



**European Research Council**  
Executive Agency

Established by the European Commission

## RECORD OF PERSONAL DATA PROCESSING

Art. 31 of the 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 (henceforth the "Data protection regulation")

Record n°

DPO 25/2020

In accordance with Article 31 of the data protection regulation, individuals whose personal data are processed by the Executive Agency in any context whatsoever are to be protected with regard to the processing of personal data and the Executive Agency has to keep records of their processing operations.

This record covers two aspects:

1. Mandatory records under Art 31 of the data protection regulation (recommendation: make the header and part 1 publicly available)
2. Compliance check and risk screening (initial; part 2 is internal only to the Agency, not published)

The ground for the record is (tick the relevant one):

- Regularization of a data processing operation already carried out
- Record of a new data processing operation prior to its implementation
- Change of a data processing operation.
- Migration from notification to record

### Selection and Recruitment of Contract Agents 3(a) and Temporary Agents 2(f) ("External")

<b>1</b>	<b>Last update of this record if applicable</b>	Staff Selection and Recruitment of Contract Agents (CA), Temporary Agents (TAs External and Seconded): DPO 2-2010.
<b>2</b>	<b>Short description of the processing</b>	<p>The European Research Council Executive Agency (ERCEA) selects and recruits staff for Contract Agent 3(a) (CA) and Temporary Agent 2(f) (TA) vacancies in conformity with the legal basis, while seeking professional and competent candidates who match the eligibility and selection criteria, the culture and values of the organization.</p> <p>In order to identify these individuals and ensure a successful process compliant with the rules and regulations applicable to the selection and recruitment of staff, in the <b>selection phase</b> the ERCEA collects data</p>

	<p>from candidates or applicants. The ERCEA uses this information to assess the candidates or applicants against the criteria set out in job descriptions, vacancy notices or Calls for Expression of Interest. The ERCEA shortlists candidates in order to interview them and possibly test specific skills with supplementary forms of evaluation (e.g., written tests). Interviews and supplementary forms of evaluation are conducted in person on the ERCEA premises, or remotely using videoconferencing tools such as Cisco WebEx. The best candidates can be transferred to different posts (in the context of internal mobility), retained on Reserve Lists (in the case of selection processes) or offered contracts of employment (following recruitment interviews), as the case may be.</p> <p>In <b>the recruitment phase</b>, candidates who accept offers of employment are invited to an administrative appointment, during which further documents are collected to establish the contract as well as the individual rights. These documents also constitute the personal file of ERCEA staff members.</p>
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### Part 1 - Article 31 Record

<b>3</b>	<b>Function and contact details of the controller</b>	<p>Head of Human Resources Unit (ERCEA.D.2)</p> <p><a href="mailto:ERC-SELECTION@ec.europa.eu">ERC-SELECTION@ec.europa.eu</a></p> <p><a href="mailto:ERC-SPONTANEOUS-APPLICATIONS@ec.europa.eu">ERC-SPONTANEOUS-APPLICATIONS@ec.europa.eu</a></p> <p><a href="mailto:ERC-RECRUITMENT@ec.europa.eu">ERC-RECRUITMENT@ec.europa.eu</a></p> <p>Note that for specific selection processes, other functional mailboxes may be established.</p>
<b>4</b>	<b>Contact details of the Data Protection Officer (DPO)</b>	<a href="mailto:ERC-DATA-PROTECTION@ec.europa.eu">ERC-DATA-PROTECTION@ec.europa.eu</a>
<b>5</b>	<b>Name and contact details of joint controller (where applicable)</b>	N/A
<b>6</b>	<b>Name and contact details of processor (where applicable)</b>	<p>European Commission Directorate General Human Resources (DG HR)</p> <p><a href="mailto:DIGIT-SYSPEP2@ec.europa.eu">DIGIT-SYSPEP2@ec.europa.eu</a></p> <p><a href="mailto:HR-MEDICAL-RECRUITMENT@ec.europa.eu">HR-MEDICAL-RECRUITMENT@ec.europa.eu</a></p> <p>Directorate-General for Informatics (DG DIGIT)</p> <p><a href="mailto:DIGIT-SYSPEP2@ec.europa.eu">DIGIT-SYSPEP2@ec.europa.eu</a></p> <p>Pay Master Office (PMO)</p> <p><a href="mailto:PMO-BRU-ENTRY-INTO-SERVICE@ec.europa.eu">PMO-BRU-ENTRY-INTO-SERVICE@ec.europa.eu</a></p> <p>European Personnel Selection Office (EPSO)</p>

