

## **SPECIFIC PRIVACY STATEMENT ON PERSONAL DATA PROTECTION WITHIN THE FRAMEWORK OF RECRUITMENT OF PERMANENT OFFICIALS, TEMPORARY AGENTS, CONTRACT AGENTS AND SECONDED NATIONAL EXPERTS**

Within the framework of an open competition or selection procedure all personal data provided by candidates is dealt with in compliance with regulation (EC) N° 45/2001 of the European Parliament and of the Council of 18 December 2000.

### **CONTROLLER IDENTITY**

Ms Cristina Romay Lopez, Head of Unit A.1 'Human Resources & Internal Support'.  
Delegated controller: Lucy Urbanowski, Senior Human Resources Officer

### **WHAT IS THE PURPOSE OF THE DATA COLLECTION?**

The purpose of processing of the data that is submitted by a candidate is to manage a candidate(s) application(s) in view of a possible pre-selection and recruitment at the Agency. The information candidates provide in their application is collected for the purpose of the selection procedure: to administratively organise selection procedures to recruit staff; to manage applications at the various stages of these selections; to manage reserve lists.

### **WHAT PERSONAL DATA DO WE COLLECT?**

Personal data allowing identification of the candidate: Name and surname, date of birth, place and country of birth, gender and email address.

Information provided by the candidate to allow practical organisation of pre-selection and all other tests: home and correspondence address, postcode, city, country, gender, telephone, mobile and fax number, email address and any disability.

Information provided by the candidate to verify that he/she fulfils the eligibility criteria laid down in the selection notice: nationality, languages, diploma/degree: year awarded, title, name of the awarding body, and professional experience.

Other information or skills that the candidate may wish to communicate in their application.

Motivation of the candidate for applying to the post.

If applicable, the results of the preselection, written and oral test(s) results.

### **LEGAL BASIS**

Regulation (CE) n° 1406/2002 of the European Parliament and of the Council establishing a European Maritime Safety Agency, as amended, and in particular Art. 6.

The Staff Regulations of Officials (SR) and the Conditions of Employment of Other Servants of the European Economic Community (CEOS) and the European Atomic Energy Community, laid down by Council Regulation (EEC, EURATOM, ECSC) No 259/68, last amended by Regulation (EC, EURATOM) No 1023/2013 of the

European Parliament and of the Council of 22 October 2013 and in particular Articles 27-34 (SR), and Articles 12-15 and 82-84 of the CEOS.

The Decision of the Administrative Board of the Agency of 20 November 2009 laying down on Rules on the Secondment to EMSA of National Experts and National Experts in Professional Training.

Decision of the Administrative Board of 25 March 2015 laying down general provisions on the procedure governing the engagement and use of temporary staff under Article 2(f) of the Conditions of Employment of Other Servants of the European Union.

## **RECIPIENTS OF THE DATA PROCESSED**

The staff members in the Human Resources Sector who assist the Selection Committee with a particular recruitment procedure.

Members of the Selection Committee

The Head of Unit A.1 and the Head of Department 'Corporate Services' when a procedure is closed and prior to offering any post, in order to ensure consistency of the file and to ensure that the rules have been respected.

The Legal Officer of Unit A.1 in the case of appeal and complaints.

The Executive Director as Appointing Authority.

Should the applicant be placed on a reserve list and a similar vacancy arises within the Agency, the Head of Unit and or Head of Department of the recruiting unit/department can have access to the CV and the results of the evaluation of the applicant to see whether the applicant is suitable.

In very exceptional circumstances, in the event of a technical problem with the e-recruitment tool, intervention from specialised members of the ICT Unit may be required.

Permanent Representations and Missions to the EU (for SNEs only)

Also, if appropriate, access will be given to the European Ombudsman, the Civil Service Tribunal, the Internal Audit Service and the European Data Protection Supervisor.

## **DATE WHEN PROCESSING BEGINS**

The date on which the candidate's application file is received.

## **VALIDITY PERIOD**

### Time limit for the storage of personal data

Non recruited applicants:

Permanent official's competitions: A copy of the candidate's application file is stored and archived at EMSA for 10 years.

Contract and Temporary Staff and Seconded national Experts: A copy of the candidate's application file is stored and archived at EMSA for 5 years.

Recruited applicants: A data retention period of 8 years as of the termination of employment and 120 years in the personnel file.

## **LAWFULNESS OF PROCESSING**

Processing is necessary for the performance of tasks carried out in the public interest on the basis of the Treaties establishing the European Communities (recruitment of personnel) and in particular Regulation (CE) n° 1406/2002 of the European Parliament and of the Council establishing a European Maritime Safety Agency (as amended), as well as art. 5(a) of the Regulation (EC) N° 45/2001 of the European Parliament and the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.

## **RIGHT OF ACCESS AND RIGHT TO RECTIFY DATA**

Candidates can inform EMSA of any change to their personal data by post or email. If the need arises, and following a request in writing accompanied by a copy of some form of identification, candidates may obtain a copy of their personal data as encoded by EMSA.

On the other hand, data demonstrating compliance with the admissibility criteria may not be updated or corrected after the closing data for the respective selection procedure.

At any moment, candidates have the right to notify the European Data Protection Supervisor ([edps@edps.europa.eu](mailto:edps@edps.europa.eu)).

## **CONTACT INFORMATION**

The Head of Human Resources & Internal Support  
European Maritime Safety Agency  
Praca de Europa 4  
1249-206 Lisbon  
Portugal