



**European Labour Authority**

DATA PROTECTION OFFICER

**RECORD OF PROCESSING OPERATIONS ON PERSONAL DATA**

DPR-ELA-2022-0010 Selection and recruitment of staff, interimaire, Seconded National Experts(SNEs) National Liaison Officers (NLOs), and trainees

**1 PART 1: PUBLIC - RECORD (ARTICLE 31<sup>1</sup>)****1.1 GENERAL INFORMATION**

<b>Record reference</b>	DPR-ELA-2022-0010
<b>Title of the processing operation</b>	Selection and recruitment of staff, interimaies, seconded national experts(SNEs) National Liaison Officers (NLOs) and trainees
<b>Controller entity</b>	European Labour Authority, Resources Unit, Human Resources (ELA HR Team)
<b>Joint controllers</b>	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> YES, fill in details below
<b>Processor(s)</b>	<input type="checkbox"/> N/A <input checked="" type="checkbox"/> YES, fill in details below
<b>External organisation(s)/entity(ies) Names and contact details</b>	<input type="checkbox"/> N/A <input checked="" type="checkbox"/> YES Microsoft Ireland South County Business Park, One Microsoft Place, Carmanhall and Leopardstown, Dublin, D18 P521, Ireland  For interimaies: Civitta & Synergie RIIA 24 A, 51010 Tartu, Estonia
<b>Data Protection Officer Name and contact details</b>	Laura NUNEZ BAREZ Landererova 12, 811 09 Bratislava I Slovakia Email: data-protection@ela.europa.eu
<b>Corporate Record</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Language of the record</b>	English

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<sup>1</sup> Pursuant to **article 31** of the new data protection regulation for EU institutions and bodies (**Regulation (EU) 2018/1725**) each controller and processor have to maintain a **record of processing activities** under its responsibility that contains at least the information listed under that article.

## 1.2 PURPOSE AND DESCRIPTION OF THE PROCESSING

### 1.2.1 Purpose

The purpose of this processing is to cover two different type of operations:

Pre-selection and Selection procedure:

In order to organise and manage the selection process for positions which are part of the establishment plan of the European Labour Authority (ELA) to ensure that the most suitable candidate is selected, appointed and where applicable, recruited for the published position.

Recruitment procedure:

To confirm the data relating to the identity of the person, and checking that the candidate complies with the conditions for recruitment laid down in the applicable legislation, as well as in the relevant notice of selection, call for expression of interest or notice of competition. The data collected serves also to assess the truthfulness of declarations made by the candidate at the various stages of the selection/recruitment process. Where it is shown that the conditions for recruitment are not met, recruitment cannot take place.

The data is used also for establishing the grading of the candidate (within the function group) and, where applicable, his/her step in that grade.

The data is also used to allow for the issuance of the access badge of the person concerned.

The data collected is transferred to PMO, without processing by ELA HR Team , for the purposes of establishing the candidate's pecuniary rights (allowances).

In order to assess medical fitness for recruitment, certain data (full name, date of birth, gender, nationality and future job) is shared with the Medical Service of the Commission in the case of Temporary Agents (TAs) and Contrat Agents (CAs).

In order to assess the measures to be taken in cases of potential conflicts of interests, data concerning former employment as well as data declared in the Conflict of Interests form may be shared within the ELA HR Team.

### 1.2.2 Processing for further purposes

- Archiving in the public interest
- Scientific or historical research purposes
- Statistical purposes

Safeguards in place to ensure data minimisation

- Pseudonymisation
- Any other, specify

SYSPEP

### 1.2.3 Modes of processing

1.  Automated processing (Article 24)
  - a.  Computer/machine
    - i.  automated individual decision-making , including profiling
    - ii.  Online form/feedback
    - iii.  Any other, specify

For Contract Agents and Temporary Agents:

Applications are received from EU CV online. This process is owned by the European Commission, Human Resources and Security (HR) and is covered by Record "DPR-EC-02050.2 EU CV online", available [here](#).

