

## **PROTECTION OF YOUR PERSONAL DATA**

**This privacy statement provides information about the processing and the protection of your personal data.**

**Processing operation:** Seconded National Experts

**Data Controller:** Unit HR.DDG.B.1, Competitions & Selections

**Record reference:** DPR-EC-01028

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#### **1. Introduction**

The European Commission (hereafter 'the Commission') is committed to protect your personal data and to respect your privacy. The Commission collects and further processes personal data pursuant to [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 (repealing Regulation (EC) No 45/2001).

This privacy statement explains the reason for the processing of your personal data, the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you have in relation to your personal data. It also specifies the contact details of the

responsible Data Controller with whom you may exercise your rights, the Data Protection Officer and the European Data Protection Supervisor.

This statement concerns data that is processed in connection with the secondment of national experts ('SNEs') to the Commission. The Head of Unit HR.DDG.B.1 in DG HR ('Unit B.1') is the controller of the processing.

## **2. Why and how do we process your data?**

The purpose of the processing is to administratively handle the secondment of SNEs to the Commission from the beginning to the end. In so doing, we process your personal data as described in this privacy statement.

SNEs are employees of i) the Member States' administrations, ii) the administrations of the Member States of EFTA or iii) an intergovernmental organisation. They are seconded to the Commission for a period from 6 months up to 4 years, with a possibility to exceptionally extend the secondment up to a maximum period of 6 years. During the secondment, SNEs remain employed and remunerated by their employer.

The legal regime of the secondments is provided for in the Commission Decision of 12.11.2008 laying down rules on the secondment to the Commission of national experts and national experts in professional training (C(2008)6866), as amended ('SNE Decision').

## **3. On what legal grounds are we processing your personal data?**

This processing of your data is lawful in terms of the provisions of Art. 5(a) of Regulation (EU) 2018/1725, i.e.: *'processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body'*

### **Legal basis**

- SNE Decision

## **4. Which data do we collect and process?**

**Data is collected, processed and stored as follows:**

- **During the selection phase:**
  - Receipt of applications for vacant SNE posts from the Permanent Representations and verification of candidates' eligibility: Unit B.1 reviews the CVs and application forms and saves them on its shared drive. Thereafter, Unit B.1 emails the CVs and applications of the eligible candidates to the concerned Unit with the DG's Human Resources Business Correspondents ('HR.BCs') in copy.

- Selection: The CVs and application forms are reviewed by the HR BCs and the concerned Unit in order to select the national experts.

- **During the secondment phase:**

Data is entered into:

-RETO database by Unit B.1: first and last name, birth date and gender

-eSIRE database by Unit B.1, HR BCs and/or line managers: first and last name, contact details, birth date and place of birth, marital status and family composition, nationality, bank account number, knowledge of languages, dates of the secondment, and DG of secondment

-SYSPER by Unit B.1: the start and end date of the secondment, and the post number

-ABAC by Unit B.1: first and last name, place of birth, date of birth, ID card or passport number, national personal-identification number, knowledge of languages, address, bank account number, and name and address of the bank

Unit B.1 saves the secondment file of each SNE with the main information related to his/her secondment (e.g., extensions, suspensions, and exchanges with the Permanent Representation) on its shared drive.

Unit B.1 has access to the evaluation of the interviewed candidates for the SNE post filled out by the members of the selection panels in evaluation grids.

Unit B.1 reviews the evaluation of the secondment by SNEs before the secondment ends.

Generally, no data falling under Article 10 of the Regulation is processed. However, if you communicate to us your health data relating to special needs (e.g., regarding physical access to buildings and physical mobility), then we process such information to make appropriate office and other arrangements.

## **5. How long do we keep your data?**

CV and application forms of non-selected candidates are kept for 2 years after the end of the selection procedure.

The administrative file of SNEs saved electronically on Unit B.1's shared drive is kept for 7 years after the end of the secondment. This retention period is justified by the cooling-off period of 6 years before a new secondment is possible for national experts who had been previously secondment to the Commission for 6 years in accordance with the SNE Decision.

The data stored in eSIRE, SYSPER, ABAC and RETO is kept in accordance with data protection records DPR-EC-02055.1 on eSIRE, DPR-EC-1230.1 on SYSPER, DPR-EC-04426.1 on ABAC, and DPR-EC-01486 on COMREF (related to RETO).

## **6. How do we protect and safeguard your data?**

All personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored on the servers of the European Commission. All processing operations are carried out pursuant to the [Commission Decision \(EU, Euratom\) 2017/46](#) of 10 January 2017 on the security of communication and information systems in the European Commission.

In order to protect your personal data, the Commission has put in place a number of technical and organisational measures in place. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.

## **7. Who has access to your data and to whom is it disclosed?**

The entities processing your data are:

- Unit B.1
- The HR.BCs and line manager in the DG where you are seconded
- Staff of your DG assigned the tasks pertaining to trainings and other professional activities related to your position
- DG BUDG (for validation of reimbursements of travel costs and other payments)
- PMO (access via eSIRE to pay allowances and reimbursements)
- DG HR Security Directorate in case you are a third-country national seconded to the Commission
- Unit E.2 of DG HR if you are seconded at an EU Delegation
- Unit F.4 of DG HR to the extent necessary to provide legal advice concerning your secondment
- Unit F.5 of DG HR to the extent necessary to provide advice with respect to your outside activities, conflicts of interest and ethical issues
- Secretariat-General of the Commission if you are a national of an EFTA country
- The unit in DG NEAR responsible for accession negotiations if you are a national of a country with which the Council has decided to open accession negotiations and which has concluded an agreement with the Commission on staff secondments
- The Permanent Representation of your Member States to the EU (which is the main point of contact for selection and secondment procedure)

- EEAS in case you are seconded to an EU Delegation

## **8. What are your rights and how can you exercise them?**

You have the right to object to the processing of your personal data, which is lawfully carried out pursuant to Article 5(1)(a).

You have specific rights as a 'data subject' under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725, in particular the right to access, rectify or erase your personal data and the right to restrict the processing of your personal data. Where applicable, you also have the right to object to the processing or the right to data portability.

You can exercise your rights by contacting the Data Controller, or in case of conflict the Data Protection Officer. If necessary, you can also address the European Data Protection Supervisor. Their contact information is given under Heading 9 below.

Where you wish to exercise your rights in the context of one or several specific processing operations, please provide their description (i.e., their Record reference(s) as specified under Heading 10 below) in your request.

## **9. Contact information**

### **- The Data Controller**

If you would like to exercise your rights under Regulation (EU) 2018/1725, or if you have comments, questions or concerns, or if you would like to submit a complaint regarding the collection and use of your personal data, please feel free to contact the Data Controller, Unit B.1, [HR-B1-DPR@ec.europa.eu](mailto:HR-B1-DPR@ec.europa.eu).

### **- The Data Protection Officer (DPO) of the Commission**

You may contact the Data Protection Officer ([DATA-PROTECTION-OFFICER@ec.europa.eu](mailto:DATA-PROTECTION-OFFICER@ec.europa.eu)) with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725.

### **- The European Data Protection Supervisor (EDPS)**

You have the right to have recourse (i.e., you can lodge a complaint) to the European Data Protection Supervisor ([edps@edps.europa.eu](mailto:edps@edps.europa.eu)) if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Data Controller.

## **10. Where to find more detailed information?**

The Commission Data Protection Officer publishes the register of all operations processing personal data. You can access the register on the following link : <http://ec.europa.eu/dpo-register>.

This specific processing has been notified to the DPO with the following reference **DPR-EC-01028**.