



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 28/2020

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 Secondment of National Experts (SNEs)

1	Last update of this record if applicable	DPO 43-2012
2	Short description of the processing	<p>The European Research Council Executive Agency (ERCEA) selects and facilitates the secondment of National Experts (SNEs) in conformity with the legal basis, while seeking professional and competent candidates who match the culture and values of the organisation. SNEs are temporarily seconded to the ERCEA so that the Agency can benefit from the SNEs' expertise in a particular field, while fostering the exchange of experience and knowledge.</p> <p>During the <b>selection phase</b> the ERCEA collects data from applicants via the Permanent Representations, the EFTA Secretariat or the Mission of Turkey, uses this information to shortlist candidates, to interview shortlisted candidates,</p>

	<p>possibly with supplementary forms of evaluation. 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 are retained on Reserve Lists and can be seconded to the Agency.</p> <p>In <b>the secondment phase</b>, candidates who accept offers of secondment are requested to submit further documents of their own and of their employer. These documents are collected to ensure that the SNE will be seconded under the terms and conditions applicable to SNEs in the Agency and to formalise the secondment. The documents also constitute the personal file of National Experts, to which subsequently documents related to extension, suspension and termination may be added.</p>
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### Part 1 - Article 31 Record

<b>3</b>	<b>Function and contact details of the controller</b>	Head of the Human Resources Unit (ERCEA.D.2)  <a href="mailto:ERC-SELECTION@ec.europa.eu">ERC-SELECTION@ec.europa.eu</a>  <a href="mailto:ERC-RECRUITMENT@ec.europa.eu">ERC-RECRUITMENT@ec.europa.eu</a>
<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>	European Commission Directorate General Human Resources (DG HR)  <a href="mailto:DIGIT-SYSPEP2@ec.europa.eu">DIGIT-SYSPEP2@ec.europa.eu</a>  <a href="mailto:hr-mail-D3@ec.europa.eu">hr-mail-D3@ec.europa.eu</a>  Directorate General for Informatics (DG DIGIT)  <a href="mailto:DIGIT-SYSPEP2@ec.europa.eu">DIGIT-SYSPEP2@ec.europa.eu</a>  Pay Master Office (PMO)  <a href="mailto:PMO-BRU-ENTRY-INTO-SERVICE@ec.europa.eu">PMO-BRU-ENTRY-INTO-SERVICE@ec.europa.eu</a>
<b>7</b>	<b>Purpose of the processing</b>	<p>The ERCEA processes personal data during the selection and secondment phases in order to evaluate the eligibility, the expertise and the profile of the data subject, to establish the secondment and process any possible extension, suspension or termination of the secondment. For candidates who are not nationals of the European Union (EU) or the European Free Trade Association (EFTA) Member States, personal data is also collected and processed for the security clearance, which is a prerequisite for secondment.</p> <p>The Controller may envisage anonymous statistical</p>

		analyses with the purpose of improving the quality of the processes and the management of human resources.
8	<b>Description of the categories of data subjects</b>	Whose personal data are being processed? <input type="checkbox"/> EA staff <input type="checkbox"/> Visitors to the EA <input type="checkbox"/> Contractors providing goods or services <input checked="" type="checkbox"/> Applicants <input checked="" type="checkbox"/> Relatives of the data subject <input type="checkbox"/> Complainants, correspondents and enquirers <input type="checkbox"/> Witnesses <input type="checkbox"/> Beneficiaries <input checked="" type="checkbox"/> External experts (Seconded National Experts) <input type="checkbox"/> Other, please specify _____
9	<b>Description of personal data categories</b>  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):	<i>Categories of personal data:</i> <input checked="" type="checkbox"/> in the form of personal identification numbers [ID documentation]. <input type="checkbox"/> concerning the physical characteristics of persons as well as the image, voice or fingerprints <input type="checkbox"/> concerning the data subject's private sphere <input checked="" type="checkbox"/> concerning pay, allowances and bank accounts [Allowances received in relation with the secondment and, if so, monthly amount; declaration on expenses and allowances]; [Data necessary to complete the Financial Identification Form (FEL): information on the data subject's bank account]. <input checked="" type="checkbox"/> concerning the data subject's family [Marital status, professional activity of spouse (title/description of work, place of work and starting date, name and address of employer), number and age of dependent children]. <input checked="" type="checkbox"/> concerning the data subject's career recruitment and contracts  <b>[Knowledge of languages]</b> , including, for each language, the level of understanding, listening, reading, spoken proficiency, written proficiency]; <b>[Work experience]</b> , including, for each individual experience, start and end dates, position/title held, professional activity, title/description of work, work regime (full-time or part-time), main activities and responsibilities,

