



## **Data Protection Notice**

### **Recruitment of Seconded Commission Officials at REA**

In accordance with the Regulation (EU) 2018/1725 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<sup>1</sup> ('the Regulation'), the European Research Executive Agency ('the Agency' or 'REA') collects your personal information only to the extent necessary to fulfil a precise purpose related to our tasks.

#### **1. WHY DO WE COLLECT YOUR PERSONAL DATA?**

The processing operation is necessary for the recruitment of seconded EU officials from the European Commission ("EC") in order to fill appropriate vacant posts in REA.

The processing operation encompasses the engagement and management of career events during the secondment at REA.

#### **2. WHO IS RESPONSIBLE FOR THIS PROCESS?**

The controller is the European Research Executive Agency (REA), represented by its Director. For organisational reasons, the role of the data controller has been entrusted by the Director to the delegated controller and is exercised by the Head of Unit REA.D.2 "People and Workplace".

The data controller may be contacted via functional mailbox: [REA-HR-SELECTION-RECRUITMENT@ec.europa.eu](mailto:REA-HR-SELECTION-RECRUITMENT@ec.europa.eu)

#### **3. WHAT IS THE LEGAL BASIS TO COLLECT YOUR DATA?**

Article 5(1) (a) and (b) of the Regulation:

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

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<sup>1</sup> 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 (OJ L 295/39 of 21.11.2018).

Other legal basis:

- 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>2</sup>;
- European Commission Implementing Decision 2021/173 of 12 February 2021, establishing the European Research Executive Agency and repealing Decision 2013/778/EU<sup>3</sup>;
- Commission Decision C(2021) 952 delegating powers to the European Research Executive Agency with a view to the performance of tasks linked to the implementation of Union programmes in the field of Research and Innovation, Research of the Fund for Coal and Steel and Information Provision and Promotion Measures concerning Agricultural Products<sup>4</sup>;
- Articles 2, 7, 11, 37, 38, 39, 44 and 46 of the Staff Regulations of officials<sup>5</sup>;
- Articles 6 and 10 of the Conditions of Employment of Other Servants (“CEOS”);
- Articles 3 and 4 of the REA Steering Committee Decision laying down implementing; rules on the temporary occupation of management posts (REA/SC(2018) 1.3.1).

### **Personal data processed:**

The processing of your data is necessary for the recruitment of seconded EU officials from the EC in order to fill the appropriate vacant posts in REA.

The processing operation encompasses the engagement and management of career events during their secondment at REA.

The main steps of the selection procedure are:

- A. Request for publication of the post to DG HR/Parent DG;
- B. Selection by the Parent DG;
- C. Once the post is published, the candidates/officials will be selected through the procedure established by DG HR;
- D. Recruitment procedure by REA as TA 2a.

The process of secondment commences with the decision taken by the EU services following selection procedure organised by the EC. REA does not process data in relation to the selection procedure which is the sole decision of the EC.

Following the decision of the Commission to second the official, REA receives the Transfer Act and Nomination (PMO receives the information via ARES at the same time as REA), this will contain:

- First name;
- Surname;
- Personal number;

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<sup>2</sup> [OJ L 11, 16.1.2003, p. 1–8](#)

<sup>3</sup> [OJ L 50, 15.2.2021, p. 9–28](#)

<sup>4</sup> [C\(2021\) 952](#)

<sup>5</sup> [Regulation No 31 \(EEC\), 11 \(EAEC\)](#)

- Grade;
- Position and unit in Parent DG;
- Position and unit in REA;
- For new Heads of Unit, managerial stage decision (if applicable);
- Professional mail address;
- SYSPER number;
- Name of Director-General of parent DG on Nomination Act;
- Name of Director-General of Human Resources and Security on Transfer Act.

The name of the seconded official is communicated by DG HR or the Parent DG to the REA Director.

REA prepares the TA 2a contract and encodes the seconded official's career at REA in RETO and SYSPER.

