



DATA PROTECTION NOTICE

ERCEA Unit D.2 – “Human Resources”

Selection and Secondment of National Experts (SNEs)

This notice concerns the processing operation called “**Selection and Secondment of National Experts**”. This processing requires the handling of personal data and is therefore subject to Regulation (EU) 2018/1725 (Data Protection Regulation)¹.

1. What personal information do we collect, from where and for what purpose?

1a) Personal data

During the **selection phase**, the following documents and personal data may be requested from data subjects and/or processed²:

- **Identification data and data on telephone numbers and communications:**
 - Title, first name, surname, city and country of residence, private phone number, private e-mail address, ID documentation³, nationality/citizenship.
- **Data concerning the data subject’s career and information concerning 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 individual 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 demonstrating the contract type as well as the duration at which the contract was concluded, CV;
 - **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;
 - **References**: Contact details of referees.

The ERCEA reserves the right to request the submission of the relevant documentary evidence.

During the **SNE secondment preparation**, in order to complete the file and confirm the secondment, the national expert and his/her employer are requested to provide the following information in addition to the data submitted during the selection phase:

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.

² Data subjects may spontaneously reveal further types of data not enumerated in the present Data Protection Notice. However, the ERCEA does not actively request or collect data other than those listed in this Notice.

³ ID documentation may reveal further personal data (e.g. photograph, gender, civil status, date and place of birth, signature). However, during the selection phase, we only request ID documentation for the purpose of providing access to the premises of the ERCEA.

- **Identification data and data on telephone numbers and communications:**
 - Maiden name, date and place of birth, gender, previous places of residence, present private permanent address.
- **Data 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.
- **Data concerning the data subject's career and information concerning recruitment and contracts:**
 - **Education and training information**, including level of studies, highest diploma awarded including date and by whom;
 - **Work experience**, including current professional activity, title/description of work, name of the employer, 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.
- **Information 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.
- **Data concerning health:**
 - Information about any physical constraint requiring special measures to be taken to allow the SNE to attend the interview or to carry out his/her work.
- **Biometric data (signatures):**
 - Hand-written signatures on administrative forms for the commencement of secondment.

Further personal data may be referenced by the data subject in the declarations on the absence of a conflict of interest and of confidentiality.

1b) Purpose of the processing

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.

The Controller may envisage anonymous statistical analyses with the purpose of improving the quality of the processes and the management of human resources.

Further information concerning other types of processing of personal data in connection with the selection or secondment (e.g., reimbursement of travel expenses) may be found here: <https://erc.europa.eu/about-erc/careers>.

1c) From where the data is collected

For the selection phase, the electronic means for submitting data is a functional mailbox (FMB) managed by the ERCEA (ERC-SELECTION@ec.europa.eu) through which the Permanent Representations and Missions channel the applications.

For the secondment, the national expert and his/her employer submit personal data to the FMB: ERC-RECRUITMENT@ec.europa.eu.

2. Who has access to your information, how is it secured and to whom is it disclosed?

The HR Unit is responsible for the management of any documents produced, circulated and/or received, ensuring the appropriate treatment of all documents.

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 ERC-SELECTION@ec.europa.eu or ERC-RECRUITMENT@ec.europa.eu, of which a physical copy is kept, is limited to authorised personnel.

The persons with access to your personal data, on a **need-to-know basis**, are:

- Authorised personnel dealing with staff selection and secondment of SNEs;
- Services of the European Commission: the PMO (e.g., for allowances) and the OIB (e.g., for the provision of particular office equipment);
- The AHCC (Authority Empowered to Conclude Contracts of Employment), i.e., the ERCEA's Director;
- 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;
- 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.

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.

In these cases, the transfer only happens if all the necessary safeguard measures are in place, in compliance with the data protection legal framework.

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.

3. What are your rights?

You have the right to access the personal data the ERCEA holds about you and to request to have them rectified where necessary. In certain cases, you also have the right to have your data erased, the right to object to processing or the right to data portability.

To exercise any of these rights, you should apply to the Head of Unit D.2 – “Human Resources”, who is responsible for such processing (i.e. the Controller), by sending an e-mail specifying your request to the mailbox indicated in point 5. Please note that in some cases restrictions under the terms and conditions of Article 25 of the Data Protection Regulation may apply.

With regard to the right of rectification, please be informed that in the case of data identifying your person, your right to update, rectify or erase those data can be exercised at any time during the selection or secondment process or during the period of secondment. On the contrary, data related to the eligibility criteria can be completed and corrected until the deadline for submission but cannot be rectified thereafter. Withdrawal of applications, on the other hand, is possible at any time.

4. How long do we keep your data?

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).

- 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.
- The personal data of **non-seconded 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.
- In the event that **an application is withdrawn**, the ERCEA's HR Unit keeps personal data until the closure of the selection process and then erases the respective data.
- **Personal files of Seconded National Experts** 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.
- **HR certificates** are stored in the shared drive for a maximum period of three months.

The ERCEA may envisage anonymous statistical analyses with the purpose to improve the quality of the processes and the management of human resources. However, retention periods mentioned above will not be increased.

5. Contact information

If you would like to receive further information, you can contact the Data Controller, Head of Unit D.2 – “Human Resources” regarding the personal data processed during:

- The selection phase via the FMB: ERC-SELECTION@ec.europa.eu.
- The preparation of secondment and the secondment itself via the FMB: ERC-RECRUITMENT@ec.europa.eu.

The ERCEA Data Protection Officer is at your disposal for any clarification you might need on your rights under Regulation (EU) 2018/1725 at the following e-mail address: ERC-DATA-PROTECTION@ec.europa.eu

You may lodge a complaint to the European Data Protection Supervisor (edps@edps.europa.eu) if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Data Controller.

6. Legal basis

The legal basis applying to these processing operations is Article 5(1)(a) of Regulation (EU) 2018/1725 given that 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. More specifically, the processing of personal data is necessary for the management and functioning of the Union Institutions or bodies (Recital 22 of Regulation (EU) 2018/1725).

Specific legal bases for the ERCEA's Selection and Secondment of National Experts procedure:

- Decision of the Steering Committee of the ERCEA laying down the rules applicable to seconded national experts and national experts in professional training at the ERCEA (StC160210/2d) of 25 October 2011: <https://europa.eu/Vg93Qn>.
- Procedure to select and second national experts (SNEs) (ARES(2019)5508509 of 1 September 2019).