	<p>name and address of the employer, type of business, sector, possible publications, current contract demonstrating the contract type as well as the duration at which the contract was concluded, professional address, place of work, date of entry into service with current employer, type of contract (on a permanent or on a contractual basis), CV, Offer Letter of Secondment, Secondment Request to Permanent Representation or Mission, other professional activities during the past three years, declaration of the employer on the SNE's time in service];</p> <p><b>[Education and training information</b>, 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, level of studies, highest diploma awarded including date and by whom];</p> <p><b>[Skills and competences</b>, technical and non-technical skills relevant to the position; organisational, social or other skills];</p> <p><b>[Motivation, strengths and achievements</b>, the motivation to apply and a description of relevant strengths and achievements];</p> <p><b>[References:</b> Contact details of referees].</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, city and country of residence, private e-mail address, previous places of residence, present private permanent address].</p> <p><input type="checkbox"/> Other: please specify: date and place of birth, gender, nationality/citizenship.</p> <p><i>Categories of personal data processing likely to present <u>specific risks</u>:</i></p> <p><input type="checkbox"/> data relating to suspected offences, offences, criminal convictions or security measures</p> <p><input type="checkbox"/> data being used to evaluate personal aspects of the data subject (ability, efficiency, conduct)</p> <p><i>Categories of personal data whose processing is <u>prohibited</u>, with exceptions (art. 10 new Regulation):</i></p> <p><input type="checkbox"/> revealing racial or ethnic origin</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 political opinions  <input type="checkbox"/> revealing religious or philosophical beliefs  <input type="checkbox"/> revealing trade-union membership  <input checked="" type="checkbox"/> concerning health </p> <p>[Information about any physical constraint requiring special measures to be taken to allow the SNE to attend the interview or carry out his/her 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 administrative forms for the commencement of secondment and leaving forms].</p> <p> <input type="checkbox"/> concerning sex life or sexual orientation </p> <p><i>Specify any additional data or explanatory information on the data being processed, if any:</i></p> <p>[Further personal data may be referenced by the data subject in applications as well as the declarations on the absence of a conflict of interest and of confidentiality];</p> <p>[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].</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 (CRL).</p> <ul style="list-style-type: none"> <li>• The personal data of <b>candidates that are not retained on a Reserve List</b> (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 <b>non-seconded candidates that have been included on a Reserve List</b> are kept for a maximum of two years from the date of the expiration of the Reserve List.</li> <li>• In the event that <b>an application is withdrawn</b>, the ERCEA's HR Unit keeps personal data until the closure of the selection process and then erases the respective data.</li> <li>• <b>Personal files of Seconded National Experts</b> are retained for eight years after the termination of all rights of the person concerned and of any dependants, and for at least 100 years after the date of secondment of the person concerned.</li> <li>• HR certificates are stored in the shared drive for a maximum period of three months.</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>
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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>• Authorised personnel dealing with staff selection and secondment of SNEs;</li> <li>• Services of the European Commission: the PMO (e.g., for allowances) and the OIB (e.g., for the provision of particular office equipment);</li> <li>• The AHCC (Authority Empowered to Conclude Contracts of Employment), i.e., the ERCEA's Director;</li> <li>• Contact points in the Permanent Representations, the EFTA Secretariat or the Mission of Turkey who can transmit personal data to the two FMBs of the ERCEA during the selection and secondment phases;</li> <li>• The Security Directorate of the Directorate General Human Resources and Security, to the extent that they need to arrange the clearance required for national experts who are coming from countries outside the EU or the EFTA.</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>	<p>When the data subject is a national of a third country, his/her personal data may be transferred to the contact point in that third country during the selection and secondment phases.</p> <p>In these cases, the transfer only happens if all the necessary safeguard measures are in place, in compliance with the data protection legal framework.</p>
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.</p> <p>E-mails including personal data (e.g., applications of candidates, communications, etc.) should be sent via encrypted e-mail (SECEM). The official register of the Agency is ARES/NomCom and all files therein are processed using the restricted marking. Access to files saved in the Shared Drive, the FMBs <a href="mailto:ERC-SELECTION@ec.europa.eu">ERC-SELECTION@ec.europa.eu</a> or <a href="mailto:ERC-RECRUITMENT@ec.europa.eu">ERC-RECRUITMENT@ec.europa.eu</a>, of which a physical copy is kept, is limited to authorised personnel.</p>

14	<b>Information to data subjects/Data Protection Notice (DPN)</b>	<p>The Data Protection Notice is 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>The DPN is 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>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>Further information concerning other types of processing of personal data in connection with the selection or secondment (e.g., reimbursement of travel expenses, health data or leave and absence management) may be found here:</p> <p><a href="http://intranet.ercea.cec.eu.int/services/human-resources/priv/Pages/default.aspx">http://intranet.ercea.cec.eu.int/services/human-resources/priv/Pages/default.aspx</a></p>