



EUROPEAN INNOVATION COUNCIL AND SMEs  
EXECUTIVE AGENCY (EISMEA)

Compliance, People and Budget  
People, Workplace and Operational Coordination Support

## RECORD OF PERSONAL DATA PROCESSING ACTIVITY

*Based on Article 31 of the Regulation (EU) No 2018/1725<sup>1</sup> on the protection of natural persons with regards to the processing of personal data by the Union Institutions, bodies, offices and agencies and on the free movement of such data, each responsible EISMEA data controller has to maintain a record of the processing activities under his/her responsibility.*

**Record No:** R-2019-03-2

**Initial approval by Data Controller:** [Ares \(2020\)4139448-06/08/2020](#)

**Previous Notification (if applicable):** R-2019-03

**Update (s) (if applicable):** April 2022

### NAME OF THE PROCESSING ACTIVITY

Selection and management of interim staff

### IDENTIFICATION OF THE DATA CONTROLLER

European Innovation Council and SMEs Executive Agency, Head of Unit C.02 - People, Workplace and Operational Coordination Support – HR sector C.02.1

### GROUND FOR THIS RECORD (select relevant ground)

- Record of a new type of processing activity of personal data (before its implementation)
- Record of a processing activity of personal data that is already in place (ex-post)
- Change/Amendment/Update of an already existing previous record (or previous notification to DPO)

### DESCRIPTION OF THE PROCESSING ACTIVITY

To ensure business continuity and to provide temporary solutions to carry out in particular tasks of temporary or specific nature, notably in case of a maternity leave, a long sick-leave or a special project that cannot not be carried out by the Agency staff in place.

At the Agency, a framework contract is concluded with a national temporary employment agency to recruit suitable interim staff selected by the Agency. The interim staff are assigned to a unit of the Agency according to justified and approved temporary needs.

<sup>1</sup> [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 295/39 of 21.11.2018).

# 1. INFORMATION ON THE PROCESSING ACTIVITY

## of selection and management of interim staff

This processing activity is performed in accordance with **Regulation (EU) No 2018/1725**<sup>2</sup> on the protection of individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data.

### 1.1. The Data Controller is:

Head of Unit C.02 People, Workplace and Operational Coordination Support at the European Innovation Council and SMEs Executive Agency (EISMEA),<sup>3</sup> Place Charles Rogier 16, B-1049 Brussels and can be contacted at [EISMEA-HR-RECRUITMENT@ec.europa.eu](mailto:EISMEA-HR-RECRUITMENT@ec.europa.eu).

### 1.2. The following entity is acting as Processor:

RANDSTAD BELGIUM NV, Keizer Karellaan 586, bus 8, 1082 Bruxelles, Belgium.

### 1.3. The legal basis for the processing based on Article 5(1) of Regulation (EU) No 2018/1725:

- (a) the 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<sup>4</sup>;
- (a2) the processing is necessary for the **management and functioning** of the Union Institutions or bodies (Recital (22) of Regulation (EU) No 2018/1725);
- (b) the processing is necessary for **compliance with a legal obligation** to which the controller is subject to;
- (c) the processing is necessary for the **performance of a contract** to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- (d) the data subject has given **consent** to the processing of his or her personal data for one or more specific purposes for non-mandatory personal data;
- (e) the processing is necessary in order to protect the **vital interests** of the data subject or of another natural person.

### 1.4. The purposes of this processing are:

- to select, recruit and manage suitable interim staff to ensure business continuity and to provide temporary solutions for particular tasks of temporary or specific nature, notably in case of a maternity leave, a long sick-leave or a special project that cannot not be carried out by the Agency staff in place.

---

<sup>2</sup> [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 295/39 of 21.11.2018).

<sup>3</sup> Based on Article 15 (2) (b) of the Commission Implementing Decision (EU) 2021/ 173 EISMEA is the legal successor of EASME.

<sup>4</sup> [Establishment Act](#): Commission Implementing Decision (EU) 2021/173 of 12 February 2021 establishing the European Climate, Infrastructure and Environment Executive Agency, the European Health and Digital Executive Agency, the European Research Executive Agency, the European Innovation Council and SMEs Executive Agency, the European Research Council Executive Agency, and the European Education and Culture Executive Agency and repealing Implementing Decisions 2013/801/EU, 2013/771/EU, 2013/778/EU, 2013/779/EU, 2013/776/EU and 2013/770/EU (OJ L 50/9 of 15.2.2021).

