European Maritime Safety Agency

TEMPLATE FOR RECORDING OF PROCESSING ACTIVITY

NOTIFICATION TO THE DATA PROTECTION OFFICER
(ARTICLE 31 REGULATION 1725/2018)

NAME OF PROCESSING ACTIVITY[1]: Selection, Recruitment and Engagement of 2(f) temporary staff

1) Controller(s)[2] of data processing operation (Article 31.1(a))
Controller: European Maritime Safety Agency (EMSA) Organisational unit responsible[3] for the processing activity: Unit A.1, Human Resources and Internal Support. Data Controller: Cristina Romay Lopez, Head of Unit A.1, Human Resources and Internal Support. Data Protection Officer (DPO): Radostina Nedeva-Maegerlein: dpo@emsa.europa.eu
2) Who is actually conducting the processing? (Article 31.1(a))[4]
The data is processed by EMSA itself. x The organisational unit conducting the processing activity is: Unit A.1, Human Resources and Internal Support.
The data is processed by a third party (contractor) or the processing operation is conducted together with an external third party x - In the case of using EPSO to organise a recruitment procedure on EMSA's behalf. Contact point at external third party: Chris CLAUS, Selection management for contract agent selections, EPSO.01, eSelection and Test Development. - In the case of an Article 90.2 complaint resulting from a recruitment procedure being handled by DG HR Unit F.5 Appeals and Case Monitoring.

[1] **Personal** data is any information relating to an identified or identifiable natural person, i.e. someone who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity. This information may, for example, be the name, date of birth, a telephone number, biometric data, medical data, a picture, professional details, etc.
Processing means any operation or set of operations which is performed on personal data, whether or not by automatic means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
[2] In case of more than one controller (e.g. joint operations), all controllers need to be listed here
[3] This is the unit that decides that the processing takes place and why.
[4] Is EMSA itself conducting the processing? Or has a provider been contracted?

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Contact point at external third party: Lars ALBATH, Head of Unit F.6 Appeals and Case Monitoring, DG HR.

The recruitment of middle management staff where a third party (contractor) is involved in the organisation of assessment centres is subject to a separate notification.

3) Purpose of the processing (Article 31.1(b))

Why are the personal data being processed? Specify the rationale and underlying reason for the processing and describe the individual steps used for the processing.

To select and recruit 2(f) temporary agents to work in EMSA following an internal, external or an interagency publication.

Application stage

For interagency publications, a publication for the post is published on the website of the Agency and the link to the vacancy notice is sent to the Coordination of the Agencies to forward to all other Agencies for circulation to their staff members.

Applicants to an interagency publication complete their CV in Europass format and also provide a motivation letter to be sent by email.

For external publications, a publication for the post is published on the website of the Agency.

Applicants who wish to apply to an external publication complete their data in the e-recruitment tool to create an e-recruitment CV and also need to complete a section on their motivation for the post.

To implement internal mobility with regard to 2(f) temporary agents, the vacancy notice is published on the EMSA Intranet. Internal applicants send their CV in Europass format by e-mail to a dedicated mailbox.

In all cases, the selection procedure will be published pursuant to the Decision of the Administrative Board of 25 March 2015 laying down general implementing 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.

Interview and written test stage

To this end, the Agency collects, manages and stores data relating to candidates who apply for 2(f) temporary staff positions.

Data relate to:

1. the professional and personal profile of candidates (i.e. CVs and motivation letter)
2. the results of written tests or interviews during at different stages of the selection process;

Data under (1) is submitted by candidates themselves and data under (2) are handled and / or consulted by different actors in the selection process: Specific staff members in the Human Resources sector, members of the selection committees and relevant managers.

If a candidate is invited for an interview, a copy of the identity card/passport, copies of the degrees, diplomas or educational certificates and employment testimonials, the legal entities and the bank account details are requested. Following the interview, the travel and accommodation expenses incurred will be reimbursed to the candidate. The reimbursement file is composed of a completed and signed Declaration of Expenses Form and the supporting documents listed in the form, i.e. documents proving the price of the travel for the flight (e.g. e-ticket, copy of the travel agency invoice) or of any other mode of public transport such as train or bus (e.g. copy of the ticket) and evidence of costs incurred for accommodation upon request, as well as the legal entity and the bank account details. The reimbursement file will be handled by a Human Resources Assistant/Officer, verified by the relevant colleagues in the Legal and Financial Affairs Unit and subsequently signed off by the Authorising Officer, prior to final processing by the Accountant.

In the invitation to interview, candidates will be asked if they need any special arrangements to be made for their participation.

