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EUROPEAN INNOVATION COUNCIL AND SMEs EXECUTIVE AGENCY (EISMEA)

EISMEA.C.02 – People, Workplace and Operational Coordination Support

EXAMPLE

Data Protection Notice for Joint-Selection and Recruitment Procedures

This Data Protection Notice describes the measures taken to protect your personal data with regard to the selection and recruitment procedures organised jointly by European Climate, Infrastructure and Environment Executive Agency (CINEA), the European Health and Digital Executive Agency (HaDEA), the European Research Executive Agency (REA), the European Innovation Council and SMEs Executive Agency (EISMEA), the European Research Council Executive Agency (ERCEA), and the European Education and Culture Executive Agency (EACEA). It provides you with information about the processing of your personal data and what rights you have as a data subject. The participating Executive Agencies protect 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[1] 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 **joint data controllers** of this processing operation are:
for EISMEA: Head of Department C – Compliance, People and Budget;
for CINEA: Head of Unit A.A4 – Human Recourses, IT & Logistics;
for HaDEA: Head of Unit C.3 – Staff, Communication and Support;
for REA: Head of Unit D.2 – People and Workplace;
for ERCEA: Head of Unit D.2 – Human Resources;
for EACEA: Head of Unit R.1 – People, Workplace and Communication.

The following entity(ies) is/are acting as Processor(s) on behalf of the joint controllers on a need-to-know basis:

- authorised staff of DG HR of the European Commission - Medical service (for selected candidates);
- authorised staff of the European Commission's Pay Master's Office (PMO) (for selected candidates);
- external service providers in charge of the written / competency test (e.g. TestReach).

The data controller may use video conferencing tools to hold online interviews and written/competency tests.

The legal basis for the processing activities are:

[1] 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).

- Article 5(1)(a) of Regulation (EU) 2018/1725 because the 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[2] laid down in Union law and because the processing is necessary for the management and functioning of the Union institution or body (Recital (22) of Regulation (EU) 2018/1725 ;
- Article 5(1)(b) of Regulation (EU) 2018/1725 because processing is necessary for compliance with a legal obligation to which the controller is subject laid down in Union law, in particular the relevant provisions of the Staff Regulation[3];
- Article 5(1)(d) of Regulation (EU) No 2018/1725 based on your explicit consent to process your personal data for one or more specific purposes as detailed below.

The purposes of this processing are: to manage the joint external selection procedures for different categories of statutory staff (temporary or contract staff), to manage applications at the various stages of these selection procedures and to manage and check the use of relevant reserve lists when applicable, to check the existence of any conflict of interests and to constitute personal files for recruited staff.

The individuals ('**Data subjects**') concerned by this data protection notice are any natural person taking part in the present joint selection and subsequent recruitment procedures of the specific Agency.

The following of **your personal data** are collected and processed:
For the selection procedure:

- Personal data allowing to identify you as 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, email;
- Information to verify whether you as candidate fulfil the eligibility and selection criteria laid down in the vacancy notice, i.e. nationality, languages, education,

[2] *EISMEA Establishment Act*: Commission Implementing Decision (EU) 2021/173 of 12 February 2021 establishing the **European Climate, Infrastructure and Environment Executive Agency**, the **European Health and Digital Executive Agency**, the **European Research Executive Agency**, the **European Innovation Council and SMEs Executive Agency**, the **European Research Council Executive Agency**, and the **European Education and Culture Executive Agency** and repealing Implementing Decisions 2013/801/EU, 2013/771/EU, 2013/778/EU, 2013/779/EU, 2013/776/EU and 2013/770/EU (OJ L 50/9 of 15.2.2021)

Act of Delegation: Commission Decision C(2021)949 delegating powers to the **European Innovation Council and SMEs Executive Agency** with a view to the performance of tasks linked to the implementation of Union programmes in the field of Innovative Europe, Single Market and Interregional Innovation Investments comprising, in particular, implementation of appropriations entered in the general budget of the Union.

