



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](#)¹ (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: 2020-009/R4-HR03
Created on (date): 22/08/19
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NAME OF THE PROCESSING ACTIVITY

Processing of personal data in the framework of the internal and inter-agency mobility

GROUND FOR THE RECORD:

- Regularisation of a data processing activity already carried out
This record replaces notifications n° HR 3 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).

¹ Regulation (EU) 2018/1725 of 23 October 2018

1. MANDATORY RECORD UNDER ARTICLE 31 OF THE REGULATION

1.1. Name and contact details of controller

- a. CINEA.A4 – Human Resources, IT and Logistics
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

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

The purpose of the personal data processing is to evaluate, select and recruit the best candidates for the positions available in CINEA in the framework of the internal and inter-agency mobility, in compliance with the requirements of the CEOS, implementing rules and vacancy notice for each post.

1.6. Legal basis for the processing

Lawfulness: Article 5.1 (a) & (b) 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.

-processing is necessary for compliance with a legal obligation to which the controller is subject;

The legal basis references 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 programmes²;

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/EU³;

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;

² OJ L11, 16.1.2003, p. 1

³ OJ L 50, 15.2.2021, p. 9–28

and maritime and fisheries;

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

During the selection phase, data subjects are all applicants who apply to a post within the Agency in the context of internal mobility or inter-agency mobility.

During the recruitment procedure, data subjects are the persons that have passed the selection procedure and that have received a job offer.

1.8. Categories of personal data

During the selection phase for Temporary and Contract Agents, the following documents and personal data may be requested from candidates and/or processed:

During the selection phase all the data input by the candidates and evaluation data from Selection Committee:

- *Personal data allowing identification of the candidate: title, family name, first name, name at birth, date and place of birth, sex, number and validity date of identification document, national number, email address, proof of the completion of military service, nationality/citizenship;*
- *Information provided by the candidate to allow practical organisation of the selection: address, postcode, city, country, telephone numbers, and languages for correspondence, special needs);*
- *Work experience: for each experience, occupation or position held, 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 or sector, possible publications, current contract or HR certificate demonstrating the contract type as well as the duration at which the contract was concluded;*
- *Education and training information: for each completed course, start and end dates, title of qualification awarded, principal subjects and occupation skills covered, name and type of organisation providing education and training, level in national or international classification)*
- *Languages: for each language specified, proficiency (understanding: listening and reading, speaking: spoken interaction and spoken production and writing)*
- *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;*

- *Additional information: "Appreciation of the Interview Performance" grid (collective final comments of the Selection Committee, including an assessment of the candidate's individual performance).*

During the recruitment phase for Temporary Agents and Contract Agents the following documents and personal data may be requested: :

- *Diplomas, certificates and complementary training (stating the legal duration of the studies);*
- *For contract agents – EPSO letter informing about successfully passed competition*
- *For Temporary Agents seconded to the Agency – Nomination act*
- *An extract from police file or a certificate of good behaviour;*
- *Birth certificate;*
- *Documents proving nationality;*
- *Statement of military service;*
- *Marriage certificate and/or divorce certificate;*
- *Birth certificates of any children and statement of continuing full-time education for any children attending university;*
- *Proof of professional experience – contracts of employment and certificated from previous employers stating the length of service, start and end date of remunerated activity and level of responsibility. The contracts should mention whether the professional activity was part-time or full-time. Payslips from previous employment;*
- *Financial identification form;*
- *Legal Entity form*
- *Document specifying usual; place of residence*
- *AIPN decision with determination of individual rights (obtained from the PMO)*

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

CINEA applies the principles and retention periods indicated in Common Retention List of the Commission⁴ by analogy.

[a) Retention period: •

- *Files documenting the organisation of selection procedures - 5 Years*

Files documenting the organisation of competitions: notices of competition, compositions of the selection committee, letter appointing the selection committee, declarations of confident laity of selection committee members, invitations to meetings, minutes, evaluation sheets, instructions for the selection committee, minutes and references to disputes.

