

REGISTER NUMBER: 485
NOTIFICATION FOR PRIOR CHECKING
<p>Date of submission: 15/02/2009</p> <p>Case number: 2009-143</p> <p>Institution: FRONTEX</p> <p>Legal basis: article 27-5 of the regulation CE 45/2001⁽¹⁾</p> <p style="text-align: right;">⁽¹⁾ OJ L 8, 12.01.2001</p>

INFORMATION TO BE GIVEN⁽²⁾
<i>(2) Please attach all necessary backup documents</i>
<p>1/ Name and adress of the controller Mr Tomasz CYBULSKI, Head of Human Resources Sector (HR) of the Administrative Services Unit of the Administration Division of Frontex.</p>
<p>2/ Organisational parts of the institution or body entrusted with the processing of personal data Human Resources Sector (HR) of the Administrative Services Unit of the Administration Division of Frontex</p>
<p>3/ Name of the processing Administration of personal data of applicants for jobs in Frontex (<u>Recruitment Process Files</u>)</p>
<p>4/ Purpose or purposes of the processing To collect information required for the recruitment procedures. The processing is necessary for selecting staff members to Frontex. In accordance with Article 17(3) of the Frontex Regulation (No 2007/2004) Frontex recruits employees "as necessary to carry out its tasks." Therefore, the recruitment procedures fall under Article 5(a) of the Personal Data Protection Regulation (No 45/2001). Furthermore, participation in a recruitment procedure is voluntary not mandatory, thus this processing falls also under Article 5(d) of the Personal Data Protection Regulation.</p>
<p>5/ Description of the category or categories of data subjects Applicants for the jobs of Temporary Agents, Contract Agents and Seconded National Experts, both non-selected and selected. All the data concerning the selected applicants is, once the selection decision has been made, moved and stored in a different file; the Administration of Personnel files.</p>
<p>6/ Description of the data or categories of data (including, if applicable, special categories of data (article 10) and/or origin of data)</p>

Personal data including: name, surname, gender, nationality, date of birth, address, phone number, email, detailed professional experience, detailed education and training, knowledge of languages, relevant skills and competences as well as other information the applicant voluntarily wants to present.
7/ Information to be given to data subjects Information about being qualified for next stages in the recruitment procedure. On request, the information as required by the Personal Data Protection Regulation.
8/ Procedures to grant rights of data subjects(<i>rights of access, to rectify, to block, to erase, to object</i>) On requests, the rights accorded by the Personal Data Protection Regulation.
9/ Automated / Manual processing operation Manual registration in system (MS Excel database) + hardcopies filed in the HR.
10/ Storage media of data Hard copies filed and kept in the HR archive.
11/ Legal basis and lawfulness of the processing operation Legal basis: Article 17(3) of the Frontex Regulation as well as the relevant provisions of the Staff Regulations and the Conditions of employment of other servants of the European Communities. As regards the SNE also Frontex Management Board Decision No 15/2006 of 21 September 2006 "Laying down rules on the secondment of national experts (SNE) to the Agency", as last amended. Lawfulness of the processing operation: See above point 4. Art.5(d) of the Regulation CE 45/2001 for SNE's
12/ The recipients or categories of recipient to whom the data might be disclosed The HR staff members concerned, the members of the concerned selection committee, the Executive Director (for making the selection decision) and possible other managers being interested in using the reserve lists established on the basis of recruitment procedures.
13/ retention policy of (categories of) personal data 2 years for non-selected applicants or, if required, this may be extended for the length of the validity of reserve lists (however, always up to a maximum of 3 years).
13 a/ time limits for blocking and erasure of the different categories of data (on justified legitimate request from the data subject) (<i>Please, specify the time limits for every category, if applicable</i>) See above.
14/ Historical, statistical or scientific purposes <i>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,</i> n/a
15/ Proposed transfers of data to third countries or international organisations No
16/ The processing operation presents specific risk which justifies prior checking (<i>please describe</i>):

On the basis of data collected, data subjects are evaluated within the recruitment procedure in order to advance or not to the next stage of the selection procedure. A first assessment is carried out taking into consideration the personal data sent by the applicant, and on a next stage, for the most suitable candidates an interview takes place where the evaluation process continues. Therefore, as foreseen in Article 27(2)(b) of the Personal Data Protection Regulation.

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

This processing should be similar as in all other Community agencies.

PLACE AND DATE:

DATA PROTECTION OFFICER:

INSTITUTION OR BODY: