



RECORD OF A PERSONAL DATA PROCESSING ACTIVITY

according to Article 31 of [Regulation \(EU\) 2018/1725](#)

Title
Selection and management of interim workers at EFSA

1) Controller(s) ¹ of data processing activity (Article 31.1(a))
<p>EFSA unit in charge of the processing activity: Human Capital Unit (HuCap)</p> <p>EFSA Data Protection Officer (DPO): DataProtectionOfficer@efsa.europa.eu</p> <p>Is EFSA a co-controller? No</p> <p><i>If yes</i>, indicate who is EFSA's co-controller:</p>

2) Who is actually conducting the processing? (Article 31.1(a))
<p>The data is processed by EFSA itself <input type="checkbox"/></p> <p><i>Indicate the EFSA units or teams involved in the data processing:</i></p> <p>The processing operation is conducted together with an external party X</p> <p><i>Please provide below details on the external involvement:</i></p> <p>Procurement outsourcing to agencies for provision of interim workers to EFSA</p>

3) Purpose of the processing (Article 31.1(b))
<p>The purpose of the data processing is to meet the needs of the selection and management of interim staff at EFSA. Interim workers are recruited to meet temporary needs at EFSA such as:</p> <ul style="list-style-type: none"> - The temporary substitution of permanent staff due to maternity leave and related sickness leave, parental leave, etc. - The increase of the workforce for a determined period of time to confront workload peaks or needs in specific projects.

4) Legal basis and lawfulness of the processing (Article 5(a)-(d)):
<i>Processing necessary for:</i>

¹ The controller decides on the purposes and means of the data processing. In case of joint controllership (e.g. systems of the European Commission applied by EFSA or jointly with another agency), EFSA is a co-controller.

- (a) a task carried out in the public interest or in the exercise of official authority vested in EFSA
- (b) compliance with a legal obligation to which EFSA is subject
- (c) performance of a contract with the data subject or to prepare such contract
- (d) The data subject has given consent (ex ante, explicit, informed)

Further details on the legal basis:

The legal basis for the processing of personal data in the context of the selection and management of interim workers at EFSA is provided by:

- EFSA's Founding Regulation No (EC) 178/2001 providing the basis for the legitimate exercise of official authority vested in EFSA as an EU Agency ;
- Decision of the Executive Director concerning the deployment of interim personnel services at EFSA ;
- The framework contracts with interim agencies concluded by EFSA as a result of public procurement.

5) Description of the categories of data subjects (Article 31.1(c))

Whose personal data are processed?

- EFSA statutory staff
- Other individuals working for EFSA (consultants, trainees, interims, experts)
- Stakeholders of EFSA, including Member State representatives
- Contractors of EFSA providing goods and services
- The general public, including visitors, correspondents, enquirers
- Relatives of the data subject
- Other categories of data subjects (please detail below)

Further details concerning the data subjects whose data are processed:

6) Type of personal data processed (Article 31.1(c))

a) General personal data

The personal data concerns:

- Name, contact details and affiliation

Details on education, expertise, profession of the person	<input checked="" type="checkbox"/>
Curriculum vitae	<input checked="" type="checkbox"/>
Financial details	<input type="checkbox"/>
Family, lifestyle and social circumstances	<input type="checkbox"/>
Goods and services the person provides	<input type="checkbox"/>
Other personal data (please detail):	<input type="checkbox"/>
b) Sensitive personal data (Article 10)	
The personal data reveals:	
Racial or ethnic origin of the person	<input type="checkbox"/>
Political opinions or trade union membership	<input type="checkbox"/>
Religious or philosophical beliefs	<input type="checkbox"/>
Health data or genetic or biometric data	<input checked="" type="checkbox"/>
Information regarding the person's sex life or sexual orientation	<input type="checkbox"/>
<i>Further details concerning the personal data processed:</i>	
<ul style="list-style-type: none"> - The CV and motivation letter of the candidate interim workers at EFSA ; - Monthly time sheets of interim workers at EFSA as well as Excel sheets managed by DTS Unit and HUCAP Unit for budget planning and expenditure monitoring purposes ; - until mid 2019, interim workers starting at EFSA had an appointment with the EFSA Medical Adviser, for a general check on fitness for work as the result of which the MA issued to HUCAP a 'Certificate of Confirmation'. However this type of medical visit was suspended since then. 	

