



European Research Council
Executive Agency

Established by the European Commission

RECORD OF PERSONAL DATA PROCESSING

Art. 31 of the 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 (henceforth the "Data Protection Regulation")

Record n°

DPO 59 - 2021

In accordance with Article 31 of the data protection regulation, individuals whose personal data are processed by the Executive Agency in any context whatsoever are to be protected with regard to the processing of personal data and the Executive Agency has to keep records of their processing operations.

This record covers two aspects:

1. Mandatory records under Art 31 of the data protection regulation (recommendation: make the header and part 1 publicly available)
2. Compliance check and risk screening (initial; part 2 is internal only to the Agency, not published)

The ground for the record is (tick the relevant one):

- Regularization of a data processing operation already carried out
- Record of a new data processing operation prior to its implementation
- Change of a data processing operation.
- Migration from notification to record.

Selection of Confidential Counsellors

Selection of Confidential Counsellors		
1	Last update of this record if applicable	Anti-Harassment Policy and Inter Executive Agency Network of Confidential Counsellors: DPO 3-2011 (a) Ares(2011)118939 - 03/02/2011
2	Short description of the processing	The European Research Council Executive Agency (ERCEA) selects and appoints candidates to assume the role of confidential counsellors. During the pre-selection , candidates send their candidacies to the HR Unit, which include the application form, motivation letter, CV and solemn declaration. The HR Unit assesses the applications against the eligibility criteria. The list of eligible candidates and their applications are sent to the selection panel. Pre-selected candidates are invited to an interview . The shortlist of candidates will

		<p>be submitted to the Director who shall nominate the Confidential Counsellors. A reserve list may also be elaborated. The selected candidates will then take part in specific and compulsory trainings. An assessment is done by the trainer after completion of the training. The final list of appointed Confidential Counsellors is published on the Intranet. Confidential Counsellors are appointed for a mandate of 2 years. Renewals of mandate are possible. Confidential Counsellors can withdraw from their mandate at any time.</p>
Part 1 - Article 31 Record		
3	Function and contact details of the controller	<p>Head of Human Resources Unit (ERCEA.D.2)</p> <p>ERC-HARASSMENT@ec.europa.eu</p>
4	Contact details of the Data Protection Officer (DPO)	<p>ERC-DATA-PROTECTION@ec.europa.eu</p>
5	Name and contact details of joint controller (where applicable)	N/A
6	Name and contact details of processor (where applicable)	<p>Directorate-General for Informatics (DG DIGIT)</p> <p>DIGIT-SYSPER2-INTERNALSUPPORT@ec.europa.eu</p>
7	Purpose of the processing	<p>The purpose of the processing is to select and identify candidates best qualified to assume the role of confidential counsellors, to manage administratively the applications and the relevant selection procedure.</p> <p>The processing operation is necessary in order to implement the anti-harassment policy as defined by Commission Decision C(2006)1624, also foreseen by the Staff Regulations and the Conditions of Employment of Other Servants and the EU Charter of Fundamental Rights and, therefore, protect the dignity of the person.</p> <p>The Controller may envisage anonymous statistical analyses with the purpose of improving the quality of the processes.</p>
8	Description of the categories of data subjects	<p><input checked="" type="checkbox"/> EA staff</p> <p>[Temporary Agents, Contract Agents]¹.</p> <p><input type="checkbox"/> Visitors to the EA</p> <p><input type="checkbox"/> Contractors providing goods or services</p>

¹ They must have concluded their probationary period.

		<input type="checkbox"/> Applicants <input type="checkbox"/> Relatives of the data subject <input type="checkbox"/> Complainants, correspondents and enquirers <input type="checkbox"/> Witnesses <input type="checkbox"/> Beneficiaries <input checked="" type="checkbox"/> External experts [The selection panel may include an external expert in the field]. <input type="checkbox"/> Other:
9	Description of personal data categories Indicate all the categories of personal data processed and specify which personal data are being processed for each category (between brackets under/next to each category):	<i>Categories of personal data:</i> <input checked="" type="checkbox"/> in the form of personal identification numbers [Personal number]. <input type="checkbox"/> concerning the physical characteristics of persons as well as the image, voice or fingerprints <input type="checkbox"/> concerning the data subject's private sphere <input type="checkbox"/> concerning pay, allowances and bank accounts <input checked="" type="checkbox"/> concerning recruitment and contracts and the data subject's career [Grade status, CV, motivation letter]. [Any relevant evidence of previous activities in the relevant field, knowledge of languages and other data related to the suitability of a candidate for the position of Confidential Counsellor]. <input type="checkbox"/> concerning the data subject's family <input type="checkbox"/> concerning leave and absences <input type="checkbox"/> concerning missions and journeys <input type="checkbox"/> concerning social security and pensions <input type="checkbox"/> concerning expenses and medical benefits <input checked="" type="checkbox"/> concerning telephone numbers and communications [Phone number, office number]. <input checked="" type="checkbox"/> concerning names and addresses (including email addresses) [Name, surname, professional address and e-mail address].

