



## EUROPEAN COMMISSION

European Climate, Infrastructure and Environment Executive Agency (CINEA)

### RECORD OF PERSONAL DATA PROCESSING ACTIVITY

In accordance with Article 31 of the [Data Protection Regulation for EUIs](#)<sup>1</sup> (hereinafter referred to as the Regulation), individuals whose personal data are processed by the European Climate, Infrastructure and Environment Executive Agency (hereinafter referred to as CINEA or Agency) in any context whatsoever are to be protected with regard to the processing of personal data and the Agency has to keep records of their processing activities.

Record No: 2020-002/R4-HR-02

Created on (date): 20/08/19

Last update (date): 07/07/21

#### NAME OF THE PROCESSING ACTIVITY

Management of unsolicited applications

#### GROUND FOR THE RECORD :

- Regularisation of a data processing activity already carried out  
This record replaces notifications HR-2 issued under the previous Data Protection Regulation
- Record of a new data processing activity prior to its implementation
- Change of a data processing activity (e.g.: update of a record).

<sup>1</sup> Regulation (EU) 2018/1725 of 23 October 2018

## 1. MANDATORY RECORD UNDER ARTICLE 31 OF THE REGULATION<sup>2</sup>

### 1.1. Name and contact details of controller

- a. CINEA.A4  
Chaussée de Wavre 910  
W910 03/004  
BE – 1049 Brussels
- b. Head of Unit CINEA.A4
- c. Email: CINEA-HR-RECRUITMENT@ec.europa.eu

### 1.2. Name and contact details of the Data Protection Officer (DPO)

CINEA DPO

[CINEA-DPO@ec.europa.eu](mailto:CINEA-DPO@ec.europa.eu)

### 1.3. Name and contact details of joint controller (where applicable)

Not applicable

### 1.4. Name and contact details of processor (where applicable)

Not applicable

### 1.5. Purpose of the processing

Process and manage the spontaneous applications sent by prospective candidates to CINEA.

### 1.6. Legal basis for the processing

Lawfulness: Article 5.1 (a) of the Regulation:

-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.

The legal basis references which apply to the selection are contained in:

Council Regulation (EC) No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes<sup>3</sup>;

Commission Implementing Decision (EU) 2021/173 of 12 February 2021 establishing the European Climate, Infrastructure and Environment Executive Agency, and repealing Implementing Decisions 2013/801/EU<sup>4</sup>;

Commission Decision C(2021)947 of 12 February 2021 delegating powers to the European Climate, Infrastructure and Environment Executive Agency with a view to the performance of tasks linked to the implementation of Union programmes in the field of transport and energy infrastructure; climate, energy and mobility research and innovation; environment, nature and biodiversity; transition to low-carbon technologies; and maritime and fisheries;

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<sup>2</sup> *This part of the record will be published on CINEA website and should be aligned with the information provided in the DP notice*

<sup>3</sup> OJ L11, 16.1.2003, p. 1

<sup>4</sup> OJ L 50, 15.2.2021, p. 9–28

Staff Regulations of officials and the Conditions of Employment of other servants of the European Union [Title I, Title III (Chapters 1 and 2)];

Conditions of Employment of Other Servants of the European Union (CEOS) [Title I, Title II (Chapters 1 and 3), Title IV (Chapters 1, 3, 4 and 5)];

Steering Committee Decision SC(2015)004 laying down general implementing provisions on the procedure governing the engagement and use of temporary staff under Article 2(f) of the CEOS as regards executive agencies;

Steering Committee Decision SC(2017)015 - Conditions of Employment of Other Servants of the European Union, governing the conditions of employment of contract staff employed by the Commission under the terms of Articles 3a and 3b thereof;

### **1.7. Categories of data subjects**

All individuals sending unsolicited applications to CINEA via mail or e-mail

### **1.8. Categories of personal data**

- Curriculum Vitae (identification data, education, professional experience and any personal data voluntarily displayed by the applicant);
- Motivation letter stating the reasons for the application.
- Reference letters

### **1.9. Retention time (time limit for keeping the personal data)**

[a] Retention period:

*CINEA applies the principles and retention periods indicated in Common Retention List of the Commission<sup>5</sup> (CRL) by analogy.*

*The files on unsolicited applications received by CINEA are kept for maximum 2 years after the date of receipt. The registered reply to the spontaneous applications is kept in ARES, the CV should not be included in the registered correspondence. However after the expiry of the retention period, the file is physically destroyed as provided for by the CRL.*

*b) Storage period: CINEA applies the principles and retention periods indicated in Common Retention List of the Commission by analogy.*

*The storage periods are the same as indicated for the retention period in point 1.9 a).*

c) Is any further processing for historical, statistical or scientific purposes envisaged, which would go beyond the normal retention period?