[3] 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 (OJ 45/1385 of 14.6.1962), and 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).

For EISMEA: Steering Committee Decision (2015) of 23 March 2015 on the engagement and use of temporary agents; Steering Committee Decision (2017) of 14 December 2017 on the application by analogy of Commission Decision C(2017)6760 final of 16 October 2017 on the engagement of contract staff.

For REA: Decision of REA Steering Committee of 19 December 2017 on the application by analogy of Commission Decision C(2017)6760 final of 16 October 2017 on the engagement of contract staff.

For CINEA, EACEA, ERCEA and HaDEA: see similar Steering Committee Decisions as provided in the specific Data protection notice.

employment record, military/civil service record, other relevant for the job skills such as knowledge of computer software;

- If applicable, information about the length of the legal notice period required, possible inquiry with your present employer, periods spent in a different country as the recruitment place to set possible reimbursement allowances, 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) – if you are invited for an interview and pre-employment medical visit, you have the right to be reimbursed;
- Information about disability might be requested in order to facilitate your access to the Agency premises and to adapt the logistics for the interviews and the tests.
- In addition, if you have already work(ed) for EU Institutions, we may also consult your Sysper profile in order to check relevant information to assess your application against the vacancy notice, such as probationary period, grade etc.
- Profile in EPSO;

Any additional information is disregarded unless requested as specified in the Call for Expression of Interest (vacancy notice).

<u>If successful, for the recruitment procedure:</u>

- Information regarding the identification of the candidate and personal data: national number/ID number, passport-size picture, private home address, surname and first name of the candidate's registered parents and birthplace (birth certificate);
- Information regarding criminal records;
- Medical data in the context of the pre-employment medical visit of candidates who received a job offer and accepted it (not applicable to seconded national experts).
- Bank account details (Financial Identification form) and Legal entity details
- Information relating to a potential conflict of interest is also processed ("Conflict of interest" form), which, in certain cases, includes the name, surname and information relating to the employment of the spouse/another family member (only where the candidate declares a potential conflict linked to the situation of the spouse/other family member);
- Medical and insurance information (to join the JSIS insurance coverage) for the staff member and their dependents;
- Information related to spouse and dependents for the establishment of rights and entitlements by the Paymaster's office

All personal data are **mandatory** if specified as such, for the purpose(s) outlined above.

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

- Authorised staff in charge of recruitment and administration of the EISMEA/REA/CINEA/ HaDEA/ EACEA/ ERCEA Human Resources Sectors;
- Members of the relevant Selection Panel/Selection Committee;
- Authorised staff of the competent EISMEA/REA/CINEA/HaDEA/EACEA/ERCEA Finance Unit/Team (for the purpose of reimbursement of travel costs related to your interviews);

- Authorised staff of DG HR of the European Commission - Medical Service (for selected candidates);
- Authorised staff of the Commission Pay Master's Office (PMO) (for selected candidates);
- Authorised staff of external contractors, if applicable;
- Relevant Heads of Departments/Head of Units/Head of Sectors/Team leaders of EISMEA/REA/CINEA/HaDEA/EACEA/ERCEA;
- Authorities authorised to conclude contracts of employment (Directors of EISMEA/REA/CINEA HaDEA/EACEA/ERCEA);
- The EISMEA/REA/CINEA/HaDEA/EACEA/ERCEA Data Protection Officers;
- The members of the Legal Services of EISMEA/REA/CINEA/HaDEA/EACEA/ ERCEA.

