



Data Protection Notice

Management of unsolicited applications

In accordance with Regulation (EU) 2018/1725 of 23 October 2018 on data protection (hereinafter the Regulation), the European Climate, Infrastructure and Environment Executive Agency (hereafter CINEA) collects your personal data only to the extent necessary to fulfil the precise purpose related to its tasks.

1. The **controller** is CINEA:
 - a. CINEA.A4 – Human Resources, IT & Logistics
 - b. Person responsible for the processing: Head of Unit CINEA.A4 – Human Resources, IT & Logistics
 - c. Email: CINEA-HR-RECRUITMENT@ec.europa.eu
2. The **purpose of the processing** is
Process and manage the spontaneous applications sent by prospective candidates to CINEA.
3. The **categories of personal data** collected and used for the processing operations are:
 - Curriculum Vitae (identification data, education, professional experience and any personal data voluntarily displayed by the applicant);
 - Motivation letter stating the reasons for the application.
 - Reference letters

4. The **recipients** of the data are:
All recipients are on a "need to know" basis:
Candidates send their spontaneous applications via the functional mailboxes or directly CINEA staff (Director, Heads of Department, Heads of Unit, HR staff, etc). All unsolicited applications received via e-mail or regular mail must be forward by the recipient to the HR unit via functional mailbox CINEA-HR-RECRUITMENT@ec.europa.eu or handed over to them if in paper.

Only designated persons from Human Resources unit involved in processing the applications and replying to the candidates can access and process the related personal data.

In case of audits or legal proceedings, CINEA's Internal Controller, Legal Sector, Staff Committee, etc.

In addition, data may be disclosed public authorities, which are not regarded as recipient but may receive personal data in the frame of a particular inquiry in accordance with Union and Member State law, namely:

- The European Court of Justice or a national judge as well as the lawyers and the agents of the parties in case of a legal procedure;
- The competent Appointing Authority in case of a request or a complaint lodged under Articles 90 of the Staff Regulations;

- IDOC in line with Commission Decision of 12 June 2019 laying down general implementing provisions on the conduct of administrative inquiries and disciplinary proceedings - C(2019)4231 and Commission Decision (EU) 2019/165 of 1 February 2019 Internal rules concerning the provision of information to data subjects and the restriction of certain of their data protections rights in the context of administrative inquiries, pre-disciplinary, disciplinary and suspension proceedings
- OLAF in case of an investigation conducted in application of Regulation (EC) No 1073/1999
- The Internal Audit Service of the Commission within the scope of the tasks entrusted by article 118 of the Financial Regulation and by article 49 of the Regulation (EC) No 1653/2004
- The Court of Auditors within the tasks entrusted to it by Article 287 of the Treaty on the Functioning of the European Union of the EC Treaty and Article 20, paragraph 5 of Regulation (EC) No 58/2003
- The European Ombudsman within the scope of the tasks entrusted to it by Article 228 of the Treaty on the Functioning of the European Union
- The European Data Protection supervisor in accordance with Article 58 of the Regulation (EC) 2018/1725
- The European Public Prosecutor's Office within the scope of Article 4 of Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office.

The transmission will be restricted to the information necessary for the competent entity to carry out its task

5. **Data Subjects rights:**

Data subjects can check modify, correct, object or delete any personal data.

You can exercise your rights by sending an email with the requested change(s) to the controller via the functional mailbox indicated here-above in Section 1.

In any cases your data will be modified or removed accordingly and as soon as practicable (maximum within 15 working days).

When processing is based on your consent, you have the right to withdraw your consent at any time, without affecting the lawfulness of the processing before such a withdrawal.

6. **How does CINEA protect and safeguard your data?**

Personal data of applicants is stored electronically and is accessible only by the authorised personnel on a need to know basis. Access is granted only if there is a clearly specified administrative purpose, and only to those whose role and level of responsibility require them to have access. HR staff having access to the data is bound by confidentiality.

Electronic archives are kept in CINEA's Human Resources restricted CINEA Shared Drive and Functional mailbox and only accessible by designated staff members.

Access to electronic files is protected via the Commission security measures (use of password & ECAS authentication system, etc.) under Commission Decision (EU, Euratom) 2017/46 of 10 January 2017 on the security of communication and information systems in the European Commission.

Any spontaneous applications received in paper format are scanned and stored in the respective functional mailbox (CINEA-HR-RECRUITMENT@ec.europa.eu). The paper file is destroyed.

7. **The legal basis of the processing** are:

Lawfulness: Article 5.1 (a) of the Regulation:

-processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body.

The legal basis references which apply to the selection are contained in:

Council Regulation (EC) No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes¹;

Commission Implementing Decision (EU) 2021/173 of 12 February 2021 establishing the European Climate, Infrastructure and Environment Executive Agency, and repealing Implementing Decisions 2013/801/EU²;

Commission Decision C(2021)947 of 12 February 2021 delegating powers to the European Climate, Infrastructure and Environment Executive Agency with a view to the performance of tasks linked to the implementation of Union programmes in the field of transport and energy infrastructure; climate, energy and mobility research and innovation; environment, nature and biodiversity; transition to low-carbon technologies; and maritime and fisheries;

Staff Regulations of officials and the Conditions of Employment of other servants of the European Union [Title I, Title III (Chapters 1 and 2)];

Conditions of Employment of Other Servants of the European Union (CEOS) [Title I, Title II (Chapters 1 and 3), Title IV (Chapters 1, 3, 4 and 5)];

Steering Committee Decision SC(2015)004 laying down general implementing provisions on the procedure governing the engagement and use of temporary staff under Article 2(f) of the CEOS as regards executive agencies;

Steering Committee Decision SC(2017)015 - Conditions of Employment of Other Servants of the European Union, governing the conditions of employment of contract staff employed by the Commission under the terms of Articles 3a and 3b thereof;

8. The **time limits for keeping** the data are the following:

In accordance with the 2012 Retention List of the Commission:

[a) Retention period: The files on unsolicited applications received by CINEA are kept for maximum 2 years after the date of receipt. The registered reply to the spontaneous applications is kept in ARES, the CV should not be included in the registered correspondence. However after the expiry of the retention period, the file is physically destroyed as provided for by the Common Retention List.

b) Storage period: CINEA applies the principles and retention periods indicated in Common Retention List of the Commission by analogy.

9. **Contact information**

In case you have any questions about the collection/processing of your personal data, you may contact the data controller who is responsible for this processing activity by using the email address mentioned here above in Section 1

¹ OJ L11, 16.1.2003, p. 1

² OJ L 50, 15.2.2021, p. 9–28

You may contact at any time the Data Protection Officer of the Agency (CINEA-DPO@ec.europa.eu). You have the right to have recourse at any time to the European Data Protection Supervisor (edps@edps.europa.eu).