Recruitment & Engagement

In the event the Agency decides to recruit an external candidate and an offer of employment is made, the successful candidate needs to complete a series of forms (attached) and to provide HR with the following documents:

1. Declaration of Conflict of Interest (in annex).

   Initially recruits are asked to fill in a declaration of conflict of interest and to identify any personal interests, family or financial, or interests of third parties, which would actually or potentially impair a candidate's independence in the course of their duties in the specific job they are applying for. The declaration will be submitted to the immediate superior of the candidate at EMSA for a first assessment as to the existence of a conflict of interest and its compatibility with the job which has been offered. Following this assessment, the Appointing Authority will issue a reasoned opinion

2. Degrees, diplomas or educational certificates.

3. Statements/contracts/certificates from the previous and current employers stating the exact duration of employment, the job title and where necessary last payslips

4. The last payslip of the last employment as soon as it is available

5. A document proving their nationality(ies) (i.e. Passport or ID card)

6. An original letter/extract from the **criminal record** proving that they have no previous criminal convictions. Please see the file attached called Criminal Record for further information.

7. The Application Form (in annex)

8. The Determination of Entitlements under the Staff Regulations Form (in annex)

9. The Legal Entity Form (download link)) (if not provided at the day of interview)

10. The Financial Identification Form (download link)) (if not provided at the day of interview)

11. The JSIS Confidential Declaration Form (in annex) to be affiliated to the EU Sickness Scheme.

And, if appropriate:

12. A statement regarding any military service obligations

13. Marriage certificate or certificate of legal partnership

14. Divorce, legal separation or maintenance judgements

15. When married with no children, the spouse's latest salary slip and the spouse's latest income tax declaration. If the spouse is not employed, the spouse's registration as unemployed or as a job seeker or a declaration on honour of non-employment needs to be provided.

16. Birth certificate(s) of child(ren)

17. Proof of place of origin from current employer if they are working for the EU Institutions/Agencies as an Official, Temporary Agent or Contract Agent.

This information is needed in order to be able to sign the contract of employment and to establish the grade, step and entitlement of rights of the newcomer. It is processed by the responsible HR staff and the Appointing Authority or delegated appointing authority for the establishment of rights.

Additionally, the Medical Service of the Commission in charge of the pre-recruitment medical visit prepares and sends the “Certificate of Aptitude” to the Human Resources Unit. Any other data, such as the results of medical examinations and their diagnosis are retained by the Medical Service and not provided to EMSA. The procedure for the reimbursement of the travel and accommodation expenses for the pre-recruitment

medical visit is the same as the reimbursement of the travel and accommodation expenses of candidates invited for an interview, as described above.

Originals and certified true copies are kept in the paper personal file, i.e. criminal record, original completed forms, educational and employment testimonials, marriage certificate / children's birth certificates, documents related to the completion of military service. These documents are stored in the personal file and uploaded to the e-personal file. After two years the original criminal record file extracts are returned to their owner, or destroyed.

Candidates to recruitment procedures are entitled to present a complaint under Article 90.2 of the Staff Regulations in response to their non-selection. The data in such complaints is normally related to their professional experience, their eligibility for the post and/or their performance in the interview and written tests should that be the case, as well as the responses they have given in this context.

4) Lawfulness of the processing (Article 5(a)–(d)): Processing necessary for:

Mention the legal basis which justifies the processing

(a) a task carried out in the public interest or
in the exercise of official authority vested in EMSA
(including management and functioning of the institution) x

The processing is necessary to help EMSA to recruit/select 2(f) temporary agents to work in EMSA.

Under 15.2(e) of the EMSA Founding Regulation, Regulation (EC) No 1406/2002, as amended, the Executive Director shall exercise (e) he/she shall exercise, in respect of the staff, the powers laid down in Article 6(2).

(b) compliance with a legal obligation to which EMSA is subject

(c) necessary for the performance of a contract with the data subject or for the preparation of such a contract

Important Note

Consent may not be the most appropriate legal basis, in particular in the employment context. However, if you wish to use consent as legal basis, ensure that it complies with the following: it must be freely given, specific, informed and unambiguous consent. Contact the DPO if you need further clarifications.

(d) Data subject has given consent (*ex ante*, explicit, informed) x

Candidates to recruitment procedures will be informed of their data rights and the manner in which their personal data will be handled during the recruitment procedure. In the act of submitting their application, they are acknowledging their agreement to the processing.

5) Description of the categories of data subjects (Article 31.1(c))

Whose personal data are being processed?

EMSA staff	x
Non-EMSA staff (contractors staff, external experts, trainees)	☐
Visitors to EMSA building	☐
Relatives of the data subject	x

As described under 3) above in the event that the candidate is recruited.

Other (please specify): Candidates to recruitment procedures.

6) Categories of personal data processed (Article 31.1(c))

Please tick all that apply and give details where appropriate

(a) **General personal data:**

The personal data contains:

Personal details (name, address etc)	x

First name, Family name, Date of birth, Place and country of birth, Gender, Nationality,

Private telephone number, Work telephone number, Mobile number, Email, Home address.

Address for correspondence (if different from home address).

Education & Training details	x

Secondary and higher education, University or equivalent, Other education/Training received.

Knowledge of languages: level of English, other languages and level.

Employment details	x

Dates of employment, information concerning the current employer (notice period required, if the applicant has any objection to the Agency making enquiries of the present employer), employer information (name, address, type of business), Description of the position (title, number of employees under the applicant's supervision, place of employment, name and title of supervisor, detailed description of the applicant's work, languages used).