- *Files on candidates for posts as contract or temporary staff (eliminated)- 5 years:*

File on each candidate for a temporary or contract agent contract staff post (application letter, exams, etc.), both those are eliminated during the recruitment procedure.

- *Files on candidates for posts as contract or temporary staff (reserve list)-2 years:*

File on each candidate for a temporary or contract agent post (application letter, exams, etc) entered in a reserve list or taken on for a specific post. A distinction needs to be made between recruited and non-recruited applicants on the reserve list. The information

⁴ SEC (2019) 900/2 - ARES(2019)4374520 – 09/07/2019

related to recruited applicants is stored in their personal file. The file of non-recruited applicants is closed once the reserve list is expired. Those entered on a reserve list or taken on for a specific post. Data will be automatically removed at the end of this period.

Following the digitalisation of personal files in Sysper (NDP), successful applicants' personal file will be transferred to CINEA or to the relevant EA at the entry into service.

b) Storage period:

CINEA applies the principles and retention periods indicated in Common Retention List of the Commission⁵ 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

- *The personnel in the HR Unit dealing with the selection, and, for selected candidates, HR unit staff handling the recruitment file;*
- *If necessary, the personnel in the financial circuit for the reimbursement of travel costs linked to the interview (only partial access);*
- *The members of the Selection Committee or the Heads of a recruiting service;*
- *The AHCC (Authority Empowered to Conclude Contracts of Employment), i.e., the CINEA's Director.*

For the recruitment phase, only the authorised personnel of Unit A4 – Human Resources Service can access and process personal data.

As appropriate, and in line with the Service Level Agreements in place and in order to manage files and rights, information will be transferred to the PMO (e.g. establishment of rights and entitlements and management of salary);

In case of audits or proceedings, etc., CINEA's Internal Controller, Legal Sector, Staff Committee, etc. may have access to the relevant data.

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

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

- 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 in paper and accessible only by the authorised personnel for the purposes of the selection and recruitment of candidates 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.

Selection is done outside the e-recruitment for internal and inter-agency mobility.

- 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 data is safeguarded by the internal European Commission IT systems, which protect against external users accessing the data. Access to electronic files is protected via the Commission security measures (use of password & ECAS authentication system, etc). ;
- Members of the Selection Committee are responsible for maintaining the confidentiality of any documents or electronic files sent to them. They are requested to return, erase or destroy all confidential documents or files received.
- Paper archives for each selection procedure are kept in closed cupboards and the keys are owned by the HR staff member responsible for each selection;
- Archives of the selections are transferred to an archive room with restricted access once the selection procedure is closed;
- For selected candidates, individual personal files are created and stored in secure archives that are accessible only to authorised personnel. An electronic version of the personal data is stored by the Unit A4 – HR Service and kept confidential with restricted access rights.
- Following the digitalisation of personal files in Sysper (NDP), for successful applicants joining from an Institution or Agency using this tool, the personal file will be transferred electronically to CINEA at the entry into service.

SYSPER uses a relational database on a central server with individualised access rights via

an internet browser for the identification of the Commission's staff members. A reference data base (ComRef) is federating the information generated and stored in the local and horizontal human resource management systems which were used before and which will still be used until SYSPER is fully operational, in particular SIC personnel, SIRE and SYSPER.

The datasets are safeguarded in the Data Center of the Commission, and therefore covered by the numerous defensive measures implemented by DG DIGIT to protect the integrity and confidentiality of the electronic assets of the Institution.

The access to the personal data is protected by the management of the access rights which are strictly limited to specific user groups. The entitlement is distributed according to the principle of 'the need to know' taking into consideration the function, the job and responsibilities of the applicant for an access right. Consequently, the access rights are continuously updated in accordance with the changes in the assignments of the jobholders.

The login and the passwords are managed by the common certification service of the European Commission.

The responsible human resource staff in CINEA have access to the specific data they need to fulfil their management tasks. All further access to other persons must be communicated to the jobholder.

Security is ensured in line with Commission Decision 2017/46 of 10/1/17 on the security of communications & information systems in the EC.

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>