the basis of the selection criteria. After a short listing meeting, the Selection committee selects 3 to 5 candidates to be invited to the interview. The interviews are composed of an anonymous written test and an interview. After the interviews, the SC meets to agree on the most appropriate candidate. Interviewed and candidates to reject are informed via telephone as well as via email about their status. Selected candidates are invited to sign the contract of employment with EIOPA and provide the personal data necessary to establish the personal file (basis is the Staff Regulations, newest version). Selected candidates are asked to undergo a medical examination to determine their physical fitness to perform his duty. EIOPA is only informed about the result of the medical examination. This information, together with the letter of motivation and the declaration on conflict of interests are saved in the personal file of the staff member.

#### 10/ STORAGE MEDIA OF DATA

Documents received from the candidates are saved in main EIOPA server and Outlook-folders with access rights limited to the HR-staff and Selection Committee.

No hard copies are kept, except for the letter of motivation, CV and the declaration of conflict of interests in the personal file of the staff members locked in a special cabinet with restricted access rights.

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

European Parliament and Council Regulation no. 1094/2010 of 24 November 2010 establishing the European Insurance and Occupational Authority (EIOPA)

Staff/ CEOS Regulations

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

HR Relevant staff  
Selection Committee

#### 13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

All documents/data received for a recruitment campaign are destroyed after the closure of the given recruitment campaign, with the exception of the letter of motivation of the recruited candidate.

For recruited persons: letter of motivation, CV and declarations are kept in their personal file according the standard retention policy.

#### 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)*

According to EIOPA's Implementing Rules, Article 12: If the ground for the request of blocking data is the inaccuracy of the data, as referred in paragraph 41, a), the Data Controller shall immediately block the data for the period necessary for verifying the accuracy and completeness of the data. A data subject who has requested and obtained the blocking of data shall be informed thereof by the Data Controller. He or she shall also be informed of the fact that data are to be unblocked at least 15 working days before they are unblocked. The Data

Controller shall take a decision as soon as possible and at the latest within 15 working days of receiving a request for data to be blocked. If the request is accepted, it shall be acted upon within 30 working days and the data subject notified thereof. Should the request for blocking be rejected, the Data Controller shall have 15 working days within which to inform the data subject by means of a letter stating the grounds for the rejection. In automated filing systems, blocking shall be ensured by technical means. The fact that personal data are blocked shall be indicated in the system in such a way as to make it clear that the data may not be used. Personal data blocked pursuant to this Article shall, with the exception of their storage, only be processed for purposes of proof, or with the consent of the data subject or for the purpose of protecting the rights of third parties.

According to EIOPA's Implementing Rules, Article 13: The data subject shall have the right to obtain from the Data Controller the erasure of data if the processing thereof is unlawful. If the request is accepted, it shall be acted upon immediately. If the Data Controller deems the request unjustified, he or she shall have 15 working days within which to inform the data subject by means of a letter stating the grounds for the decision.

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.*

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 selection procedure is a processing operation that:

- relates to health and to suspected offences, offences, criminal convictions or security measures, and, therefore falls under Article 27.2.(a) of the Regulation;
- intends to evaluate personal aspects relating to the data subject, and, therefore falls under Article 27.2.(c) of the Regulation;
- processes data Processing operations for the purpose of excluding individuals from a right, benefit or contract, and, therefore falls under Article 27.2.(d) of the Regulation.

17/ COMMENTS

**PLACE AND DATE:**

Frankfurt, 23 May 2013

**DATA PROTECTION OFFICER:**

Catherine Coucke

**INSTITUTION OR BODY:**

EIOPA