Applications are also collected directly from EPSO database. This process is owned by the European Commission, European Personnel Selection Office (EPSO) and is covered by

Record “DPR-EC-01159 - Selection, by competition, of permanent staff for the European institutions or for Community bodies, offices and agencies”, available [here](#).

2.  Manual processing
  - a.  Word documents
  - b.  Excel sheet
  - c.  Any other, specify
  
3.  Any other mode, specify  
PDFs, emails and any other specific format.

**Description**

ELA staff are provided with the MS O365 Office products to be able to access work documents from different devices and locations, and to carry out ELA’s tasks.

**1.2.4 Storage medium**

1.  Paper
2.  Electronic
  - a.  Digital (MS documents (Word, excel, Powerpoint), Adobe pdf, Audiovisual/multimedia assets, Image files (.JPEG, .PNG, etc.))
  - b.  Databases
  - c.  Servers
  - d.  Cloud
3.  External contractor premises

**1.2.5 Comments on the processing of the data**

Contract Agents, Trainees, Seconded National Experts (SNEs) and Temporary Agents

EU CV online and EPSO data base as specified above

National Liaison Officers (NLOs)

NLOs are directly nominated at national level. ELA received the nomination, therefore there is no pre-selection and/or selection process in their case.

Interimaires

Pre-selection done by an external contractor, acting as processor of ELA: Civitta & Synergie

**1.3 DATA SUBJECTS AND DATA CATEGORIES**

**1.3.1 Data subjects' categories**

1. Internal to organisation	<input checked="" type="checkbox"/> Yes ELA HR Team Contract Agents Temporary Agents Seconded National Experts (SNEs) National Liaison Officers (NLOs) Interimaires Trainees
2. External to organisation	<input checked="" type="checkbox"/> Yes External citizens (spontaneous applications)

**1.3.2 Data categories/fields**

Pre-selection and Selection procedure:

- Name, surname, address, email address, phone number, gender, nationality , date of birth, as well as data regarding professional experience and working periods including in other

Institutions/Agencies, education, language and skills as well as statutory link, function group and grade in case of candidates applying for inter-agency and inter-institutional procedures. This information is completed by a CV and a motivation letter. Further personal data processed during the selection phase will be the results of the candidate's performance during the written and oral tests.

- Interviews and written tests may take place either in presence or remotely via an online platform.
- In the event of an incident during the online assessment, additional personal data may be collected in the form of a report detailing the incidents detected.
- Information provided by the candidate concerning special needs.
- For managers, results of the assessment centre (feedback on the competencies tested in the assessment centre). For Contract Agents information whether they have passed/not any competition.

After the phase of pre-selection and selection explained below, a second phase take place:

#### Recruitment Procedure

- Extract of police record/certificate of good conduct/ Data relating to whether the candidate had been subjected to criminal or disciplinary sanctions in the past (in the form of a declaration to that effect, included in the application form)/ Data relating to the fulfilment of military obligations.
- Data on medical fitness (opinion provided by the Medical Service, with no medical information, only mention "apt" / "not apt ");
- Information for the evaluation of selection criteria or eligibility criteria: expertise, technical skills and languages, educational background, professional experience including details on current and past employments (including the selection grid) and necessary information to establish the classification in grade, the step, the seniority date and individual entitlements of the person concerned;
- Data relating to linguistic and IT skills;
- Data relating to the civil status, spouse and dependent children (full name, address, date of birth);
- Bank account reference (IBAN and BIC codes), VAT number, passport number, ID number;
- Data relating to conflict of interest, 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);

#### Spontaneous applications:

ELA does not consider any unsolicited applications. Candidates can only apply for a vacancy published through the channels and within the deadlines indicated in the vacancy notice. Spontaneous applications will be deleted no later than 3 months after the date of receipt. ELA HR team may inform the candidate about the possibility to be considered for an interimaire position and, if accepted, the CV will be forwarded to the external contractor and/or be considered to be part of the selection procedure.