The seconded official is reserved in the RETO database and then the post is assigned in SYSPER. The job description for the seconded official is linked to the post in REA. Due to the 'double career' of the seconded official, they receive a mirror post at REA with a separate SYSPER number. The personal number remains unchanged. No other data is modified in SYSPER by REA.

The TA 2a contract with REA will be signed by the seconded official and the REA Director acting as Authority Empowered to Conclude Contracts, AECC, via ARES. In the event that the REA Director decides to appoint a seconded official in a management position, REA will prepare the Nomination Act (including the official's name and affectation), encode the data in SYSPER and inform PMO of the change in the career with the impact in the allowances.

#### **4. WHO WILL HAVE ACCESS TO YOUR PERSONAL DATA?**

Within REA and strictly on a need-to-know basis:

- Authorised staff of REA Unit D.2 "People and Workplace"
- Head of Unit, Deputy Head of Unit, Head of Sector REA.D.2 "People and Workplace"
- REA Director;
- The REA Head of Department "Coordination and Corporate Services";
- The acting Head of Unit/Unit management where the official will be located;
- REA Internal Services (finance, ICS, legal service, building services, LSO).

Outside REA

On a need-to-know basis and in compliance with the relevant current legislation, bodies charged with monitoring or inspection tasks in application of EU law (e.g. EC internal audit, European Court of Auditors, European Anti-fraud Office (OLAF), the European Ombudsman, the European Data Protection Supervisor, the European Public Prosecutor's Office).

## 5. HOW LONG DO WE KEEP YOUR PERSONAL DATA?

REA applies the principles and retention periods indicated in the Common-Level Retention List for European Commission Files by analogy<sup>6</sup>. ([https://ec.europa.eu/info/sites/info/files/sec-2019-900\\_en.pdf](https://ec.europa.eu/info/sites/info/files/sec-2019-900_en.pdf))

The documents to be filed in the Personal file will be retained for 8 years after the extinction of all rights of the person concerned and of any dependants, and for at least 100 years after the recruitment of the person (CRL 12.3.7).

The electronic documents filed in ARES have an administrative retention period of 10 years (CRL 12.3.1).

The personal data will be stored for the same as per retention period above.

No further processing of your personal data which would go beyond the normal retention period for historical, statistical or scientific purpose is envisaged.

There is no automated processing of data or profiling.

## 6. WHAT ARE YOUR RIGHTS?

Any request from a data subject to exercise a right will be dealt within one month from receipt of the request. This period may be extended pursuant to Article 14(3) of Regulation (EU) 2018/1725.

Your right to information, access, rectification, erasure, restriction or objection to processing, communication of a personal data breach or due to confidentiality of electronic communications may be restricted only under certain specific conditions as set out in the applicable [Restriction Decision](#) in accordance with Article 25 of Regulation (EU) 2018/1725.

The Data Protection Record (DPN) relevant to this data processing is available in the [REA public register of records](#) and is transmitted by the data controller to the data subjects, where applicable.

## 7. CONTACT INFORMATION

In case you have any questions about the collection/processing of your personal data, you may contact the data controller who is responsible for this processing activity by using the following email address: [REA-HR-SELECTION-RECRUITMENT@ec.europa.eu](mailto:REA-HR-SELECTION-RECRUITMENT@ec.europa.eu)

Further to the above, the following instances can be addressed:

The REA Data Protection Officer (DPO): [REA-DATA-PROTECTION-OFFICER@ec.europa.eu](mailto:REA-DATA-PROTECTION-OFFICER@ec.europa.eu)

In case of conflict, complaints can be addressed to the European Data Protection Supervisor: [EDPS@edps.europa.eu](mailto:EDPS@edps.europa.eu).

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<sup>6</sup> [https://ec.europa.eu/info/sites/info/files/sec-2019-900\\_en.pdf](https://ec.europa.eu/info/sites/info/files/sec-2019-900_en.pdf)