



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 27/2020

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

Interim Staff Procedure

1	Last update of this record if applicable	Selection and recruitment of Seconded National Experts, trainees and interimaire: DPO 43-2012
2	Short description of the processing	The European Research Council Executive Agency (ERCEA) engages interim staff through temping agencies on a temporary basis to cover for "exceptional peaks in the workload" or in case there is a "need to ensure exceptional work". At the explicit request of the ERCEA's HR Unit, temping agencies may send CVs of candidates whose profiles are sought by the ERCEA. Recruiting services in the ERCEA may use this information to organise interviews with candidates. The ERCEA engages selected candidates and arranges their onboarding in the organisation (IT, HR, Logistics, office supplies). Once engaged, the interim staff member signs weekly

		contracts with the temping agency and submits weekly timesheets to the ERCEA's HR Unit, which document the services provided to the Agency. The purpose is to evaluate the eligibility, the expertise and the suitability of applicants for open positions. Upon engagement, the purpose of the processing is to manage the interim mission.
Part 1 - Article 31 Record		
3	Function and contact details of the controller	Head of Human Resources Unit (ERCEA.D.2) ERC-HR-INTERIM@ec.europa.eu
4	Contact details of the Data Protection Officer (DPO)	ERC-DATA-PROTECTION@ec.europa.eu
5	Name and contact details of joint controller (where applicable)	N/A
6	Name and contact details of processor (where applicable)	Directorate-General for Informatics (DG DIGIT) DIGIT-SYSPER2@ec.europa.eu Temping agencies which have signed a contract with ERCEA
7	Purpose 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.
8	Description of the categories of data subjects	Whose personal data are being processed? ☐ EA staff ☐ Visitors to the EA ☒ Contractors providing goods or services: interim staff ☒ Applicants (candidates interested in working for the ERCEA) ☐ Relatives of the data subject ☐ Complainants, correspondents and enquirers ☐ Witnesses ☐ Beneficiaries ☐ External experts

		☐ Other, please specify _____
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> ☒ in the form of personal identification numbers [ID documentation or passport, Belgian national number]. ☒ concerning the physical characteristics of persons as well as the image, voice or fingerprints [IDs, passports and some CVs may contain a picture]. ☐ concerning the data subject's private sphere ☐ concerning pay, allowances and bank accounts ☐ concerning the data subject's family ☒ 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)]. ☐ concerning missions and journeys ☐ concerning social security and pensions ☐ concerning expenses and medical benefits ☒ concerning telephone numbers and communications [Private phone number, office number]. ☒ concerning names and addresses (including email addresses) [First name, surname, private e-mail address, private address]. ☒ Other :please specify: [Date of birth]. <i>Categories of personal data processing likely to present <u>specific risks</u>:</i>

		☐ data relating to suspected offences, offences, criminal convictions or security measures ☐ data being used to evaluate personal aspects of the data subject (ability, efficiency, conduct) <i>Categories of personal data whose processing is <u>prohibited</u>, with exceptions (art. 10 new Regulation):</i> ☐ revealing racial or ethnic origin ☐ revealing political opinions ☐ revealing religious or philosophical beliefs ☐ revealing trade-union membership ☒ 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 <u>only</u> be sent to the temping agency]. [Information about any physical constraint requiring special measures to attend the interview or carry out the work]. ☒ genetic data, biometric data for the purpose of uniquely identifying a natural person [E.g. hand-written signatures on timesheets, confidentiality declarations and leaving forms]. ☐ concerning sex life or sexual orientation <i>Specify any additional data or explanatory information on the data being processed, if any:</i> <u>Candidates may spontaneously reveal further types of data. However, the ERCEA does not actively request or collect other personal data categories than those ticked above.</u> <u>ID documentation, passports and CVs may disclose further personal data such as nationality/citizenship, gender, civil status or place of birth.</u>
10	Retention time (time limit for keeping the personal 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). Is any further processing for archiving purposes in the public interest, historical, statistical or scientific purposes envisaged? ☒ yes ☐ no The ERCEA may envisage anonymous statistical analyses with the purpose to improve the quality of the processes and the management of human resources. However, the retention periods mentioned above will not be increased.
11	Recipients of the data	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.
12	Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?	N/A
13	General description of the technical and organisational security measures	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.
14	Information to data subjects/Data Protection Notice (DPN)	The DPN is published on the ERCEA intranet <i>“Human Resources - Data Protection & Privacy” - Selection & Recruitment Privacy Statements</i>: http://intranet.ercea.cec.eu.int/services/human-resources/priv/Pages/Recruitment.aspx. The DPN is also publicly available under the section of “Careers” on the ERC website: https://erc.europa.eu/about-erc/careers.