

PRIVACY STATEMENT

for the processing operation “PO – 1.01 Selection and recruitment of temporary agents (TA), contract agents (CA), seconded national experts (SNE), interims and trainees at the S2R JU

1. INTRODUCTION

This Privacy Statement describes the measures taken to protect your personal data with regard to the action involving the present data processing operation and what rights you have as a data subject.

Regulation 45/2001 (herein after "the Regulation") applies to the processing of personal data carried out in the process of selection and recruitment of staff at Shift2Rail Joint Undertaking (“S2R JU”).

S2R JU protects the fundamental rights and freedoms of natural persons and in particular their right to privacy with respect to the processing of personal data (Article 1.1 of Regulation No 45/2001).

2. CONTROLLER OF THE PROCESSING OPERATION

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Bruxelles
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Person designated as being in charge of the processing operation: the Human Resources Officer
E-mail: jobs@s2r.europa.eu

3. PURPOSE OF THE PROCESSING

Regulation 45/2001 (herein after "the Regulation") applies to the processing of personal data carried out in the process of selection and recruitment of TA, CA, and SNE, trainees and interim staff at the S2R JU. The S2R JU uses data collected during the recruitment procedures for the sole purposes of the selection and recruitment of candidates applying for open vacancies (TA, CA, and SNE), interims and trainees.

4. DATA SUBJECTS

Data from candidates applying for open vacancies (TA, CA, and SNE), trainees recruited by the European Commission (“EU BlueBlook trainees”) and interim staff selected via an external contractor on behalf of the European Commission.

5. CATEGORIES OF DATA COLLECTED AND USED FOR THE PROCESSING OPERATIONS

- Personal data allowing identification of the candidate, i.e. Surname, First name;
- Administrative data provided by the candidate allowing the practical organisation of the pre selection procedure and other tests , i.e. contact information: address, telephone, fax and Email
- Academic and professional data provided by the candidate (i.e.: curriculum vitae and cover letter) to verify whether he/she fulfils the eligibility and selection criteria laid down in the vacancy notice, i.e. nationality, languages, education, employment record, military/ civil service record.
- Evaluation data, i.e.: results of the pre selection or written/oral tests provided by the selection committee.

6. RECIPIENTS OF THE DATA

- The Human resources Officer
- Members of the selection committee
- Appointing authority- The S2R JU DPO (only for the purposes of replying to access requests or other consultations on data protection aspects from the HR Officer)

7. RIGHT OF ACCESS AND RECTIFICATION OF THE DATA

The applicants have the right of access and the right to rectify the data concerning him or her by contacting the person designated as being in charge of the processing operation. The right of rectification can only apply to factual data processed within the selection procedure. In addition, data related to the admissibility criteria can not be rectified after the closing date of submitting applications.

Should the Applicant have any queries concerning the processing of his/her personal data, he/she shall address them either to the S2R JU Human Resources Officer (e-mail: jobs@s2r.europa.eu) or to the S2R JU Data Protection Officer (e-mail : Data-Protection@s2r.europa.eu)

8. TIME LIMIT FOR STORING THE DATA

- In any case, personal data will not be kept for longer than necessary, for the purpose for which they were collected or further processed.
- for the non-recruited candidates: 2 years following the recruitment procedure is terminated or the establishment of the reserve list by the selection committee
 - for the recruited candidates: 10 years after the termination of employment
 - Non-recruited applicants on the "reserve lists for appointment" : maximum of three years following expiry of the reserve lists;
 - for interims, the data are kept only for the duration of the mission (normally six months).
 - for the spontaneous applications, CVs are not kept and are destroyed automatically after seven days.
 - In case of appeal, until the termination of all appeals.
 - Criminal record, police record and certificate of good conduct: returned to the person immediately after the selection and possible recruitment or not.

9. LEGAL BASIS OF THE PROCESSING OPERATION

The legal basis for the processing of personal data are:

Regulation 45/2001

- Article 5(a)

Regulation 642/2014 establishing the S2R JU¹

- Articles 6, 7 and 10 and Article 10 of the S2R Statutes

Staff Regulation

-Articles 12 - 15 and 82 - 84, 86 of the Conditions of Employment of other servants of the European Communities (CEOS);

Implementing Rules

For TA: S2R JU Governing Board (GB) Decision N° 7-2015 of 17 July 2015 related to general implementing provisions on the procedures governing the engagement and the use of temporary agents².

For the Trainees: GB decision 21/2016 of 25 October 2016 laying down the rules on the use of trainees in the Shift2Rail Joint Undertaking³.

For the SNE: GB decision 20/2016 of 25 October 2016 laying down rules on the secondment of national experts and national experts in professional training to the Shift2Rail Joint Undertaking⁴.

For the interims: S2R JU uses the Framework contract HR/R3/PR/2014/078 signed by the European Commission (DG Human Resources and Security-DG HR) with an external contractor. Therefore, an external contractor collects and processes data on behalf of the DG HR to select the best suitable interim staff. The contractor is subject to Belgian national law. Therefore, confidentiality and security obligations established by virtue of Belgian law are applicable to the contractor. A copy of the contract is provided in annex 5, including the relevant data protection contractual clauses.

10. CONTACT DPO

In case you have any questions or queries concerning data protection at the Shift2Rail Joint Undertaking, you can contact the Data Protection Officer at Data-Protection@s2r.europa.eu.

11. RECOURSE TO EDPS

As a data subject you have the right to have recourse at any time to the European Data Protection Supervisor at edps@edps.europa.eu.

12. ADDITIONAL INFORMATION

More information on Data Protection at the Shift2Rail Joint Undertaking can be obtained on our [public website](#).

¹ Council Regulation (EU) No 642/2014 of 16 June 2014 establishing the Shift2Rail Joint Undertaking (OJ L 177, 17.6.2014, p. 9). http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2014.177.01.0009.01.ENG

² https://shift2rail.org/wp-content/uploads/2016/03/S2R-JU-GB_Decision-N-7-2015-Implementing-provisions.pdf

³ https://shift2rail.org/wp-content/uploads/2016/04/Decision-21_2016-traineeships.pdf

⁴ https://shift2rail.org/wp-content/uploads/2016/04/Decision-20_2016-national-experts.pdf