		<p><input type="checkbox"/> Other :please specify : _____</p> <p><i>Categories of personal data processing likely to present specific risks:</i></p> <p><input type="checkbox"/> data relating to suspected offences, offences, criminal convictions or security measures</p> <p><input checked="" type="checkbox"/> data being used to evaluate personal aspects of the data subject (ability, efficiency, conduct)</p> <p>[Assessment by the selection panel on the suitability and performance of the candidates].</p> <p>[The candidates shall provide a declaration on honour (solemn declaration) about their disciplinary situation (including also whether they are subject to an administrative inquiry) during their career within the EU institutions and bodies].</p> <p><i>Categories of personal data whose processing is prohibited, with exceptions (art. 10 new Regulation):</i></p> <p><input type="checkbox"/> revealing racial or ethnic origin</p> <p><input type="checkbox"/> revealing political opinions</p> <p><input type="checkbox"/> revealing religious or philosophical beliefs</p> <p><input type="checkbox"/> revealing trade-union membership</p> <p><input type="checkbox"/> concerning health</p> <p><input type="checkbox"/> genetic data, biometric data for the purpose of uniquely identifying a natural person</p> <p><input type="checkbox"/> concerning sex life or sexual orientation</p> <p><u>Candidates may spontaneously reveal further types of data.</u></p>
10	Retention time (time limit for keeping the personal data)	<p>Documents that have been provided by all the candidates will be retained two years after the last actions in relation to the call for expression of interest of the Confidential Counsellor (in line with the Common Commission-Level Retention list SEC(2019)900/2 (CRL) applied by analogy) and will be deleted at the end of this period.</p> <p>Is any further processing for archiving purposes in the public interest, historical, statistical or scientific purposes envisaged?</p> <p><input type="checkbox"/> yes <input checked="" type="checkbox"/> no</p>
11	Recipients of the data	<p>The data contained in the selection files are disclosed to the following recipients on a need-to-know and need-to-do basis:</p> <ul style="list-style-type: none"> • Members of the selection panel; • The ERCEA Director (or Directors of the EAs in case of joint calls); • Authorised personnel in the HR Unit dealing with the Selection of Confidential Counsellor;

		<ul style="list-style-type: none"> • The list of appointed Confidential Counsellors will be published on the Intranet of the Executive Agencies; • For joint calls between several EAs: all authorised staff of EAs involved in the joint call have access to the personal data of the applicants; • In case of audits or proceedings, etc., the Legal Affairs and Internal Control Unit, the Staff Committee, etc. may access the relevant data. <p>In addition, certain 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 or national authorities, as well as auditing bodies or courts.</p>
12	<p>Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?</p>	N/A
13	<p>General description of the technical and organisational security measures</p>	<p>All data in electronic format (e.g. emails, documents) that are processed during this processing activity are stored either on the servers of the European Commission or of the Agency, the operations of which abide by the European Commission's security decisions and provisions established by the Directorate of Security for this kind of servers and services. Access to data is granted only to authorised members of the Agency staff on a need to know basis.</p> <p>If considered necessary by the processing entity, they may also be printed (for example for the selection panel members in case of a selection for a specific function) and stored physically in the Confidential Coordinators safe, in locked cupboards or in a cupboard in a locked room.</p> <p>The Agency is also bound by Commission Decision 2017/46 of 10/1/17 on the security of communications and information systems in the European Commission.</p>
14	<p>Information to data subjects/Data Protection Notice (DPN)</p>	<p>The Data Protection Notice is available on the Intranet page of the Agency:</p> <p>http://intranet.ercea.cec.eu.int/services/human-resources/priv/Pages/default.aspx</p> <p>Furthermore, the Data Protection Notice is provided in the "Call for Expressions of Interest".</p>