DATA PROTECTION STATEMENT

SELECTION AND APPOINTMENT OF EU-OSHA'S EXECUTIVE DIRECTOR

Organisational part of the Agency entrusted with the processing of personal data

Network Manager in charge of the Management Board Secretariat.

Purpose

The processing of personal data is necessary for the purpose of enabling the Management Board to select and appoint a new Executive Director. This privacy statement relates only to the part of the procedure for which personal data are processed within EU-OSHA.

Legal basis


Type of data processed

The recruitment procedure of the Executive Director is launched by the European Commission and finalizes with the selection of the candidate by EU-OSHA’s Management Board and his/her subsequent appointment further to his/her hearing with the Employment and Social Affairs Committee at the European Parliament.

The European Commission, upon adopting a shortlist of candidates, transmits it together with the relevant supporting documentation (e.g. the curriculum vitae, application and motivation letter) to EU-OSHA’s Management Board via the Chairperson.

The personal data transmitted by the Commission and further processed by EU-OSHA may include:

• Personal data allowing the candidates to be identified, i.e. surname, first name, date of birth, gender.
• Information provided by the candidates to allow the practical organisation of the selection and appointment such as address information (street, postcode, town, country) and contact details (telephone, fax, e-mail).

• Information provided by the candidates to verify whether they fulfil the eligibility and selection criteria laid down in the vacancy notice, i.e. nationality, languages, education, employment record, military/civil service/criminal records.

• Any other personal information and data included by the candidates in the motivation letter.

Other data that are processed during the selection and appointment process are:

• Personal data and information shared by the candidates during their address/presentation to the Management Board;

• Declarations of absence of conflict of interests and confidentiality submitted by the members, alternates and observers of the Management Board.

• The Management Board members’ vote on the selection and appointment. Voting is fully anonymous and results are made available in aggregated form only.

• Recordings from the meeting where the selection takes place, which may entail images, comments, remarks and interventions made in writing or orally by meeting attendees, also cf. privacy statement on MB and EB virtual meetings.

Additional data that are collected in the pre-recruitment phase:

• Information related to the selected and appointed candidate and their spouse’s conflict-of-interest situation pursuant to the requirements in the vacancy notice and in the Staff Regulations (Article 11).

• Assessment by the Chairperson, assisted by the deputy Chairperson, on behalf of the Management Board regarding the conflict-of-interest situation.

Lawfulness of processing

The processing is based on Article 5.1(a) and (d) of 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 (hereinafter the Regulation).

Data recipients

All data under “Categories of data and persons”:

• Management Board Secretariat at EU-OSHA in charge of organising the selection and appointment procedure.

Data related to the shortlist and other relevant data/documentation:

• Members of the Management Board entitled to vote for the selection and appointment;

• Observers to the Management Board attending the meeting with no right to vote.
Appointed EU-OSHA staff other than the Management Board Secretariat attending the selection meeting get acquainted with the identity of the candidates in the shortlist on the day of the meeting. They shall not have access to the meeting documentation at any stage of the selection procedure. All Management Board members or alternate entitled to vote and observers attending the selection meeting must have signed a declaration of absence of conflict of interest and confidentiality. This is a necessary requirement. EU-OSHA staff is bound to confidentiality and conflict of interests prevention and management by the Staff Regulations.

Personal data such as first and last name of the candidates are also processed by EU-OSHA contractors in charge of providing meeting and voting facilities during the selection meeting. Data processing will be entirely under the instructions of the controller.

Additional data collected in the pre-recruitment phase:
• Management Board Chairperson and deputy Chairperson,
• EU-OSHA staff in the HR section.

The data subject’s rights
Data subjects have the right to request from the controller access to and rectification or erasure of personal data or restriction of processing concerning the data subject or, where applicable, the right to object to processing or the right to withdraw consent at any time without affecting the lawfulness of processing based on consent before its withdrawal (Articles 17, 18, 19, 20, 22, 23 and 24 of the Regulation).

Any requests to exercise one of those rights should be directed per email to the organisational part of the Agency entrusted with the processing operation as indicated in this privacy statement, including in the subject the words “data protection”. Data subjects’ rights can be restricted only in the cases foreseen in Art 25 of the Regulation.

Information on the conservation period of data
EU-OSHA will retain the data collected only for the period strictly necessary for the administrative needs linked to the procedure. The documentation which includes the personal data of the candidates will be kept by the Agency throughout the duration of the selection and appointment process in a password-protected folder accessible exclusively by the staff in charge and Management Board members eligible to vote and Observers who confirmed attendance at the meeting.

Certain information - such as address, contact details etc., may be erased. In the case of the selected and appointed candidate, his/her data are kept in the agent's personal file, in accordance with Article 26 of the Staff Regulation until 10 years following the termination of employment or the last pension payment. In the case of non-selected applicants, their data are eliminated 2 years after the date of closure of the selection and appointment procedure, provided that those are not necessary for budgetary discharge, control and audit purposes.
Declaration of absence of conflict of interests submitted by Management Board members, alternates and observers will be kept 2 years after the date of closure of the selection and appointment procedure, provided that those are not necessary for budgetary discharge, control and audit purposes.

Some personal data such as audio records, messages posted in the digital boardroom, pictures and video (if applicable) is kept as long as follow-up actions to the meeting are necessary with regard to the purpose(s) of processing the personal data, as well as for the meeting and its related management, and in any case no longer than 1 year. Minutes reporting the name and last name of the selected candidate and the results from the votes from the Management Board will be published on the website and will be retained for as long as the needs linked to the Agency’s mandate and activities so require.

Security measures

Throughout this procedure only authorised people are attributed access rights and only on a "need-to-know" basis. All possible security measures are taken to prevent any improper use of or unauthorized access to the electronic files, virtual meeting platform and electronic voting system. Procedure-related documents are kept in a secure environment, on an encrypted data carrier, or locked in cupboards/drawers. Access to the selection meeting and voting (both for the selection and the appointment) is granted only prior to authentication by authorized users.

Request for information

For any further information regarding the handling of their personal data, data subjects can address their request to EU-OSHA Data Protection Officer at: dpo(at)osha.europa.eu.

Recourse to the EDPS

Data subjects are entitled to make recourse to the European Data Protection Supervisor: http://www.edps.europa.eu, should they consider that the processing operations do not comply with the Regulation.

Date when processing starts

Date of transfer of the selection and appointment procedure from the Commission to EU-OSHA.

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