

Privacy Statement for processing of personal data related to Recruitment

This privacy statement, in line with Articles 15 and 16 of [Regulation \(EU\) 2018/1725](#)¹, provides information to the data subjects relating to the processing of personal data of individuals carried out by the European Union Agency for Law Enforcement Training (CEPOL) in fulfilling its tasks.

The purpose of this document is to describe how CEPOL complies with its obligations to protect personal data under Regulation (EU) 2018/1725 and to provide individuals with information about CEPOL's processing of personal data and their rights and obligations under the Regulation.

What is the purpose of the processing?

To organise selection procedures to recruit different categories of staff (i.e. temporary agents and contract agents, including middle management roles) using the e-recruitment system and to organise selection procedures to recruit Seconded National Experts (SNEs), interim workers, and trainees, to manage the various stages of these selections; to manage and check the use of reserve lists.

What is the legal basis for the processing of personal data?

Regulation (EEC) No 31² laying down the Staff Regulations of Officials (SR) and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community (CEOS), in particular Articles 27-34 (SR), Articles 12-15 (CEOS) and Articles 82-84 (CEOS).

Regulation (EU) 2015/2219³ of the European Parliament and of the Council of 25 November 2015 on the European Union Agency for Law Enforcement Training (CEPOL) and replacing and repealing Council Decision 2005/681/JHA.

Article 5(a) (d) of Regulation (EU) 2018/1725.

Management Board Decision 11/2016/MB on laying down rules on the Secondment to CEPOL of National Experts.

Governing Board Decision 26/2015 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.

Management Board Decision 22/2019 on the general provisions for implementing Article 79(2) of the Conditions of Employment of Other Servants of the European Union, governing the conditions of employment of contract staff employed under the terms of article 3a thereof.

Decision of Director 62/2017/DIR on Traineeships at CEPOL.

¹ 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39–98.

² OJ 45, 14.6.1962, p.1385

³ OJ, L 319, 4.12.2015, p.1

Privacy Statement

Document number: FO.DAPR.020-3

Approval date: 07/10/2020

**Who is the data controller?**

The data controller is the Head of Corporate Services Department,
HeadofCSD@cepol.europa.eu

Who are the data subjects?

All individuals submitting an application for a position as temporary agents, contract agents, SNEs, interims, trainees. Members of the Selection Committee who sometimes may be external parties (e.g. staff members of other European Agencies forming part of the Selection Committee).

Which types of data are being processed?

- CV data including identity (name, age, gender and nationality), address, education, language skills, qualifications obtained, job-related/professional training and membership of professional bodies.
- Current and past employment history of the candidate. It is noted that the fields linked to the reason for leaving a position are not mandatory to fill.
- Evaluation of candidates against eligibility and selection criteria.
- Results of the written test and the oral interview of the candidates who participated in the interview.
- Data originating from the assessment centre (applicable to middle management recruitment procedure only).
- Bank and legal entity details (for candidates who are invited for interview and wish to claim reimbursement of travel expenses).
- Copies of proof of nationality, diplomas required for admission to the selection and statements of employment (for candidates invited for interview).
- Data concerning health may be processed. For the purposes of complying with Articles 28(e) and 33 of the Staff Regulations (SR) and Articles 12(d) and 13 of the Conditions of Employment of Other Servants (CEOS) requiring that a candidate may be recruited as a member of staff only on condition that "*he is physically fit to perform his duties*" the candidate who is offered the position is requested to pass a medical examination resulting in a medical aptitude certificate.
- For the purposes of complying with Articles 28 of the SR and 12(2) of the CEOS providing that a member of the staff may be engaged only on condition that "*(a) he [...] enjoys his full rights as a citizen*" and that "*(c) he produces the appropriate character references as to his suitability for the performance of his duties*" the HR team requests from the candidate who is offered the position to provide an extract of his/her criminal record.

How is data processed?**E- Recruitment Procedures**

For the recruitment of contract agents and temporary agents (including middle management), a vacancy notice is published requesting the candidates to submit their application via an electronic platform. The candidates create password protected accounts in the electronic platform and fill out their applications.

The CEPOL HR team performs an initial eligibility check of the candidates and gives access to the received applications to the Selection Committee for further processing.

Regarding the general recruitment procedure: The Selection Committee assesses received applications and establishes a shortlist of candidates. The shortlisted candidates are invited for an interview before the Selection Committee and a written examination. The interview may take place at CEPOL or using video-conference depending on the recruitment procedure. On the basis of the interview and the results of the test, the Selection Committee prepares a reserve list with the ranking of candidates above the threshold and transmits it to the Authority empowered to conclude contracts.

Regarding the middle management recruitment procedure: The Selection Committee assesses received applications and establishes a shortlist of candidates. The pre-selected candidates are invited for an interview before the Selection Committee taking place at CEPOL and an examination in an assessment centre (external contractor). On the basis of the interview and the results of the assessment centre, the Selection Committee prepares a reserve list with the ranking of candidates above the threshold and transmits it to the Authority empowered to conclude contracts.

Other Recruitment Procedures

Regarding the recruitment of trainees: a vacancy notice is published on CEPOL's website. Candidates are invited to submit their CV and cover letter to a functional mailbox. The CEPOL HR team performs an initial eligibility check of the candidates and transmits all received applications to the Selection Committee. The shortlisted candidates are invited to an interview either at CEPOL or using video-conference. On the basis of the interview, the Selection Committee prepares a list of suitable candidates and nominates a candidate for the final decision by the Executive Director.

