

Protection of personal data in relation to selection and recruitment of temporary agents, contract agents and seconded national experts

Identity of controller:

European Fisheries Control Agency

Purpose of processing:

To recruit Temporary Agents (TA), Contract Agents (CA) and Seconded National Experts (SNE) to work at EFCA

Data concerned:

The data of candidates registered for the selections.

Candidates are free to give their data on a voluntary basis, although failure to reply will exclude them automatically from recruitment.

The data of Member State experts presented for a secondment to EFCA.

Type of data processed:

- Certificates (TA, CA): certificates supporting evidence on applicant's/candidate's personnel data, work experience and specific status related to the person such as work certificates, diploma
- Copy of certificates and employment transcripts (only for the candidates participating in interviews)
- Extract of Criminal Record (only for the candidates who have been offered a contract and who are about to be recruited) - This document is returned to the candidate (see point 9(15) of the notification for details)
- Documents issued by the applicant: documents issued by the applicant/candidate which state or confirm personnel data work experience and a specific status (TA, CA)
- European CV: surname, first name, telephone, fax, e-mail, address, nationality, date of birth, gender, work experience, education and training, mother tongue, knowledge of other languages, personal skills and competences, other skills and competences, driving licence. (TA, CA, SNE)
- Declaration of honour (TA, CA, SNE)
- Motivation Letter (TA, CA, SNE)
- Legal Entity and Financial Identity Forms (for those invited to the interview having the right to be reimbursed) (TA, CA, SNE)
- Conflict of interest form filled in by the candidate (only for the candidates who have been offered a contract and who are about to be recruited) (TA, CA)
- Declaration of absence of conflict of interest (only for the Member State experts offered secondment at EFCA) (SNE)
- EFCA documents: documents issued by EFCA for processing selection and recruitment (stating status or information related to the applicant or candidate, e.g. letters, job offer, contract, classification sheet, evaluation sheets, selection documents, decisions, exchange of letters, call for expression of interest and minutes of selection for SNE if applicable, offer letter for SNE)

Legal basis:

Council Regulation (EC) No 768/2005 establishing the European Fisheries Control Agency, and in particular Article 19 thereof;

Staff Regulations of Officials (SR) and the Conditions of Employment of Other Servants of the European Communities (CEOS), in particular Art. 27-34 (SR) and Arts. 12-15 and 82-84 (CEOS);

Decision No 09-II-06(2) of the Administrative Board of EFCA of 15 October 2009 concerning the procedures governing the engagement and the use of temporary agents at the EFCA;

Decision No 11-W-02 of the Administrative Board of EFCA of 23 June 2011 on the criteria applicable to classification in grade and step;
Decision No 09-I-07 of the Administrative Board of EFCA of 19 March 2009 concerning the revised rules for Seconded National Experts.

Recipients of the data processed:

- Human Resources section (staff in charge of recruitment)
- Head of Unit Resources
- Members of the Selection Board
- Appointing Authority (Executive Director)
- For the sole purpose of clarifying specific questions related with selection, assessment, verification or recruitment, the necessary selection documents may be disclosed as well to other EFCA staff (Legal Officer or Head of Unit of the unit of the vacancy) and/or to persons who act as independent observers who may be called by the Selection Committee to attend or advise on the assessment.
- For the printing and technical processing, assistants to the HR Section (Interim staff or trainees) may be ordered to undertake printing and or other technical processing of the application files under the supervision of the HR Section.
- Should the applicant's name be put on a reserve list and should a similar vacancy arise in another Unit, the Head of Unit to which the vacancy belongs can have access to the CV and results of the evaluation of the applicant.
- Also, if appropriate, access will be given to the Internal Audit Capacity, the Internal Audit Service, the European Court of Auditors, the European Ombudsman, the Civil Service Tribunal and the European Data Protection Supervisor.
- 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 this is equally applicable to any IT data of the agency.

Lawfulness of processing:

Processing is necessary for the performance of tasks carried out in the public interest on the basis of the Treaties establishing the European Communities (recruitment of personnel) and Council Regulation (EC) No 768/2005, as well as art. 5(a) of the Regulation (EC) No 45/2001 of the European Parliament and the Council of 18 December 2000 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.

The data subject's rights:

Candidates have a right to access their data. They have a right to update or correct at any time their identification data. However, data demonstrating compliance with the eligibility and selection criteria may not be updated or corrected after the closing data for the respective selection procedure.

In relation to any other 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.

Candidates are also entitled to have recourse at any time to the European Data Protection Supervisor: <http://www.edps.europa.eu>

Periods for data retention

• Recruited applicants/engaged SNE: Data retention period 10 years as of the termination of employment or as of the last pension payment, where applicable

• Non-recruited applicants/engaged SNE: Data retention period +-2 years following the recruitment procedure (to allow possible review of decision taken in selection procedure and for budgetary and audit purposes- Art. 48 RAP of GFR)

• Non-recruited applicants on the "reserve lists for appointment": +/- 2 years following the termination of validity of the respective reserve list

• Criminal record/police record/certificate of good conduct: is returned to the data subject immediately after the "Accreditation of criminal record" form is completed; Accreditation of criminal record" form : as long as the personnel file is kept

• Other special categories of data (sensitive data such as disability): is deleted once no longer necessary for recruitment or reimbursement purposes or following the date when any follow-up procedure has been completed. However, in the case of successful applicants, such data can be forwarded to the personal file in case special arrangements are required throughout the whole period of employment.

Date when processing starts:

Date of application.

Contact information:

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