EUROPEAN INNOVATION COUNCIL AND SMEs EXECUTIVE AGENCY (EISMEA)

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

Data Protection Notice for external selection and recruitment procedures in EISMEA

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.
EISMEA protects the fundamental rights and freedoms of natural persons and in particular you 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 data controller of the processing operation is the Head of Department C Compliance, People and Budget of the European Innovation Council and SMEs Executive Agency (EISMEA).

The following entity(ies) is/are acting as Processor(s) on behalf of the controller 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 interview and written/competency tests.

The legal basis for the processing activities are:
- 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);

[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).

[2] *EISMEA Establishment Act*: Commission Implementing Decision (EU) 2021/173 of 12 February 2021 establishing the **European Innovation Council and SMEs Executive Agency**, (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.

- 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[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 external selection and recruitment procedures for different categories of statutory staff (temporary staff and contract staff) and non-statutory staff (seconded national experts); to manage applications at the various stages of these selections and recruitments; to manage and check the use of reserve lists when applicable, to check the existence of any conflict of interests and to constitute personal files for recruited staff.

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

- 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);
- 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 seconded national experts);
- Information about disability might be requested in order to facilitate the access of the candidate to the EISMEA 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

[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).
- 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.
- Steering Committee Decision (2018) of 19 July 2018 on the application by analogy of the Commission Decision C(2008) 6866 laying down the rules on the secondment to the Commission of national experts and national experts in professional training.

application against the vacancy notice, such as probationary period, confirmation of grade etc.;
- Profile in EPSO;
- Any additional information is disregarded unless requested as specified in the Call for Expression of Interest (vacancy notice).

If successful, for the recruitment procedure:

- 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** as specified for the purpose(s) outlined above.

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 EISMEA Human Resources Sector;
- Members of the Selection Committees for temporary staff, contract staff and seconded national experts positions;
- authorised external experts (e.g. EIC Board members acting as observers during interviews), if applicable;
- authorised staff of the European Commission, if applicable;
- authorised staff of external contractors, if applicable;
- authorised staff of the competent EISMEA Finance Unit (for the purpose of reimbursement of travel costs related to interviews);
- authorised staff of DG HR of the European Commission - Medical service (for selected candidates);
- authorised staff of DG HR of the European Commission involved in any exchange activities, initiatives or programme (i.e. Junior Professional Programme[4]);
- 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 EISMEA).

[4] Commission Decision of 13.12.2022 on establishing the Junior Professionals Programme (C(2022) 9068 final.

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 Public Prosecutor's Office (EPPO);
- the European Court of Auditors;
- the EISMEA Data Protection Officer;
- the members of the EISMEA 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 EISMEA unit, 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 unless otherwise provided for the use of third party conferencing/ testing tools.
The processing of your 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 your 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:

- 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.
- If a conflict of interest is 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.

All personal 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.

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

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** in accordance with Article 25 of Regulation (EU) 2018/1725.

If you have **any queries** concerning the processing of your personal data, you may address them to Head Department C (entity acting as data controller) via EISMEA-HR-RECRUITMENT@ec.europa.eu (for selection) and EISMEA-HR-ADMINISTRATION (for recruitment).

You shall have right of recourse at any time to the EISMEA Data Protection Officer at EISMEA-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