		<a href="mailto:EPSO-CAST@ec.europa.eu">EPSO-CAST@ec.europa.eu</a>
7	<b>Purpose of the processing</b>	<p>The ERCEA processes personal data during <b>the selection phase</b> in order to evaluate the eligibility, the expertise and the suitability of applicants for current or future vacancies. The initially collected data may be also processed in the context of a possible recruitment of selected candidates.</p> <p>The ERCEA processes personal data during <b>the recruitment phase</b> in order to evaluate the eligibility of the data subject, to establish the grading, the contract and individual rights and to constitute the personal file. Upon recruitment, further documents are added to the personal file during the career of the data subject.</p> <p>The Controller may envisage anonymous statistical analyses with the purpose of improving the quality of the processes and the management of human resources.</p>
8	<b>Description of the categories of data subjects</b>	<p>Whose personal data are being processed?</p> <p><input checked="" type="checkbox"/> EA staff Active Contract staff 3(a) and Temporary staff 2(f).</p> <p><input type="checkbox"/> Visitors to the EA</p> <p><input type="checkbox"/> Contractors providing goods or services</p> <p><input checked="" type="checkbox"/> Applicants</p> <p><input checked="" type="checkbox"/> Relatives of the data subject</p> <p><input type="checkbox"/> Complainants, correspondents and enquirers</p> <p><input type="checkbox"/> Witnesses</p> <p><input type="checkbox"/> Beneficiaries</p> <p><input type="checkbox"/> External experts</p> <p><input type="checkbox"/> Other, please specify: _____</p>

