

**Declaration on the protection of personal data
provided in the context of an application for the post of
European Data Protection Supervisor**

PROTECTION OF YOUR PERSONAL DATA

This privacy statement provides information about the processing and the protection of your personal data.

Processing operation: Selection of candidates in order to establish a short-list for the position of the European Data Protection Supervisor

Data Controller: Directorate-General “Human Resources and Security” / Directorate “Talent Management and Diversity – Executive Staff / Unit “Senior Management and CCA” (**HR.C.1**)

Record reference: DPR-EC-00612.1

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Introduction

The European Commission (hereafter ‘the Commission’) is committed to protect your personal data and to respect your privacy. The Commission collects and further processes personal data pursuant to 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 (repealing Regulation (EC) No 45/2001).

This privacy statement explains the reason for the processing of your personal data, the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you have in relation to your personal data. It also specifies the contact details of the responsible Data Controller with whom you may exercise your rights, the Data Protection Officer and the European Data Protection Supervisor.

The information in relation to processing operation “Selection of candidates in order to establish a short-list for the position of the European Data Protection Supervisor” undertaken by Unit HR.C.1 is presented below.

2. Why and how do we process your personal data?

Purpose of the processing operation: to organise the selection procedure for the function of European Data Protection Supervisor, allowing the European Commission to draw up a short-list of at least three candidates to be forwarded to the appointing authorities (the European Parliament and the Council of the European Union) with a view to appointment by those bodies.

Your personal data will not be used for an automated decision-making including profiling.

3. On what legal ground(s) do we process your personal data?

We process your personal data pursuant to Article 5(1)(a) of Regulation (EU) 2018/1725, i.e. because 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.

Legal basis:

- 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 (OJ L 295, 21 November 2018, p. 39).
- Compilation Document on Senior Officials Policy of 25 October 2004 (SEC(2004)1352/2)

- Commission Decision of 6 February 2007 on the rules of procedure of the Consultative Committee on Appointments (C(2007) 380/2).

4. Which personal data do we collect and further process?

In order to carry out this processing operation Unit HR.C.1 collects the following categories of personal data:

1. Information provided in your CV and motivation letter, such as identity (including name, gender, age and nationality), addresses, studies, language skills, diplomas, description of professional experience, etc.

The minimum information which you need to provide in your CV and motivation letter is described in the vacancy notice; failure to provide that information may result in rejection of your application by the preselection board.

2. Assessment of your performance during selection interviews at different stages of the selection procedure and the results of an assessment centre carried out by external human resources experts at the request of the European Commission.

If appointed to the function of European Data Protection Supervisor, you will be asked to provide additional data in view of your recruitment.

5. How long do we keep your personal data?

Unit HR.C.1 only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing, namely for maximum 5 years after closure of the selection procedure or - in case of complaints - for the entire duration of the proceedings plus one full year following the date when a final decision has been taken.

6. How do we protect and safeguard your personal data?

All personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored either on the servers of the European Commission or of its contractors. All processing operations are carried out pursuant to the Commission Decision (EU, Euratom) 2017/46 of 10 January 2017 on the security of communication and information systems in the European Commission.

The Commission's contractors are bound by a specific contractual clause for any processing operations of your data on behalf of the Commission, and by the confidentiality obligations

deriving from the transposition of the General Data Protection Regulation in the EU Member States ('GDPR' Regulation (EU) 2016/679).

In order to protect your personal data, the Commission 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.

7. Who has access to your personal data and to whom is it disclosed?

Access to your personal data is provided to the Commission staff responsible for carrying out this processing operation and to authorised staff according to the "need to know" principle. Such staff abide by statutory, and when required, additional confidentiality agreements.

