

PRIVACY STATEMENT / RECORD

SELECTION OF CONFIDENTIAL COUNSELLORS

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

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Purpose

Personal information is collected and processed for the purpose of selecting confidential counsellors at the Agency, in order to ensure a proper implementation of EU-OSHA policy on protecting the dignity of the person and preventing psychological harassment and sexual harassment.

Legal basis

- Articles 1 and 31 (1) of the EU Charter of Fundamental Rights.
- Staff Regulations of Officials (SR), in particular Article 1 (d), 12a, 24, 86, 90 and Article 9 of Annex IX and Articles 11 and 81 of the Conditions of Employment of Other Servants (CEOS).
- Council Regulation (EU) 2019/126 of the European Parliament and of the Council of 16 January 2019 establishing the European Agency for Safety and Health at Work (EU-OSHA), and repealing Council Regulation (EC) No 2062/94.
- EU-OSHA Decision of 01.06.2017 on the EU-OSHA Policy on protecting the dignity of the person and preventing psychological harassment and sexual harassment.

Type of data processed

- Identification data of the candidates, i.e. first name, last name, date and place of birth, gender, nationality, current status and grade, personal number, date of recruitment.
- Information provided by the candidates on education, training and professional experience.
- Information provided by the candidates to verify whether he/she fulfils the eligibility and selection criteria laid down in the call for expression of interest.
- Other information provided voluntarily by the candidate, including sensitive data (sexual orientation, health, political and religious belief, etc).
- Evaluation data by the selection panel.

Lawfulness of processing

The processing is based on Article 5.1 (a) 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

- HR section (HR Manager, contact person in the HR section in charge of the selection procedure)
- Members of the selection panel
- Appointing Authority (Executive Director)

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.

Regarding data demonstrating compliance with the eligibility and selection criteria, the right of rectification can be exerted only before the deadline for the submission of applications for the selection procedure;

The rights of access and rectification do not apply as regards the appreciations done by the members of the selection panel. Access may be restricted if such access would undermine the rights and freedoms of others, in particular of other candidates (comparative data/results) and of members of the selection panel (individual opinions).

Information on the conservation period of data

Documents related to successful candidates (appointed candidates and candidates on the reserve list):

- The documents related to the selection procedure are stored until the end of the term of office
- The appointment letter as confidential counsellor is stored in the appointed candidates' personal files. Personal files are stored until 10 years following the termination of employment or the last pension payment.

Documents related to unsuccessful candidates:

- The documents related to the selection procedure will be destroyed one year after the end of the selection panel's proceedings starting from the date on which the panel ends its work, i.e., the dates of the minutes.

Security measures

Throughout this procedure only authorised people are attributed access rights and only on a "need-to-know" basis.

Any possible security measure is taken to prevent any improper use of or unauthorized access to the

electronic file. Procedure-related documents are kept in a secure environment, on an encrypted data carrier, or locked in cupboards/drawers.

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](mailto: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 the submission of the application.

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