<p>9</p>	<p><b>Description of personal data categories</b></p> <p>Indicate <b>all</b> the categories of personal data processed and specify which personal data are being processed for each category (between brackets under/next to each category):</p>	<p><b>Categories of personal data:</b></p> <p><input checked="" type="checkbox"/> in the form of personal identification numbers [ID documentation, ERCEA personnel number].</p> <p><input checked="" type="checkbox"/> concerning the physical characteristics of persons as well as the image, voice or fingerprints [Passport-sized photograph, some CVs may contain a picture].</p> <p><input type="checkbox"/> concerning the data subject's private sphere</p> <p><input checked="" type="checkbox"/> concerning pay, allowances and bank accounts [Data necessary to determine the individual rights and financial entitlements (e.g., through PMO forms) including data on the data subject's bank account, past residences, last tax domicile and place of origin, the data subject's household, travel expenses forms (when taking up duties and/or at the end of service), daily subsistence allowance proof. Where necessary, the ERCEA's Unit D.2 – "Human Resources" may request additional financial information to establish the individual rights].</p> <p><input checked="" type="checkbox"/> concerning the data subject's family [Marital status certificate (e.g., marriage or civil partnership), birth certificates of any children, data concerning spouse/partner's professional activities including household allowances].</p> <p><input checked="" type="checkbox"/> concerning the data subject's career, recruitment and contracts [Knowledge of languages, including, for each language, the level of understanding, listening, reading, spoken proficiency, written proficiency]; [Work experience, including, for each experience, start and end dates, position/title held, work regime (full-time or part-time), main activities and responsibilities, name and address of the employer, type of business, sector, possible publications, current contract or HR certificate demonstrating the contract type as well as the duration at which the contract was concluded, proof of the completion of military service (if any), CV, data subject's job offer from the ERCEA and his/her decision, ERCEA contracts of employment and amendments, transfer decisions]; [Education and training information, including, for each course, start and end dates, title, qualification, diploma (level in the national and/or international classification), main study subjects, name of the organisation providing the education or the training]; [Skills and competences: Technical and non-technical skills relevant to the position; organisational, social or other skills]; [Motivation, strengths and achievements: the motivation to apply and a description of relevant strengths and achievements]; [EPSO letter confirming the data subject passed the</p>
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		<p>relevant CAST profile (for Contract Agents only)].</p> <p><input type="checkbox"/> concerning leave and absences</p> <p><input type="checkbox"/> concerning missions and journeys</p> <p><input type="checkbox"/> concerning social security and pensions</p> <p><input type="checkbox"/> concerning expenses and medical benefits</p> <p><input checked="" type="checkbox"/> concerning telephone numbers and communications</p> <p>[Private phone number].</p> <p><input checked="" type="checkbox"/> concerning names and addresses (including email addresses]</p> <p>[Title, first name, maiden name, surname, private e-mail address, permanent private address, city and country of residence].</p> <p><input type="checkbox"/> Other :please specify:</p> <p>[Nationality/citizenship, date and place of birth, gender].</p> <p><b><i>Categories of personal data processing likely to present <u>specific risks</u>:</i></b></p> <p><input checked="" type="checkbox"/> data relating to suspected offences, offences, criminal convictions or security measures</p> <p>[An extract from the data subject's criminal record or a certificate of good behaviour, issued at the place of residence less than three months prior to submission, certifying that the data subject enjoys his/her full rights as a citizen and has the appropriate character references as to his/her suitability for the performance of his/her duties].</p> <p><input checked="" type="checkbox"/> data being used to evaluate personal aspects of the data subject (ability, efficiency, conduct)</p> <p>[EPSO CAST results (for candidates for Contract Agent posts) and supplementary forms of evaluation carried out by the Agency (e.g. written tests)];</p> <p>[Collective final appreciation of the Selection Committees or Recruitment Panels of candidate's individual performance];</p> <p>[Further personal data may be referenced by the data subject in the declarations on the absence of a conflict of interest and of confidentiality].</p> <p><b><i>Categories of personal data whose processing is <u>prohibited</u>, with exceptions (art. 10 new Regulation):</i></b></p> <p><input type="checkbox"/> revealing racial or ethnic origin</p> <p><input type="checkbox"/> revealing political opinions</p> <p><input type="checkbox"/> revealing religious or philosophical beliefs</p>
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<p>10</p>	<p><b>Retention time (time limit for keeping the personal data)</b></p>	<p><input type="checkbox"/> revealing trade-union membership</p> <p><input checked="" type="checkbox"/> concerning health</p> <p>[The Medical Service of the Commission in charge of the pre-recruitment medical visit prepares and sends the data subject's "medical clearance" to the ERCEA's Unit D.2 – "Human Resources". Medical data, such as the results of medical examinations or diagnoses, are retained by the Medical Service and are not provided to the ERCEA. The ERCEA has no access to medical files].</p> <p>[Information about any physical constraint requiring special measures to attend the interview or carry out the work].</p> <p><input checked="" type="checkbox"/> genetic data, biometric data for the purpose of uniquely identifying a natural person</p> <p>[Hand-written signatures on supplementary forms of evaluation carried out by the Agency, on PMO forms and contracts].</p> <p><input type="checkbox"/> concerning sex life or sexual orientation</p> <p><b><i>Specify any additional data or explanatory information on the data being processed, if any:</i></b></p> <p><u>Candidates may spontaneously reveal further types of data. However, the ERCEA does not actively request or collect other personal data categories than those ticked above.</u></p> <p>Currently, the ERCEA applies by analogy the principles and the retention periods indicated in the Common Commission-Level Retention List SEC(2019)900/2 of 19 April 2019.</p> <ul style="list-style-type: none"> <li>- The personal data of candidates that are not retained on a Reserve List (ineligible, not shortlisted, unsuccessful) are kept for a maximum of five years after the conclusion of the selection process.</li> <li>- The personal data of non-recruited candidates that have been included on a Reserve List are kept for a maximum of two years from the date of the expiration of the Reserve List.</li> <li>- In the event that an application in the context of selection processes is withdrawn, the ERCEA's HR Unit keeps personal data until the closure of the selection process and then erases the respective data. With the exception of applications in SYSPER, for which the retention period indicated in the SYSPER Data Protection Notice applies.</li> <li>- The ERCEA's HR Unit keeps spontaneous applications, including the supporting documents submitted, for one year. In case of a request for withdrawal, the ERCEA deletes the entire application without undue delay.</li> <li>- Personal files of recruited staff members are retained for eight years after the termination of all rights of the</li> </ul>
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		<p>person concerned and of any dependants, and for at least 100 years after the date of recruitment of the person concerned.</p> <ul style="list-style-type: none"> <li>- The “extract of the criminal record” is returned to the data subject and only a standard form confirming the content is stored in the personal file.</li> </ul> <p>Is any further processing for archiving purposes in the public interest, historical, statistical or scientific purposes envisaged?  <input checked="" type="checkbox"/> yes <input type="checkbox"/> no</p> <p>The ERCEA may envisage anonymous statistical analyses with the purpose to improve the quality of the processes and the management of human resources. However, the retention periods mentioned above will not be increased.</p>
11	<b>Recipients of the data</b>	<p>The persons with access to your personal data, on a <b>need-to-know basis</b>, are:</p> <ul style="list-style-type: none"> <li>- The members of the HR Unit and authorised personnel dealing with staff selection, and, for selected candidates, with staff recruitment;</li> <li>- The members of Selection Committees, Recruitment Panels or the Heads of recruiting services (including, only in exceptional cases, members of the ERC Scientific Council or other EU institutions and agencies, where relevant);</li> <li>- Services of the European Commission: the PMO (e.g., for preparation of the salary slips), the OIB (e.g., for the provision on particular office equipment) and the Medical Service (e.g., the pre-recruitment medical visit organisation);</li> <li>- The AHCC (Authority Empowered to Conclude Contracts of Employment), i.e., the ERCEA’s Director.</li> </ul> <p>In addition, certain administrative details may be disclosed, in compliance with the relevant current legislation and established case law, and on a temporary basis to legislative or supervisory bodies of the ERCEA, as well as auditing bodies or courts.</p>
12	<b>Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?</b>	N/A
13	<b><u>General</u> description of the technical and organisational security measures</b>	<p>The HR Unit is responsible for the management of any documents produced, circulated and/or received, ensuring the appropriate treatment of all documents. Recruiting services and Selection Committee members are responsible for undertaking the necessary measures to ensure that documents are processed and managed in a rule-compliant and secure manner.</p> <p>E-mails including personal data (e.g. applications of</p>