Persons having access to information (depending on the stage reached in the selection process):

- Unit HR.C.1 within DG Human Resources & Security
- Preselection panel
- Rapporteur appointed to monitor the selection procedure
- Members of the Consultative Committee on Appointments (CCA), along with an observer from the European Parliament and an observer from the Council
- Members of the Commission
- Members of the European Parliament
- Council of the European Union
- External human resources experts specialised in the recruitment of senior management staff

<u>Recipients</u>	<u>Data provided</u>
DG Human Resources & Security	Applicants' names, their CVs and motivation letters Report of the preselection panel, including the evaluation sheets of applicants interviewed by the panel Preliminary opinion of the CCA Results from the assessment centre Opinion of the CCA Evaluation sheets of applicants interviewed by the CCA
Preselection panel	Applicants' names, their CVs and motivation letters Report of the preselection panel, including the evaluation sheets for the applicants interviewed by the panel
Rapporteur	Applicants' names, their CVs and motivation letters Report of the preselection panel, including the evaluation sheets of applicants interviewed by the panel Preliminary opinion of the CCA

	Results from the assessment centre Opinion of the CCA Evaluation sheets of applicants interviewed by the CCA
Consultative Committee on Appointments (CCA)	Applicants' names, their CVs and motivation letters Report of the preselection panel, including the evaluation sheets of applicants interviewed by the panel Preliminary opinion of the CCA Results from the assessment centre Opinion of the CCA Evaluation sheets of applicants interviewed by the CCA
Members of the Commission	Applicants' names, their CVs and motivation letters Opinion of the CCA Evaluation sheets of applicants interviewed by the CCA
Members European Parliament Council of the European Union	Names of applicants on the shortlist established by the European Commission, their CVs and motivation letters
External human resources experts	Applicants' names, their CVs and motivation letters

According to Article 53 of Regulation (EU) 2018/1725, the list of candidates drawn up by the European Commission in view of transmission to the European Parliament and the Council of the European Union shall be public. Once this short-list has been forwarded to the European Parliament and to the Council, those institutions will be responsible for the final appointment procedure and for the corresponding processing of personal data. The European Parliament and the Council may publish information (including on the internet) with regard to that part of the selection procedure.

8. What are your rights and how can you exercise them?

You have specific rights as a 'data subject' under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725, in particular the right to access, rectify or erase your personal data and the right to restrict the processing of your personal data. Where applicable, you also have the right to object to the processing or the right to data portability.

You have the right to object to the processing of your personal data, which is lawfully carried out pursuant to Article 5(1)(a).

You can exercise your rights by contacting the Data Controller, or in case of conflict the Data Protection Officer. If necessary, you can also address the European Data Protection Supervisor. Their contact information is given under Heading 9 below.

Where you wish to exercise your rights in the context of one or several specific processing operations, please provide their description (i.e. their Record reference(s) as specified under Heading 10 below) in your request.

Right of access and verification:

- You can access data linked to your application in the CV-Online Encadrement Database and correct these data up to the date of expiry of the application notice, after which requests must be made to the Data Controller (HR-MAIL-C1@ec.europa.eu).
- You may ask the chair of the preselection panel for oral or written feedback on your performance during the preselection interview by addressing a mail to the secretary to the preselection panel.
- You can request oral or written feedback on your interview with the Consultative Committee on Appointments (CCA) from the Permanent Rapporteur to the CCA (address: HR-RAPPORTEUR-CCN@ec.europa.eu). Access to the evaluation sheet drawn up following this interview may be requested once the appointing authorities (European Parliament and Council of the European Union) have taken a decision on filling the position of European Data Protection Supervisor.
- If you have attended the assessment centre, you can request the Data Controller (HR-MAIL-C1@ec.europa.eu) to provide you with a copy of your report, once you have received full oral feedback from the external human resources consultant.

9. Contact information

- The Data Controller

If you would like to exercise your rights under Regulation (EU) 2018/1725, or if you have comments, questions or concerns, or if you would like to submit a complaint regarding the collection and use of your personal data, please feel free to contact the Data Controller, Unit HR.C.1 (HR-MAIL-C1@ec.europa.eu).

- The Data Protection Officer (DPO) of the Commission

You may contact the Data Protection Officer (DATA-PROTECTION-OFFICER@ec.europa.eu) with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725.

- The European Data Protection Supervisor (EDPS)

You have the right to have recourse (i.e. you can 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.

10. Where to find more detailed information?

The Commission Data Protection Officer (DPO) publishes the register of all processing operations on personal data by the Commission, which have been documented and notified to him. You may access the register via the following link: <http://ec.europa.eu/dpo-register>.

This specific processing operation has been included in the DPO's public register with the following Record reference: **DPR-EC-00612**.

By applying for this vacancy, you acknowledge that you have been informed on the processing of your personal data as described above.