#### **1.3.2.1 Special categories of personal data**

**Indicate if the processing operation concerns any 'special categories of data' which fall(s) under Article 10(1), which shall be prohibited unless any of the reasons under article 10(2) applies:**

**Yes , the processing concerns the following special category(ies):**

Data revealing

- racial or ethnic origin,
- political opinions,
- religious or philosophical beliefs,
- trade union membership,

Or/and,

- Genetic data, biometric data for the purpose of uniquely identifying a natural person,
- Data concerning health,
- Data concerning a natural person’s sex life or sexual orientation.

**Description:**

Data on medical fitness (opinion provided by the Medical Service, with no medical information, only mention “apt” / “not apt” )  
 Information provided by the candidate concerning special needs, in order to better set up the interview (if needed)

**If applicable, indicate the reasons under article 10(2) allowing the processing of the special categories of data:**

- (a)  The data subject has given explicit consent to the processing of those personal data for one or more specified purposes, [...].
- (b)  Processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security [...].
- (c)  Processing is necessary to protect the vital interests of the data subject or of another person where the data subject is physically or legally incapable of giving consent.
- (d)  Processing is carried out in the course of its legitimate activities with appropriate safeguards by a non-profit-seeking body which constitutes an entity integrated in a Union institution or body and with a political, philosophical, religious or trade-union aim [...].
- (e)  Processing relates to personal data which are manifestly made public by the data subject.
- (f)  Processing is necessary for the establishment, exercise or defense of legal claims or whenever the Court of Justice of the European Union is acting in its judicial capacity.
- (g)  Processing is necessary for reasons of substantial public interest, [...]
- (h)  Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services [...]
- (i)  Processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices [...].
- (j)  Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes [...].

**1.3.2.2 Data related to 'criminal convictions and offences'**

<b>The data being processed contain sensitive data which fall(s) under Article 11 'criminal convictions and offences'</b>	N/A <input type="checkbox"/> Yes <input checked="" type="checkbox"/>
<b>Description:</b> In accordance with Article 28(c) of the Staff Regulations and Articles 12(2)(c) and 82(2)(c) of the CEOS, participants to a recruitment procedure must provide an extract of the criminal record and declare	

whether they have been subject to a criminal conviction or disciplinary proceedings. Once the recruitment process is completed, the extract from the criminal record is encrypted before it is transmitted to the personal file. Apart from the extract of criminal records, the candidates also sign a declaration in their honour (included in the application form) attesting to the fact that they were not convicted/subject to disciplinary proceedings

#### 1.4 RETENTION PERIOD

Indicate the administrative time limit(s) for keeping the personal data per data category, and if known, specify the start/end date, or describe the specific start/end moment of each time limit:

Data category	Retention period
Selection procedures for contract staff, temporary staff, trainees and seconded national experts - <b>Successful candidates</b>	Files related to procedures for the selection of contract staff, temporary staff and seconded national experts will be kept for 10 years.
Selection of interim Staff - <b>Successful candidates</b>	5 years
Selection procedures for trainees - <b>Successful candidates</b>	10 years
Candidate files: Reserve list - <b>Successful candidates</b>	Period of validity of the reserve list
Candidate files – <b>Non successful candidates</b>	2 years, candidates may be consulted before deletion in order to renew their consent to be part of ELA database for 2 years more.
Unsolicited applications	3 months. ELA HR team may inform the candidate about the possibility to be considered for an interimaire position and, if accepted, the CV will be forwarded to the external contractor and/or be considered to be part of the selection procedure and be kept for a longer period.
Extract of the police record	Checked and encrypted by ELA HR Team, kept for one year after the person concerned took up duties and deleted afterwards.

#### Description years

Following ELA filing plan and specific retention list ( *Version 1.0 Last update: 27 May 2022*) Point 6. Human Resources management: Point 6.3 Selection and Procurement (6.3.1 Selection procedures for contract staff, temporary staff and seconded national experts, 6.3.2 Selection of interim staff, 6.3.3 Selection procedures for trainees, 6.3.4 Candidate files – Reserve list and 6.3.5 Candidate files – Eliminated and 6.4 Unsolicited Applications.

The part of the extract of the police record which contains the information on criminal convictions (if any) is encrypted before transmission to the personal file or to PMO.

