



## **Data Protection Notice for external selection and recruitment procedure in EASME**

This Data Protection Notice describes the measures taken to protect your personal data with regard to the action involving the present data processing operation and what rights you have as a data subject.

EASME protects the fundamental rights and freedoms of natural persons and in particular your right to privacy and the protection of your personal data.

**Your personal data** are processed in accordance with Regulation (EU) No 2018/1725<sup>1</sup> on the protection of individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data.

**The data controller** of the processing operation is Head of Unit C.2 Administration of the Executive Agency for Small and Medium-sized Enterprises (EASME).

**The legal basis** for the processing activities is Article 5(1)(a) of Regulation (EU) 2018/1725 because processing is necessary for the performance of a **task carried out in the public interest** (or in the exercise of official authority vested in the Union institution or body)<sup>2</sup> and the processing is necessary for the **management and functioning** of the Union Institutions or bodies (Recital (22) of Regulation (EU) No 2018/1725).

**The purposes** of this processing operation are: to manage the external selection and recruitment procedures for different categories of statutory staff (temporary staff and contract staff), non-statutory staff (seconded national experts); to manage applications at the various stages of these selections/recruitment procedures; to manage and check the use of reserve lists when applicable, including the possibility to share reserve lists with other Agencies, i.e. for the overall reorganisation of Executive Agencies (i.e. change of mandate) and to promote staff mobility (i.e. candidates apply to a specific call for

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<sup>1</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L295/39 of 21.11.2018).

<sup>2</sup> Act of Establishment: Commission Implementing Decision C(2013/771/EU) of 17 December 2013 establishing the 'Executive Agency for Small and Medium-sized Enterprises' and repealing Decisions 2004/20/EC and 2007/372/EC. Council Regulation (EC) No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes.

Act of Delegation: Commission Decision C(2013)9414 of 23 December 2013 delegating powers to the Executive Agency for Small and Medium-sized Enterprises with a view to the performance of tasks linked to implementation of the Union programmes in the field of energy, environment, climate action, competitiveness and SMEs, research and innovation and ICT, comprising in particular implementation of appropriations entered in the general budget of the Union.

Staff Regulations of Officials of the European Communities laid down by Regulation (EEC, Euratom, ECSC) No 259/68 of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities and following amendments, in particular Title II for temporary agents and Title IV for contract agents, in particular:

Articles 12-15 of the Conditions of Employment of Other Servants of the European Communities and the Staff Regulations (for temporary agents).

Articles 82-84 of the Conditions of Employment of Other Servants of the European Communities and the Staff Regulations (for contract agents).

Steering Committee Decision (2015) of 23 March 2015 on the Engagement and use of Temporary Agents.

Steering Committee Decision (2012) of 18 September 2012 on the Employment of Contract.

expression of interest submitting CV and motivation) and to constitute personal files for recruited staff.

**The following of your personal data are collected and processed:**

- Personal data allowing to identify the candidate , i.e. surname, first name, date of birth, gender;
- Information to allow the practical organisation of preselection and other tests, if any, i.e. address information: street, postcode, town, country, telephone, fax, e-mail;
- Information to verify whether the candidate fulfils the eligibility and selection criteria laid down in the vacancy notice, i.e. nationality, languages, education, employment record, military/civil service record, other relevant for the job skills such as knowledge of computer software;
- Information about the length of the legal notice period required, objection against inquiry with present employer, periods spent abroad, references, motivation, declaration of honour as well as where the vacancy notice was found;
- If applicable, results of the pre-selection or written/oral tests (i.e. temporary staff, contract staff and seconded national experts);
- Information regarding criminal records;
- Bank account details (Financial Identification form) – for candidates invited for an interview and pre-employment medical visit having the right to be reimbursed);
- Medical data in the context of the pre-employment medical visit of candidates who received a job offer and accepted it (not applicable to SNEs).
- Information about disability might be requested in order to facilitate the access of the candidate to the EASME premises and to adapt the space for the interviews and tests.
- In addition, for candidates who already work(ed) for EU Institutions we may also consult your Sysper profile in order to check information relevant to assess your application against the vacancy notice, such as probationary period, confirmation of grade etc.

