

REGISTER NUMBER: 462
NOTIFICATION FOR PRIOR CHECKING
<p>Date of submission: 15/01/2009</p> <p>Case number: 2009-041</p> <p>Institution: ETF</p> <p>Legal basis: article 27-5 of the regulation CE 45/2001⁽¹⁾</p> <p style="text-align: right;"><i>(1) OJ L 8, 12.01.2001</i></p>

INFORMATION TO BE GIVEN⁽²⁾
<i>(2) Please attach all necessary backup documents</i>
<p>1/ Name and adress of the controller</p> <p>Olivier Ramsayer, Head of Administration Department</p>
<p>2/ Organisational parts of the institution or body entrusted with the processing of personal data</p> <p>ETF Administration Department</p>
<p>3/ Name of the processing</p> <p>Recruitment</p>
<p>4/ Purpose or purposes of the processing</p> <p>The purpose of processing of data is to manage candidates' applications in view of a possible recruitment at the ETF, therefore to acquire sufficient number of appropriately qualified personnel, on the broadest possible basis from among nationals of Member States of the EU, in an efficient and transparent manner.</p>
<p>5/ Description of the category or categories of data subjects</p> <p>Data of candidates who apply to ETF vacancies.</p>
<p>6/ Description of the data or categories of data <i>(including, if applicable, special categories of data (article 10) and/or origin of data)</i></p> <p>Information and data that the data subject writes in the Europass CV format and in the motivation letter. Sensitive data which could be included in the CV or in the motivation letter are not requested by the ETF and will not be used for the purpose of the recruitment process. Candidates invited to interview are also requested to provide the Legal Entity Form and the Financial Identity Form</p>
<p>7/ Information to be given to data subjects</p>

the surname, first name and function of the Controller, the purpose of the processing, the recipient of the data, whether replies to the questions are obligatory or voluntary, as well as the possible consequences of failure to reply - According to point 4 of the ETF Code of Good Administrative Behaviour stating that a reply to a letter addressed to the ETF shall be sent within 15 working days from the date of receipt of the letter; the existence of the right of access to, and the right to rectify, the data concerning him or her; the legal basis of the processing operation for which the data are intended; the time-limits for storing the data; the right to have recourse at any time to the EDPS. As of today the information mentioned in the above has not yet been summarized within a structured information note, the HR Unit will soon post on the "job opportunities" page of the ETF website a "data protection note", previously checked by the DPO, that will include all the above information.

8/ Procedures to grant rights of data subjects (*rights of access, to rectify, to block, to erase, to object*)

Candidates can contact the HR Unit by email and submit their request to access, rectify, block, erase, object to the processing of their data according to Articles 13, 14, 15, 16, 17 and 18 of the Regulation 45/2001.

The HR Unit will soon post on the "job opportunities" page of the ETF website a "data protection note", previously checked by the DPO, that will also include complete information on rights of data subjects.

9/ Automated / Manual processing operation

Applications should be submitted online through the ETF website or sent by fax (to the HR Unit fax number) and should include a motivation letter and a CV in the Europass CV format.

Complete information and instructions on how to submit applications are published on the ETF website and stated in the vacancy notices.

CVs of applicants received are stored in a Lotus Notes database and are firstly checked against the eligibility criteria by the members of the recruitment team of the HR Unit.

CVs of eligible candidates are then printed and circulated to the Recruitment Assessment Boards (RAB) Members for the second screening phase (against selection criteria and assets).

The RAB members examine the CVs provided in order to shortlist the best candidates to be interviewed; the pre-selection is carried out on selection criteria that can be verified on the basis of the CV only; available assets can complement the profiling of the candidates.

The RAB members reach a final decision, by consensus and draw a shortlist of candidates to be interviewed.

10/ Storage media of data

Electronic applications are stored in a Lotus Notes database.

Electronic documents related to different recruitment procedures are kept in the HR Unit network partition, with restricted access to the HR Unit

Paper documents are kept inside closed cupboards in the HR offices.

11/ Legal basis and lawfulness of the processing operation

Staff Regulations - Conditions of Employment of Other Servants of the Communities

Governing Board decision: GB/06/DEC/003 (GB Decision 6 June 2006 - Procedures for the engagement of Contract Agents at ETF). The procedure is applied, by analogy, to the recruitment of Temporary Agents

Financial Regulations (EC and ETF Fin. Reg. Title II, Art. 3)

Moreover, processing operation is clearly covered by the mandate of ETF; Processing operation is necessary for compliance with a legal obligation of ETF; Processing operation for which the data subject has unambiguously given his/her consent

12/ The recipients or categories of recipient to whom the data might be disclosed

Human resources Unit

Recruitment Assessment Board (RAB) members

Director

Members of the Management Team may have access to applications of candidates included in reserve lists for the purposes of the recruitment.

13/ retention policy of (categories of) personal data

Until now no time limit has been applied to data retention. The HR Unit is in the process of introducing the time limits suggested by the EDPS for the 3 different categories of data subject:

- for recruited applicants: data retention period of 10 years as of the termination of employment
- for unsuccessful candidates: data retention period of 2 years following the recruitment procedure
- for non-recruited applicants on a reserve list: data retention period determined by the validity of the reserve list

**13 a/ time limits for blocking and erasure of the different categories of data
(on justified legitimate request from the data subject)**

(Please, specify the time limits for every category, if applicable)

The HR Unit will respond to a justified legitimate request from a data subject within two weeks from the receipt of the request.

14/ Historical, statistical or scientific purposes

If you store data for longer periods than mentioned above, please specify, if applicable, why the data must be kept under a form which permits identification,

Only aggregated data (in an anonymous form) will be used for statistical purpose.

15/ Proposed transfers of data to third countries or international organisations

No transfer of data will be done to third (non-EU) countries or international organisations.

16/ The processing operation presents specific risk which justifies prior checking (*please describe*):

AS FORESEEN IN:

☐ Article 27.2.(a)

Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,

☐ **Article 27.2.(b)**

Processing operations intended to evaluate personal aspects relating to the data subject,

☐ Article 27.2.(c)

Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes,

☐ Article 27.2.(d)

Processing operations for the purpose of excluding individuals from a right, benefit or contract,

☐ Other (general concept in Article 27.1)

17/ Comments

The ETF recruitment process is currently in phase of reengineering. The procedure will be updated in line with the EDPS suggestions in the first months of 2009.

PLACE AND DATE: Turin, 18 December 2008

DATA PROTECTION OFFICER: Dr Liia KAARLÕP

INSTITUTION OR BODY: EUROPEAN TRAINING FOUNDATION