

*(To be filled out in the EDPS' office)*  
**REGISTER NUMBER: 1255**

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**NOTIFICATION FOR PRIOR CHECKING**

**DATE OF SUBMISSION: 13/06/2014**

**CASE NUMBER: 2014-0637**

**INSTITUTION: EFCA**

**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

European Fisheries Control Agency, Avda. Garcia Barbon, 4, E-36201 Vigo

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

Unit - A, Resources, HR Section  
Contact person: Wilhelm Scherzer, HR Officer

3/ NAME OF THE PROCESSING

Traineeships (SLA DG EAC)

4/ PURPOSE OR PURPOSES OF THE PROCESSING

To facilitate the implementation of traineeships at EFCA in accordance with the Service Level Agreement signed with the European Commission's Traineeships Office Unit, DG EAC (Annex I)

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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 for traineeships contained in the Virtual Blue Book of DG EAC, in regard of possible opportunities for traineeships arranged by DG EAC, and are interested in such opportunity at EFCA as it may arise.
- Candidates who carry out a traineeship as a result of the above

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

- Application containing CV and supporting documents
- Documents implementing the traineeship (of EFCA and DG EAC)
- Personal file of trainee

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

At the beginning of the traineeship, the new trainee receives a privacy statement from the HR Section (Annex II).

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

In relation to any requests, if the data subject requests the Controller orally, by email or by paper to exert his/her rights, the Controller will facilitate the applicant the exercise of the rights.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

The HR Section liaises with the Traineeship Office from the selection until the departure of the trainee.

For selection and recruitment, DG EAC facilitates the access to the anonymised profiles of candidates from the Blue Book to EFCA staff for the purpose of eventual contribution to the pre-selection and final selection of candidates for EFCA.

The Head of Unit A approves the final selection of individual candidates for recruitment. The HR Section liaises with the Traineeship Office for the final recruitment of the selected candidates on all necessary formalities as established by the Traineeship office.

The detailed processing is described in the HR Procedure (Annex III).

At the end of the traineeship period, the Traineeships Office will hand over the personal files of trainees to EFCA.

10/ STORAGE MEDIA OF DATA

Files regarding the implementation of traineeships including files as received by EAC for archiving are kept in a separate folder in the HR Section (folders in a cupboard in the closed HR office).

11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

Service Level Agreement between the European Commission's Traineeships Office Unit and EFCA (Annex I)

The Agreement with the Traineeships Office, DG EAC contains a data Protection clause in its point E.

Article 5(a) of Regulation 45/2001: Clearly covered by mandate of EFCA as laid down in EC Regulation 768/2005; the processing performed is in the public interest.

Article 5(d) of Regulation 45/2001: The data subject has unambiguously given his or her consent; Participation to the traineeship procedure is not mandatory.

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

- Human Resources (HR) Section (Administrator and Administrative Assistants in the HR Section, currently 3 agents), the Head of Unit A – Resources and the Executive Director
- Also, if appropriate, access will be given to the Legal Officer, the Internal Audit Capacity, the Internal Audit Service, the European Court of Auditors and the Civil Service Tribunal.
- The ICT Section in its function of technical control of data systems including emails and data storage may have access to the data and process for technical purposes only within the normal security framework applicable for ICT, as generally applicable for IT data of the Agency.

13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

EFCA will receive from EAC the personal file with all implementing documents regarding a traineeship and it will destroy all personal data after a period of **two years** after the end of the traineeship, except basic data (name, surname, date of birth, nationality, period of stage, name of supervisor, nature of work performed) for the purpose of issuing a copy of the traineeship certificate upon request and to avoid double stage which will be kept for **up to fifty years**.

It will also keep financial data about the grant amount and insurance deductions for the purpose of possible future requests for financial certificates for **five years**. Any supporting documents concerning payments made during the traineeships period will be kept for **up to five years** after the traineeship budget is discharged in conformity with the Financial Regulation.

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

The data may be blocked/ erased on request of the data subject concerned if it is not needed any more for auditing purposes.

*(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):*

The processing is carried out to select candidates from the Bluebook of the European Commission and recruit suitable trainees.

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)

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| 17/ | COMMENTS |
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PLACE AND DATE: Vigo, 9 June 2014

DATA PROTECTION OFFICER: Rieke ARNDT

INSTITUTION OR BODY: European Fisheries Control Agency (EFCA)