7) Recipients of the data (Article 31.1(d))	
Line managers of the data subject	<input checked="" type="checkbox"/>
Designated EFSA staff members	<input checked="" type="checkbox"/>
Other recipients (<i>please specify</i>):	<input type="checkbox"/>
<ul style="list-style-type: none"> - Staff in charge at the HUCAP Unit for the selection and management of interim staff and the management of their monthly time sheets, referred to as the 'HR Partner' ; - Staff in charge at the EFSA Unit where the interim worker is allocated ; - Staff in charge at the DTS Unit and Finance Unit for the budgetary management and payment of invoices ; - Staff in charge at the Service Desk Team (IT Systems Unit) for logistical support (building access, pc/intranet, telephone, etc) ; - The EFSA Medical Adviser (issuing of 'Certificate of Confirmation', currently suspended) ; - Institutions or bodies having a legitimate purpose of audit, of the exercise of supervisory tasks or in charge of judicial proceedings: the Internal Audit Service, the EU Court of 	

Auditors, the EU Ombudsman, OLAF, the competent National Court in Italy, the EU Court of Justice, the European Data Protection Supervisor.

8) Transfers to recipients outside the EEA (Article 31.1 (e))

Data are transferred to third country recipients:

Yes No

If yes, specify to which third country:

If yes, specify under which safeguards:

- | | |
|--|--------------------------|
| Adequacy Decision of the European Commission | <input type="checkbox"/> |
| Standard Contractual Clauses | <input type="checkbox"/> |
| Binding Corporate Rules | <input type="checkbox"/> |
| Memorandum of Understanding between public authorities | <input type="checkbox"/> |

9) Technical and organisational security measures (Article 31.1(g))

How is the data stored?

- | | |
|--|-------------------------------------|
| On EFSA's Document Management System (DMS) | <input checked="" type="checkbox"/> |
| On a shared EFSA network drive or in an Outlook folder | <input type="checkbox"/> |
| In a paper file | <input type="checkbox"/> |
| Using a cloud computing solution (please detail the service provider and main characteristics of the cloud solution, e.g. public, private) | <input type="checkbox"/> |
| On servers of an external service provider | <input type="checkbox"/> |
| On servers of the European Commission or of another EU Institution | <input type="checkbox"/> |
| In another way (<i>please specify</i>): | <input type="checkbox"/> |

Please provide some general information on the security measures applied:

10) Retention period (Article 4.1 (e))

The file containing the CV of interim workers is kept with HUCAP Unit until one year after the end of the working period at EFSA. Copies of time sheets as well as the Excel sheets managed by DTS Unit and HUCAP Unit are kept as financial supporting documents for a period of 5 years after the budgetary discharge.

CVs of non-selected candidates are destroyed immediately after the choice of interim workers is made.

11) Consultation with the Information Security Officer

Was the ISO consulted on the processing operation ?

Yes No

If yes, please provide some details on the consultation with the ISO:

12) Information given to data subjects (Articles 15 and 16)

Has information been provided to data subjects on the way their data is processed including how they can exercise their rights (access, rectification, objection, data portability)? Usually this information is provided in a Privacy Statement, specifying the controller's contact details. As possible, please provide a link to the relevant Privacy Statement or a description.

At the start of the work period at EFSA, the interim worker is provided with a Privacy Statement and a confidentiality declaration to be signed. The Privacy Statement contains the following information:

"As a data subject, the interim worker can exercise the right of access and rectification of personal data processed by EFSA regarding him or her, by contacting the Head of HUCAP Unit. In accordance with Article 13 of the Regulation, the data subject's request for access shall be answered normally within 15 working days and at the latest within a period of three months, whereas his/her request for rectification in the sense of Article 14 will be followed up within 5 working days. In addition, the data subject at any time has the right of recourse to the European Data Protection Supervisor with regards to the processing of his/her personal data."

Last update of this record: 27/05/2020

Reference: DPO/HR/7