Regarding the recruitment of interims: a vacancy notice is published on the external recruitment company's website where candidates are invited to submit their CV and cover letter. The external company sends to the CEPOL HR team a password protected file via email containing up to three possible candidates CVs. Applications are printed out and assessed by members of the Selection Committee. Candidates may be invited for an interview either at CEPOL or using videoconference.

Regarding the recruitment of SNEs: a vacancy notice is published on CEPOL's website and circulated to the CEPOL National Units (CNU). The CNU submit to a functional mailbox the CVs and cover letters of the interested candidates. A list of applications received is prepared by the CEPOL HR team and transmitted to a Selection Committee. The Selection Committee reviews the applications and interviews the candidates. A proposal is made to the ED for the secondment.

Who are the recipients of the data being processed?

- CEPOL Executive Director (only in relation to certain data).
- Members of the Selection Committee (including external parties who act as Selection Committee members).
- CEPOL HR team.

- CEPOL Internal Audit Panel and/or the Internal Control Officer (if relevant).
- External contractor providing the recruitment platform (subject to national law adopted for the implementation of the General Data Protection Regulation⁴).
- External contractor providing the assessment centre (only for certain data of pre-selected candidates and only for the middle management recruitment procedure).
- EU Agencies HR Department (upon request).
- EU bodies: European Court of Justice, European Ombudsman, European Data Protection Supervisor, European Anti-Fraud Office (OLAF), Internal Audit Service of the European Commission, European Court of Auditors (upon request).

Is data transferred to third countries or international organisations?

N/A

What rights do data subjects have?

Candidates are permitted to rectify and to erase any data that is inaccurate or incomplete in their applications during the recruitment procedure:

- In the case of identification data, applicants can rectify those data at any time during the procedure;
- In the case of data related to the eligibility or selection criteria, the right of rectification cannot be exercised after the deadline for applications for the specific vacancy has passed

The rectification/erasure of inaccurate or incomplete data will take place without undue delay starting from the date of receipt of such request.

Data subjects can refuse and/or withdraw their consent with respect to further processing of their data. In addition, data subjects have the right to receive their personal data in a structured, commonly used and machine-readable format.

The time limit to provide access shall be at any time within three months from receipt of the request.

Please note that this is without prejudice to potential application of Article 25 of Regulation (EU) 2018/1725 allowing restriction of certain rights of data subjects.

Substantiated requests should be emailed to HeadofCSD@cepol.europa.eu. The time limit to block/erase data on justified grounds at the request of data subjects is 15 working days from the date of receipt of such a request.

General requests can be emailed to the CEPOL Data Protection Officer at DPO@cepol.europa.eu.

How long is your data retained by CEPOL?

Temporary agents, contract agents and middle managers

Recruited candidates: documents relating to successful applications are kept in the personal file of the established statutory member of staff, in accordance with Article 26 of the Staff Regulations. A personal file in digital form is kept for at least 120 years after the date of birth

⁴ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC OJ, L 119, 4.5.2016, p.1

of the person concerned. Recruitment data that has not been transferred to the personal file is kept for N+1 starting from the date of the end of validity of the reserve list. The criminal record sent by the applicants is kept for N+1. Medical aptitude certificates requested at the recruitment stage, are transferred to the personal file and are kept there.

Unsuccessful candidates: data is kept on file for N+1 after the candidates have been notified that they were not successful.

Candidates whose names were placed on a reserve list but who are not offered a job at CEPOL or who do not take up a job offer: data is kept on file for N+1 year after the expiry of the reserve list.

In the context of e-recruitment, the external contractor providing the recruitment platform retains the data inserted by the candidates for 2 years. After that period, the external contractor shall delete those candidates' data from its servers and platform and CEPOL shall keep copies of them, in line with the above retention periods.

SNEs and Trainees

For SNEs and Trainees: the personal data of successful candidates is kept during the time of their term at CEPOL plus 2 years after the budgetary discharge. After that, only data essential for providing a certificate is kept for a maximum period of 50 years. The necessary data comprises the following: first name, last name, length of contract, relevant department, and monthly grant received.

Non-recruited candidates: for pre-selected candidates who are not recruited, the personal data is kept for a maximum of 6 months after the end date indicated in the vacancy notice

Who should you contact for more information on the processing of your personal data by the Agency?

Data Protection Officer (DPO)

Within CEPOL, there is a data protection officer. This person is independently responsible for ensuring the internal application of Regulation (EU) 2018/1725 and that the rights and freedoms of the data subjects are not likely to be adversely affected by the processing operations. The DPO keeps a register of all processing operations of personal data carried out by the Agency.

The DPO also provides advice and makes recommendations on rights and obligations of data controllers and data subjects. CEPOL's DPO can be contacted at dpo@cepol.europa.eu.

European Data Protection Supervisor (EDPS)

The [European Data Protection Supervisor](#) is an independent supervisory authority with responsibility for monitoring and ensuring the application of data protection rules by EU Institutions and Bodies, which includes CEPOL. The EDPS provides advice to EU Institutions and Bodies on all matters relating to the processing of personal information and cooperates with national supervisory authorities to improve protection of personal information.

What should you do if you believe your data is being misused by the Agency?

If you believe your data is being misused by CEPOL, or is otherwise not compliant with your rights and freedoms under Regulation (EU) 2018/1725, you should notify the data controller at HeadofCSD@cepol.europa.eu. You may also contact the Agency's DPO to inform him/her of any issues related to the processing of your data. If the problem is not rectified after contact with the data controller and DPO, every data subject has the right of recourse to lodge a complaint with the EDPS, as provided for by Article 63 of Regulation (EU) 2018/1725.