



DATA PROTECTION NOTICE ERCEA Unit D.2 – “Human Resources” Interim Staff Procedure

This notice concerns the processing operation called “**Interim Staff Procedure**”. This processing requires the handling of personal data and is therefore subject to Regulation (EU) 2018/1725 (Data Protection Regulation)¹.

1. What personal information do we collect, from where and for what purpose?

1a) Personal data

The ERCEA collects and processes the following types of personal data during this processing operation²:

- **Identification data and data on telephone numbers and communications:**
 - First name, surname, date of birth, private e-mail address, private address, private phone number, office number, ID documentation or passport³, Belgian national number.
- **Data concerning the data subject’s career, recruitment and contracts:**
 - CVs, type of request (engagement or extension), level (FGII, III, IIIs), Unit, workstation (new or existing), justification of the engagement (through which additional information may be revealed, for instance: the expertise of the candidate), timesheets, duration of contract.
- **Concerning leave and absences:**
 - “H” (Holiday), “PH” (Public Holiday), “CC” (Commission Holiday) or “JA” (Justified Absence), “LC” (Little chômage).
- **Data concerning health:**
 - The Agency does not process any medical data of interim staff but administrative data related to health. The interim staff member informs his/her Unit when calling in sick and the HR Unit of the Agency is informed through the weekly timesheet. The medical certificate should **only** be sent to the temping agency.
 - Information about any physical constraint requiring special measures to attend the interview or carry out the work.
- **Information concerning the physical characteristics of persons and biometric data (signatures):**
 - IDs, passports and some CVs may contain a picture. Hand-written signatures on e.g. timesheets, confidentiality declarations and leaving forms

¹ 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.

² Candidates may spontaneously reveal further types of data. However, the ERCEA does not actively request or collect data other than those listed in this Notice.

³ ID documentation, passports and CVs may disclose further personal data such as nationality/citizenship, gender, civil status or place of birth.

1b) Purposes of the processing

The ERCEA processes personal data in order to evaluate the expertise and the suitability of candidates. Upon engagement, the purpose of the processing operation is to manage the interim mission.

The Controller may envisage anonymous statistical analyses with the purpose of improving the quality of the processes and the management of human resources.

1c) From where the data are collected

The temping agency provides the ERCEA with CVs of suitable candidates.

Data are also collected directly from the data subjects at the time of engagement and through the different forms (e.g. confidentiality and leaving forms) and weekly timesheets.

Data may also be submitted by applicants to the FMBs ERC-HR-INTERIM@ec.europa.eu and ERC-SPONTANEOUS-APPLICATIONS@ec.europa.eu.

2. Who has access to your information, how is it secured and to whom is it disclosed?

The HR Unit is responsible for the management of any documents produced, circulated and/or received, ensuring the appropriate treatment of all documents.

E-mails including personal data should be sent via encrypted e-mail (SECEM). Access to files is limited to authorised personnel, regardless of where they are saved: on the ERCEA Shared Drive; the Functional Mailboxes (FMBs) ERC-HR-Interim@ec.europa.eu or ERC-SPONTANEOUS-APPLICATIONS@ec.europa.eu; or of which a physical copy is kept.

The official register of the Agency is ARES/NomCom and all files therein are processed using the restricted marking. SYSPER is the HR Information System of the European Commission, access to personal data is protected by the management of the access rights, which are strictly limited to authorised personnel.

The persons with access to your personal data, on a **need-to-know basis**, are:

- The members of the HR Unit dealing with interim staff and authorised personnel dealing with the selection and engagement of interim staff;
- The Head of services and authorised personnel of the requesting service;
- The temping agency on the basis of the framework contract;
- The teams responsible for the preparation of the arrival/onboarding of the interim agent;
- Services of the European Commission: the OIB, for the provision of the service card.

In addition, certain administrative 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, as well as auditing bodies or courts.

3. What are your rights?

You have the right to access the personal data the ERCEA holds about you and to request to have them rectified where necessary. In certain cases, you also have the right to have your data erased, the right to object to processing or the right to data portability.

To exercise any of these rights, you should apply to the Head of Unit D.2 – “Human Resources”, who is responsible for such processing (i.e. the Controller), by sending an e-mail specifying your request to the mailbox indicated in point 5. Please note that in some cases restrictions under the terms and conditions of Article 25 of the Data Protection Regulation may apply.

4. How long do we keep your data?

- CVs are kept for the duration it takes to fill the vacancy and for a maximum period of one year.
- The retention period for spontaneous applications submitted to the dedicated FMB are retained for 1 year.
- IDs/passports are kept for the duration it takes to prepare the badge that will give access to the Commission premises and for a maximum period of 6 months.
- Confidentiality declarations and leaving forms are kept for 5 years.

- The weekly timesheets are kept for at least 5 years determined under the Financial Regulations as a justification document.
- The retention periods for personal data encoded in SYSPER are governed by its privacy statement ([here](#)).

The ERCEA may envisage anonymous statistical analyses with the purpose to improve the quality of the processes and the management of human resources. However, retention periods mentioned above will not be increased.

5. Contact information

If you would like to receive further information, you can contact the responsible person (the Data Controller), Head of Unit D.2 – “Human Resources” via the mailbox: ERC-HR-INTERIM@ec.europa.eu.

The ERCEA Data Protection Officer is at your disposal for any clarification you might need on your rights under Regulation (EU) 2018/1725 at the following e-mail address: ERC-DATA-PROTECTION@ec.europa.eu.

You may 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.

6. Legal basis

The legal basis applying to this processing operation are:

- Article 5(1)(a) of Regulation (EU) 2018/1725 given that the 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. More specifically, the processing of personal data necessary for the management and functioning of the Union Institutions or bodies (Recital 22 of Regulation (EU) 2018/1725).
- Article 5 (1)(b) given that the processing is necessary for compliance with a legal obligation to which the controller is subject.

Specific legal basis for the Interim Staff Procedure:

- Interim Staff Procedure (Ares(2020)1452325 of 9 March 2020).
- Framework Contracts under which interim staff can be engaged by the ERCEA.