[EISMEA Act of Delegation: Commission Decision C\(2021\)949](#) delegating powers to the **European Innovation Council and SMEs Executive Agency** with a view to the performance of tasks linked to the implementation of Union programmes in the field of Innovative Europe, Single Market and Interregional Innovation Investments comprising, in particular, implementation of appropriations entered in the general budget of the Union. Steering Committee Decision (2015) of 23 March 2015 on the Engagement and use of Temporary Agents. Steering Committee Decision (2012) of 18 September 2012 on the Employment of Contract.

- The interim staff are assigned to a unit of the Agency according to justified and approved temporary needs.
- The data are sent to the Agency via the offer of possible CVs by the interim agency who match job profiles sought by the Agency. This enables the Agency to select suitable interim candidates and communicate the decision to the interim agency in charge of the recruitment, which will establish a contract with the successful candidate.

**1.5. The categories of data subjects** concerned by this processing are:

Interim staff – external individuals who are contracted by the interim agency to work at the Agency;  
Candidates registered in the interim agency database, in view of an interim position at the Agency.

**1.6. The following personal data** are collected:

- Personal data allowing to identify the candidate, i.e. surname, first name, date of birth, gender, nationality, photo;
- Information to allow the practical organisation of:
  - contacting the candidate, if any, i.e. address information: street, postcode, town, country, telephone, fax, e-mail;
  - of selecting the candidate: CV, Education, university degree / diploma, date of award of degree, length of professional experience languages (and level) ;
- Information on identity cards/passports required to issue interim staff with badges to enter premises and access to the IT system;
- Employment record / time sheets;
- Information about disability might be requested in order to facilitate the access of the interim staff to the Agency premises and adapt the working space (Special categories of personal data Art.10 of Regulation (EU) No 2018/1725).

The above mentioned personal data are **mandatory** for the purpose(s) outlined above.

Any additional information (e.g.: medical certificates sent by the interim staff) is disregarded.

**1.7 The recipients** to whom of the personal data will or might be disclosed are:

- authorised staff of the Agency in charge of recruitment and administration of the Human Resources Sector;
- authorised staff of the Finance Unit in the Agency;
- Director/ competent Heads of Departments/ Heads of Units/ Heads of Sector/ Team Leaders;
- authorised staff of the identified interim agency;
- Security services (e.g. badges, access to the building) of the European Commission;
- IT service to create the profile and the related email address of the interim staff.

Also, if appropriate, access will be given to:

- the European Commission's Internal Audit Service;
- the European Ombudsman;
- the European Court of Justice;
- the Anti-Fraud Office of the European Commission (OLAF);
- the European Court of Auditors ;
- the Data Protection Officer of the Agency;
- the members of the Agency's Legal Service;
- the European Data Protection Supervisor.

**1.8. Personal data will not be transferred to third countries or international organisations.**

**1.9.** The processing of this personal data **will not include** automated decision-making (such as profiling).

**1.10. The following technical and organisational security measures** are in place to safeguard the processing of this personal data:

The collection and processing of the personal data is carried out with the required confidentiality for handling staff matters in the EU institutions, via password protected computers. The personal data is stored on central servers of the European Commission or Agency. Access rights are provided only to authorised Agency staff on a need to know basis by means of a secure Web interface using Commission's standard IT resources and telecommunications infrastructure subject to the Commission. Paper documents are kept in locked cupboards.

**1.11.** The personal data concerned **will be kept for a maximum period of 5 years from** the budget discharge. Identification data and data about the career of interim staff is stored the EC Corporate Tool Sysper subject to the Commission Retention list.

The CVs of candidates are stored by the Agency for 6 months from reception. After this period the files are eliminated.

**1.12. Data Subjects are informed** on the processing of their personal data via a **data protection notice on their rights** :

- to access their personal data held by a controller;
- to request their personal data held by a controller to be corrected;
- to obtain in some situations erasure of their personal data held by a controller, e.g. when data are held unlawfully (right to be forgotten);
- to withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal;
- **of recourse** at any time to the **Data Protection Officer** of the Agency at [EISMEA-DPO@ec.europa.eu](mailto:EISMEA-DPO@ec.europa.eu) and to the **European Data Protection Supervisor** at <https://edps.europa.eu>.

Restrictions in particular for the right to information, access, modification or cancelation in accordance with Article 25 of Regulation (EU) No 2018/1725 will apply in particular in case of pre/investigations for irregularities or fraud in order not to jeopardize potential investigations under certain specific conditions as set out in the **applicable Restriction Decision**.

**Request from a data subject to exercise a right** will be dealt within **one month**.

Any queries concerning the processing of personal data, have to be addressed to the Data Controller indicated above in 1.1. at [EISMEA-HR-RECRUITMENT@ec.europa.eu](mailto:EISMEA-HR-RECRUITMENT@ec.europa.eu).

\*\*\*