**The recipients/processors of your personal data on a need-to-know basis will be:**

- authorised staff in charge of recruitment and administration of the Agency's Human Resources Sector and potentially Human Resources sectors of other Executive Agencies including ad hoc selection procedures in the framework of overall reorganization of Executive Agencies (i.e. change of mandate) and staff mobility (i.e. candidates apply to a specific expression of interest submitting CV and motivation);
- Human Resources sectors of other Executive Agencies when reserve lists established by the Agency are shared with other Executive Agencies including to support the filling of posts of shared/generic profiles and in the context of transfers of programmes between Executive Agencies;
- Members of the selection panel for temporary staff, contract staff and seconded national experts positions;
- authorised staff of the competent Agency's Finance Unit or other Agencies' finance teams including for joint procedures (to reimbursement of travel costs related to interviews);
- authorised staff of DG HR of the European Commission (for the Medical service);
- authorised staff of the Commission Pay Master's Office (PMO) (for selected candidates);
- Heads of Units/Heads of Departments/Heads of Sector/Team Leaders;
- Authority authorised to conclude contracts of employment (Director of Agency). Also, if appropriate, access will be given to:
- the European Commission's Internal Audit Service;

- the European Ombudsman;
- the European Court of Justice;
- the Anti-Fraud Office of the European Commission (OLAF);
- the European Court of Auditors ;
- the Agency's Data Protection Officer
- the members of the Agency's Legal Service;
- the European Data Protection Supervisor.

If you are put on a reserve list (i.e. temporary staff, contract staff and seconded national experts) and should a similar vacancy arise in another unit of the Agency, authorised persons of this unit can have access to your CV and results of your evaluation.

Your personal data **will not be transferred** to third countries or international organisations.

The processing of your data will **not include automated decision-making** (such as profiling).

**Your personal data** will be kept according to the following time limits of storing data:

- Should you be recruited, then your personal data will be retained in line with the Common Retention List of the Commission, for 8 years after the extinction of all rights of the person concerned and of any dependants, and for at least 120 years after the date of birth of the person concerned.
- Should you be invited for an interview during the course of a given selection and recruitment procedure, your personal data will be kept at least until the first HR audit and in line with the Common Retention List of the Commission for a maximum of 5 years following the conclusion of the recruitment procedure.
- Should you not be invited for an interview, your personal data will be kept with limited access on a need to know basis for a period of maximum 5 years in line with the Common Retention List of the Commission. Data will be automatically removed at the end of this period.

**You have the right** to access your personal data and to request your personal data to be rectified, if the data is inaccurate or incomplete; where applicable, you have the right to request a restriction of or to object to processing, to request a copy or erasure of your personal data held by the data controller. If processing is based on your consent, you have the right to withdraw your consent at any time, without affecting the lawfulness of the processing based on your consent before its withdrawal.

**Restrictions** in particular for the right to information, modification or cancellation in accordance with Article 25 of Regulation (EU) No 2018/1725 may apply in case of pre/investigations for irregularities or anti-fraud in order not to jeopardize potential investigations.

Your request to exercise one of the above rights will be dealt with without undue delay and within **one month**.

If you have **any queries** concerning the processing of your personal data, you may address them to Head of Unit C.2 (entity acting as data controller) via [EASME-HR-RECRUITMENT@ec.europa.eu](mailto:EASME-HR-RECRUITMENT@ec.europa.eu).

**You shall have right** of recourse at any time to the EASME Data Protection Officer at [EASME-DPO@ec.europa.eu](mailto:EASME-DPO@ec.europa.eu) and to the European Data Protection Supervisor at <https://edps.europa.eu>.

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