No

### **1.10. Recipients of the data**

*Candidates send their spontaneous applications via the functional mailboxes or directly CINEA staff (Director, Heads of Department, Heads of Unit, HR staff, etc). All unsolicited applications received via e-mail or regular mail must be forward by the recipient to the HR unit via functional mailbox CINEA-HR-RECRUITMENT@ec.europa.eu or handed over to them if in paper.*

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<sup>5</sup> SEC (2019) 900/2 - ARES(2019)4374520 – 09/07/2019

*Only designated persons from Human Resources unit involved in processing the applications and replying to the candidates can access and process the related personal data.*

*In case of audits or legal proceedings, CINEA's Internal Controller, Legal Sector, Staff Committee.*

In addition, data may be disclosed public authorities, which are not regarded as recipient but may receive personal data in the frame of a particular inquiry in accordance with Union and Member State law, namely:

- The European Court of Justice or a national judge as well as the lawyers and the agents of the parties in case of a legal procedure;
- The competent Appointing Authority in case of a request or a complaint lodged under Articles 90 of the Staff Regulations;
- IDOC in line with Commission Decision of 12 June 2019 laying down general implementing provisions on the conduct of administrative inquiries and disciplinary proceedings - C(2019)4231 and Commission Decision (EU) 2019/165 of 1 February 2019 Internal rules concerning the provision of information to data subjects and the restriction of certain of their data protections rights in the context of administrative inquiries, pre-disciplinary, disciplinary and suspension proceedings
- OLAF in case of an investigation conducted in application of Regulation (EC) No 1073/1999
- The Internal Audit Service of the Commission within the scope of the tasks entrusted by article 118 of the Financial Regulation and by article 49 of the Regulation (EC) No 1653/2004
- The Court of Auditors within the tasks entrusted to it by Article 287 of the Treaty on the Functioning of the European Union of the EC Treaty and Article 20, paragraph 5 of Regulation (EC) No 58/2003
- The European Ombudsman within the scope of the tasks entrusted to it by Article 228 of the Treaty on the Functioning of the European Union
- The European Data Protection supervisor in accordance with Article 58 of the Regulation (EC) 2018/1725
- The European Public Prosecutor's Office within the scope of Article 4 of Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office.

The transmission will be restricted to the information necessary for the competent entity to carry out its task

#### **1.11. Transfers of personal data to third countries or international organisations**

Not applicable

#### **1.12. Description of security measures**

Personal data of applicants is stored electronically and is accessible only by the authorised personnel on a need to know basis. Access is granted only if there is a clearly specified administrative purpose, and only to those whose role and level of

responsibility require them to have access. HR staff having access to the data is bound by confidentiality.

Electronic archives are kept in CINEA's Human Resources restricted CINEA Shared Drive and Functional mailbox and only accessible by designated staff members.

Access to electronic files is protected via the Commission security measures (use of password & ECAS authentication system, etc) under Commission Decision (EU, Euratom) 2017/46 of 10 January 2017 on the security of communication and information systems in the European Commission.

Any spontaneous applications received in paper format are scanned and stored in the respective functional mailbox (*CINEA-HR-RECRUITMENT@ec.europa.eu*). The paper file is destroyed.

### **1.13. Data Protection Notice**

A Data Protection Notice (DPN) relevant to this data processing activity is available on the CINEA Intranet <https://cineanet.cinea.cec.eu.int/services/human-resources/legal-issues/data-protection> and CINEA website: [https://cinea.ec.europa.eu/about-us/job-opportunities\\_fr](https://cinea.ec.europa.eu/about-us/job-opportunities_fr)