



WOJCIECH RAFAŁ WIEWIÓROWSKI
ASSISTANT SUPERVISOR

[...]
Head of Division EEAS.BA.HR.2.
European External Action Service
9A Rond Point Schuman
1046 Brussels
Belgium

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Please use edps@edps.europa.eu for all
correspondence

Subject: Prior-checking Opinion regarding selection, recruitment and administrative management of contract agents in EU Delegations (EDPS case 2016-0770)

[...],

On 1 September 2016, the European Data Protection Supervisor (EDPS) received a notification for prior checking under Article 27 of Regulation (EC) No 45/2001¹ ("the Regulation") on selection, recruitment and administrative management of contract agents in EU Delegations ("Delegations") from the Data Protection Officer ("DPO") of the European External Action Service ("EEAS").²

The EDPS has issued Guidelines concerning the processing of personal data in the field of staff recruitment ("the Guidelines").³ Therefore, this Opinion analyses and highlights only those practices which do not seem to be in conformity with the principles of the Regulation and with the Guidelines. In the light of the accountability principle guiding his work, the EDPS would nonetheless like to highlight that *all* relevant recommendations made in the Guidelines apply to the processing operations put in place for staff recruitment at the European External Action Service.

¹ OJ L 8, 12.1.2001, p. 1.

² As this is an ex-post case, the deadline of two months does not apply. This case has been dealt with on a best-effort basis.

³ Guidelines concerning the processing operations in the field of staff recruitment, available at the following link: https://edps.europa.eu/sites/edp/files/publication/08-10-10_guidelines_staff_recruitment_en.pdf.

The EDPS notes that all information required under Articles 11 and 12 of the Regulation is provided in the privacy statement. Point 7 of the notification mentions that a privacy statement linked to the notified processing activity is sent to the concerned data subject and that it is available on the intranet (EEAS zone) as well on the website of the EEAS. The EDPS **reminds** the EEAS to provide the data subjects with the privacy statement before the selection procedure begins. A good practice is to include a link to the privacy statement in the actual vacancies.

In conclusion, the EDPS considers that there is no reason to believe that there is a breach of the Regulation and will therefore **close** the case.

Yours sincerely,

(signed)

Wojciech Rafał WIEWIÓROWSKI

Cc.: [...], EEAS