In addition, data may be disclosed to third parties in accordance with Union and Member State law. The processing of personal data by those public authorities shall be in compliance with the applicable data protection rules according to the purpose of the processing:

- The European Court of Justice or a national judge as well as the lawyers and the agents of the parties in case of a legal procedure;
- The competent Appointing Authority in case of a request or a complaint lodged under Articles 90 of the Staff Regulations;
- OLAF in case of an investigation conducted in application of Regulation (EC) No 1073/1999;
- The Internal Audit Service of the Commission within the scope of the tasks entrusted by article 118 of the Financial Regulation and by article 49 of the Regulation (EC) No 1653/2004;
- The Court of Auditors within the tasks entrusted to it by Article 287 of the Treaty on the Functioning of the European Union of the EC Treaty and Article 20, paragraph 5 of Regulation (EC) No 58/2003;
- The European Ombudsman within the scope of the tasks entrusted to it by Article 228 of the Treaty on the Functioning of the European Union;
- The European Data Protection Supervisor in accordance with Article 58 of the Regulation (EU) No 2018/1725.

If you are put on a reserve list, the relevant authorised persons of EISMEA/REA/ CINEA/HaDEA/EACEA/ERCEA can have access to your CV and the results of your evaluation on a need to know basis.

Your personal data will **not be transferred to third countries** outside of the European Union or international organisations unless otherwise provided for the use of third party conferencing/ testing tools.

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

The following technical and organisational security measures are in place to safeguard the processing of you personal data: Electronic communication and files are secured for internal communication purposes. Personal data are processed on a need-to-know basis by authorised staff only, with limited access rights to files stored on secured Servers subject to the **European Commission's security Decision** 2017/46 of 10 January 2017. Paper files are stored in locked cupboards.

Your personal data will be kept according to the following time limits of storing data in line with the Common Retention List of the Commission:

- Should you be recruited by one of the Executive Agencies, then your personal data will be retained according to the applicable recruitment procedure of EISMEA/REA/CINEA/HaDEA/EACEA/ERCEA.
- 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.
- Should a conflict of interest be identified either by the successful candidate or by the recruiting service, the HR team uploads the complete document, signed by the Appointing Authority and including the mitigating measures decided, together with the offer letter, into the personal file of the candidate for a maximum of 5 years after the end of service.

Data will be automatically removed at the end of this period.

You have the right at any time 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 as well as to request erasure of your personal data held by the data controller, where applicable. If processing of some data 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.

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

You have to right to data portability between EU Institutions, Bodies and Agencies.

Your right to information, access, rectification, erasure, restriction or objection to processing, communication of a personal data breach or confidentiality of electronic communications may be restricted only under certain specific conditions as set out in the **applicable Restriction Decision** of the Executive Agencies in accordance with Article 25 of Regulation (EU) 2018/1725.

If you have **any queries** concerning the processing of your personal data, you may contact the entity acting as data controller as follows:

For EISMEA: Head of Department C via EISMEA-HR-RECRUITMENT@ec.europa.eu (for selection) and EISMEA-HR-ADMINISTRATION (for recruitment).
For CINEA: Head of Unit A.A4 via CINEA-HR-RECRUITMENT@ec.europa.eu.
For HaDEA: Head of Unit C3 via HADEA-TALENT-SELECTION@ec.europa.eu.
For REA: Head of Unit D.2 via REA-HR-SELECTION-RECRUITMENT@ec.europa.eu.
For ERCEA: Head of Unit D.2 CINEA-HR-RECRUITMENT@ec.europa.eu.
For EACEA: Head of Unit R.1 EACEA-HR-SELECTION@ec.europa.eu.

You shall have the **right of recourse** at any time to the EISMEA Data Protection Officers of the participating Executive Agencies (EISMEA-DPO@ec.europa.eu; REA-

DATA-PROTECTION-OFFICER@ec.europa.eu; HADEA-DPO@ec.europa.eu; ERC-DATA-PROTECTION@ec.europa.eu; EACEA-data-protection@ec.europa.eu; CINEA-DPO@ec.europa.eu) and to the European Data Protection Supervisor at https://edps.europa.eu.

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Electronically signed on 05/08/2025 11:15 (UTC+02) in accordance with Article 11 of Commission Decision (EU) 2021/2121