#### 1.5 RECIPIENTS

Origin of the recipients of the data	
1. <input checked="" type="checkbox"/> Within the EU organization	File administrators in ELA HR Team ELA Finance and Procurement Team

2. <input checked="" type="checkbox"/> Outside the EU organization	European Commission: PMO and Medical Services

<b>Categories of the data recipients</b>
<p>1. <input checked="" type="checkbox"/> A natural or legal person</p> <p>2. <input type="checkbox"/> Public authority</p> <p>3. <input type="checkbox"/> Agency</p> <p>4. <input type="checkbox"/> Any other third party, specify</p> <p>Specify who has access to which parts of the data:</p> <p>File administrator in ELA HR Team will have access to all data categories, except data on medical fitness, as only a explicit mention “apt” / “not apt” is needed.</p> <p>European Commission, the Administration and Payment of Individual Entitlements (PMO) services and the Medical Services. The PMO will have access to all data categories, since they are included in the file, with the exception of the criminnl record, that once is checked by the file administrator is encrypted and only a reference to clear/non clear will be made. This specific process is covered by Record(s) of the European Commission:                      DPR-EC-01111 Transmission of Personal Data between EU Institutions, Bodies and Agencies                      DPR-EC-01116 Remuneration and equivalent payments                      DPR-EC-01117.2 SYSPER - PMO - Allocations familiales, indemnités et remboursement de frais, Available <a href="#">here</a>.</p> <p>Medical service has access to the full name, date of birth and type of post on which recruitment is to take place. This access is granted only where the medical check-up is needed for recruitment ( if the check-up was performed in another context, such as for an earlier recruitment, a new check-up is not necessary). This specific process is covered by Record DPR-EC-01837 Individual medical file - electronic (SERMED) and paper file of the European Commission, available <a href="#">here</a>.</p>

**1.6 INTERNATIONAL DATA TRANSFERS**

<b>Transfer to third countries or international organisations of personal data</b>	
<b>1. Transfer outside of the EU or EEA</b>	
<input checked="" type="checkbox"/> N/A, transfers do not occur and are not planned to occur <input type="checkbox"/> YES,	
Country(ies) to which the data is transferred	
<b>2. Transfer to international organisation(s)</b>	
<input checked="" type="checkbox"/> N/A, transfers do not occur and are not planned to occur <input type="checkbox"/> Yes, specify further details about the transfer below	

**1.7 INFORMATION TO DATA SUBJECTS ON THEIR RIGHTS**

<b>Rights of the data subjects</b>
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*Article 17 – Right of access by the data subject*

*Article 18 – Right to rectification*

*Article 19 – Right to erasure (right to be forgotten)*

*Article 20 – Right to restriction of processing*

*Article 21 – Notification obligation regarding rectification or erasure of personal data or restriction of processing*

*Article 22 – Right to data portability*

*Article 23 – Right to object*

*Article 24 – Rights related to Automated individual decision-making, including profiling*

### 1.7.1 Privacy statement

The data subjects are informed about their rights and how to exercise them in the form of the a privacy statement attached to this record.

#### Publication of the privacy statement

Published on website

Web location:

- ELA internal website  (URL: ELA SharePoint on Personal Data Protection )
- External website  (URL: <https://www.ela.europa.eu/en/privacy-policy>)

Other form of publication, specify

The privacy statement is attached to the letter/email addressed by ELA HR Team to the candidates and informing them of the start of the recruitment procedure.

Guidance for Data subjects which explains how and where to consult the privacy statement is available and will be provided at the beginning of the processing operation.

#### Description:

Guidance for Data subjects available in ELA website under Data Protection Policy.

### 1.8 SECURITY MEASURES

Short summary of overall Technical and Organizational Measures implemented to ensure Information Security:

#### Description:

All data in electronic format (e-mails, documents, uploaded batches of data etc.) are stored either on the servers of the European Labour Authority or of its contractors.

The European Labour Authority's contractors are bound by a specific contractual clause for any processing operations of personal data on behalf of the European Labour Authority, and by the confidentiality obligations deriving from the General Data Protection Regulation.

In order to protect personal data, the European Labour Authority has put in place a number of technical and organisational measures. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed.

Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.