

REGISTER NUMBER: 588

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 23/04/2010

Case number: 2010-313

Institution: ERA

Legal basis: article 27-5 of the regulation CE 45/2001⁽¹⁾

(1) OJ L 8, 12.01.2001

INFORMATION TO BE GIVEN⁽²⁾

(2) Please attach all necessary backup documents

1/ Name and adress of the controller

European Railway Agency, Mikkel Emborg, Head of Administrative Unit 120 Rue Marc Lefrancq, 59300 Valenciennes, France

2/ Organisational parts of the institution or body entrusted with the processing of personal data

HR section, Administration Unit

3/ Name of the processing

Recruitment of Trainees at ERA: paid and unpaid.

4/ Purpose or purposes of the processing

The main purpose of personal data collection, retention and processing is the recruitment / engagement of trainees at ERA in order to enable them familiarize with the scope, objectives and problems associated with its operations and within the framework of the European Institutions. It also aims to provide the trainees with practical and hands-on experience of ERA and its Units and to enable them to acquire professional experience and build up their professional networks, while ERA benefits from their work and enthusiasm.

5/ Description of the category or categories of data subjects

Anyone applying for traineeship advertised by ERA. In practice that concerns citizens of EU Member States, member States of EEA and in exceptional cases citizens of States with pre-accession Status, and even third countries, not members of the above.

6/ Description of the data or categories of data *(including, if applicable, special categories of data (article 10) and/or origin of data)*

<p>1. Data to identify and contact the applicant: family name, given name, date of birth, gender, nationality, private postal address, e-mail address, ID / Passport number, telephone number.</p> <p>2. Data relevant to demonstrate, in the framework of the selection procedure, that the applicant fulfils the profile advertised in the vacancy notice: ERA Traineeship Application Form, motivation letter, transcripts / certificates of studies (not applicable to trainees under the "secondment" and "secretarial" schemes), language skills (at least two languages, one of which shall be English), data concerning a possible previous traineeship in another EU institution or Agency. Furthermore in the case of "secondment" ERA collects a letter proving the consent of the trainee's employer. Additionally, the applicant may indicate in the Application Form any individual situation regarding eligibility criteria and any other information they would like to provide to support their application.</p> <p>3. Additional Data in case that a traineeship is offered: Proof of Health and Accident Insurance, Bank Account details (for the purposes of travel costs reimbursement and payment of the traineeship Grant, where applicable)</p> <p>4. Special Categories of Data: ERA collects and processes (through the means of the applicant's statement in the Application Form) data concerning any disabilities, with the purpose to prepare any necessary arrangements and possibly facilitate the trainee to receive an additional supplement to his/her grant).</p>
<p>7/ Information to be given to data subjects</p> <p>There is a part of ERA's website that is specifically dedicated to "Traineeships" with all relevant information and documents pertaining to traineeship (all such documents being appended to this Notification Form).</p>
<p>8/ Procedures to grant rights of data subjects (<i>rights of access, to rectify, to block, to erase, to object</i>)</p> <p>Data subjects are informed about their rights through the relevant "privacy statement" which is posted on the traineeship part of ERA's website.</p>
<p>9/ Automated / Manual processing operation</p> <p>Mix of processing automated wholly or in part + non-automated processing of data intended to form part of a filing system + manual processing of a structured set of data accessible according to given criteria.</p>
<p>10/ Storage media of data</p> <ul style="list-style-type: none"> • Hard copies: The data are stored in locked cabinets in the Human Resources section premises, accessible only by HR staff. • Computer storage: specially dedicated drive accessible only by HR staff.
<p>11/ Legal basis and lawfulness of the processing operation</p> <ul style="list-style-type: none"> • Regulation (EC) 881/2004 (ERA's statutory Regulation) and Regulation (EC) 1335/2008 amending ERA's founding Regulation • Decision of the Executive Director of ERA No 206/06.2009 on traineeship at ERA • Decision of the Executive Director of ERA No 207/06.2009 on grants for trainees at ERA • Rules governing traineeship period at ERA
<p>12/ The recipients or categories of recipient to whom the data might be disclosed</p> <p>The data provided by the candidates are accessible by ERA's Human resources section staff, the members of the Selection Committees, the Appointing Authority and by any of the supervisory instances of the ERA (i.e. European Court of Auditors, Internal Audit Service, EDPS, etc.). In the cases of secondment for Traineeship and traineeship for secretaries, ERA receives from the respective employers and educational institutions information for the Data Subject, through the Data subject.</p>
<p>13/ retention policy of (categories of) personal data</p>

- A. For non successful applicants: Two (2) years from the date the data subject became aware of the result of the recruitment procedure (i.e. from the date of publication in ERA Web page that the procedure was closed, or the date in which the applicant has received an information letter).
- B. For the successful applicants: Five (5) years after the budgetary discharge of the recruitment process.

The data kept are limited to the application form, the assessment report and a copy of the certificate of traineeship: the last document may be kept for a longer duration (up to ten years following end of training) just for the purpose of re-issuing it following request of the trainee.

NOTE: The periods of retention / storage of Personal Data follow the recommendation / guidelines of EDPS (see case 2008-196, CEDEFOP)

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 right to rectify the information already provided can only apply to the factual data processed within the concerned selection procedure. The mentioned right can only be exercised up to the closing date for submissions of applications. However inaccurate identification data may be rectified at any time during the selection procedure.

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,
Applications are processed for statistical purposes in an anonymous manner.

15/ Proposed transfers of data to third countries or international organisations
Not applicable.

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,

Yes: health data and proof of Health & Accident coverage (requested only from selected trainees). Health data are collected only in order to facilitate individuals with special needs be accommodated in case of a traineeship and possibly to be awarded with a supplement on top of the traineeship grant (only for paid traineeship schemes).

☐ Article 27.2.(b)

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

☐ Article 27.2.(c)

☐ Article 27.2.(d)

☐ Other (general concept in Article 27.1)

17/ Comments

ERA is considering in the future to incorporate the Traineeship process into the “E-HR” Management information system, but only after the entire application becomes operational (and especially the “e-recruitment” module).

PLACE AND DATE: Valenciennes,

DATA PROTECTION OFFICER (acting): Guido STÄRKLE

INSTITUTION OR BODY: EUROPEAN RAILWAY AGENCY