Financial details	x

Legal Entity and Financial Identity forms for those attending an interview/pre-recruitment medical visit and who have the right to reimbursement of travel and accommodation costs

Family, lifestyle and social circumstances x

Information will be provided on the family composition for the purpose of payment of allowances in the event that the candidate is recruited.

Goods or services provided ☐

Other (please give details):

(b) **Sensitive personal data** (Article 10)

Racial or ethnic origin ☐ n/a

Political opinions ☐ n/a

Religious or philosophical beliefs ☐ n/a

Trade union membership ☐ n/a

Genetic, biometric or data concerning health ☐ n/a

Information regarding an individual's sex life or sexual orientation ☐ n/a

Important Note

If you have ticked any of the sensitive data boxes, please contact the DPO before processing the data further.

7) Recipient(s) of the data (Article 31.1 (d))

Recipients are all parties who have access to the personal data

Data subjects themselves x

partially: Candidates can ask EMSA for additional information upon completion of the recruitment procedure.

Managers of data subjects x

Their current and/or future manager could be involved in the recruitment procedure or consult the file if the candidate's name is placed on a reserve list.

Designated EMSA staff members x

The Appointing Authority, the Human Resources sector and members of the selection committees.

Legal Officers and the Head of Unit of Unit 4.2 Legal, Financial and Facilities in the event of an Article 90.2 being submitted by a candidate.

Also very limited members of the ICT Unit assisting with the e-Recruitment tool.

Legal and Financial staff handling the verification of reimbursement of travel costs.

DG HR Unit F.5 Appeals and Case Monitoring staff in the case of an Article 90.2 complaint resulting from a recruitment procedure being handled by DG HR Unit F.5. The data will be limited to what is strictly required for the drafting of the Article 90.2 response.

Access will be given to EU staff with the statutory right to access the data required by their function, i.e. the European Ombudsman, the Civil Service Tribunal, the Internal Audit Service, the European Court of Auditors, OLAF and the European Data Protection Supervisor.

Designated Contractors' staff members ☐

Other (please specify):

The Complaints Committee composed of the three Management Board representatives identified for this purpose as follows: Chairperson, Deputy Chairperson of the Management Board and the MOVE SRD Commission Representative at the level of Director in the event of an Article 90.2 being submitted by a candidate.

8) Transfers to third countries or recipients outside the EEA (Article 31.1 (e))

If the personal data are transferred outside the European Economic Area, this needs to be specifically mentioned, since it increases the risks of the processing operation.

Data are transferred to third country recipients:

Yes ☐

No x

If yes, specify to which country:

If yes, specify under which safeguards:

Adequacy Decision of the European Commission	☐
Standard Contractual Clauses	☐
Binding Corporate Rules	☐
Memorandum of Understanding between public authorities	☐

Important Note

If no safeguards are applicable, please contact the DPO before processing the data further.

9) Technical and organisational security measures (Article 31.1(g))

Please specify where the data are stored during and after the processing

How is the data stored?

EMSA network shared drive Only accessible to staff members responsible for the recruitment procedure within Unit A.1, Human Resources and Internal Support. As well as access restriction, the files concerned will be password protected.	x
Outlook Folder(s) There is a dedicated Outlook folder created for each recruitment procedure.	x
Hardcopy file For the personal file only.	x
Cloud (give details, e.g. public cloud)	☐
Servers of external provider	☐
Other (please specify):	x

The full set of recruitment documentation is stored in ARES.

Applicants who wish to apply to an external publication complete their data in the e-recruitment tool to create an e-recruitment CV and also need to complete a section on their motivation for the post.

If an applicant is recruited, his personal and professional documents are stored in the E-Personal file.

10) Retention time (Article 4(e))

How long will the data be retained and what is the justification for the retention period? Keep in mind that there are pre-determined retention periods for most types of files. Those are explained in the Records Management Policy and Procedure of the Agency. You can check EMSA Records Management Policy and Procedure here.

For recruitment procedures for a position with a contract of indefinite duration, on the basis of a sampling and selection, the files can be destroyed 10 years after the expiry of the reserve list. For Recruitment procedures for a position of short-term contract duration, on the basis of a sampling and selection, the files can be destroyed 5 years after the expiry of the reserve list.

Files on candidates for a position with a contract of indefinite duration, invited for a selection interview are destroyed after 10 years. Files on candidates for a position of short-term contract duration, invited for a selection interview are destroyed after 5 years. Files on candidates not invited for a selection interview are destroyed after 2 years.

Personnel files are destroyed 10 years following the termination of employment or the last pension payment. In case of legal action against the recruitment decision, the retention period is extended until one year after the final decision.

For files related to reimbursements of candidates invited to take part in a recruitment procedure, the payments are stored in ABAC and destroyed after 7 years.

Thank you for completing the form.
Now please send it to the DPO using the ARES workflow

Electronically signed on 14/10/2026 09:23 (UTC+02)