		<p>candidates, communications, etc.) should be sent via encrypted e-mail (SECEM). Access to files is limited to authorised personnel, regardless of where they are saved: on the ERCEA Shared Drive; the Functional Mailboxes (FMBs) <a href="mailto:ERC-SELECTION@ec.europa.eu">ERC-SELECTION@ec.europa.eu</a>, <a href="mailto:ERC-SPONTANEOUS-APPLICATIONS@ec.europa.eu">ERC-SPONTANEOUS-APPLICATIONS@ec.europa.eu</a> or <a href="mailto:ERC-RECRUITMENT@ec.europa.eu">ERC-RECRUITMENT@ec.europa.eu</a>; or of which a physical copy is kept.</p> <p>The official register of the Agency is ARES/NomCom and all files therein are processed using the restricted marking. SYSPER is the HR Information System of the European Commission, access to personal data is protected by the management of the access rights which are strictly limited to authorised personnel.</p>
14	<p><b>Information to data subjects/Data Protection Notice (DPN)</b></p>	<p>The Data Protection Notices for Staff Selection and Spontaneous Applications and Staff Recruitment are published on the ERCEA intranet "<i>Human Resources - Data Protection &amp; Privacy</i>" - <i>Selection &amp; Recruitment Privacy Statements</i>:</p> <p><a href="http://intranet.ercea.cec.eu.int/services/human-resources/priv/Pages/Recruitment.aspx">http://intranet.ercea.cec.eu.int/services/human-resources/priv/Pages/Recruitment.aspx</a>.</p> <p>These two DPNs are also publicly available under the section of "Careers" on the ERC website:</p> <p><a href="https://erc.europa.eu/about-erc/careers">https://erc.europa.eu/about-erc/careers</a>.</p> <p>Moreover, the ERCEA provides all candidates for individual selection processes with the DPN Staff Selection by e-mail in the invitation to the interview. (Internal candidates applying to internal publications are referred to the same DPN in the publication notice.)</p> <p>Information concerning other types of processing of personal data related to career can be found at: <a href="https://erc.europa.eu/about-erc/careers">https://erc.europa.eu/about-erc/careers</a>.</p> <p>For internal publications, for which candidates apply in SYSPER, please see also SYSPER's privacy statements here: <a href="https://europa.eu!/km76PF">https://europa.eu!/km76PF</a>.</p> <p>For EPSO's privacy policy, please refer to the following link: <a href="https://europa.eu!/rr78Yq">https://europa.eu!/rr78Yq</a>.</p> <p>For the Medical Service's privacy statement: <a href="https://europa.eu!/Px88um">https://europa.eu!/Px88um</a>.</p>