

Privacy Statement on the processing of personal data in the context of e-Recruitment

1. Context and Controller

The personal information we collect from you ("the data subject") will be processed in line with Regulation (EU) No 2018/1725 of the European Parliament and of the Council of 23 October 2018 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC ("Regulation (EC) No 2018/1725" or "EUDPR").

Your privacy is important to the Community Plant Variety Office ("CPVO" or "us" or "the controller") and we feel responsible for the personal data that we process on your behalf. Therefore, we are committed to respecting and protecting your personal data and ensuring the efficient exercising of your data subject's rights. The person responsible for the processing is the Head of the Administration Unit and can be contacted by e-mail at dpc@cpvo.europa.eu.

2. What personal data do we process?

The application form contains the following data:

- Name and Surname;
- Birthdate and Place and Country of birth;
- Title (optional);
- Nationality;
- Telephone number;
- Postal address;
- E-mail address;
- Military situation;
- CV, including Educational background, Professional Experience, Language Knowledge, IT and soft skills;
- Motivation letter.

For those attending the interview, the following further data is processed:

- Copy of education and work certificates (this would not be sent via the CPVO online recruiting Software);
- Legal entity and financial forms (for those having the right to reimbursement of travel and accommodation costs).

3. Why do we process your personal data?

The e-Recruitment tool allows the Human Resources sector to manage the entire e-recruitment process electronically, from the receipt of applications to the final recruited candidate. The personal data, which we collect from you, form part of our selection procedure and will help us to choose the most suitable candidate for the advertised position. In this respect, your personal data are necessary in order to ensure the efficient management and functioning of the CPVO.

Some data, are required by specific legal instruments, adopted on the basis of the Treaties. Other data may be required in order to enable us to comply with the CPVO decisions.

Should you decline to provide us with the requested mandatory personal data, we may not be able to proceed with your application.

4. What are the legal bases and the grounds for lawfulness of processing?

The legal basis for the processing of the data is the following:

Article 5.1 (a) of the Regulation (EU) No 2018/1725 ("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").

The grounds for the lawfulness of the processing are the following:

- Articles 27-34 of the Staff Regulations of Officials;
- Articles 12-15 and 82-84 of the Conditions of Employment of Other Servants (CEOS) (for Temporary and Contract agents);
- SLA of 7 April 2016 between the CPVO and Kioskemploi.

5. Who is responsible for processing the data?

The processing of personal data is carried out under the responsibility of the Head of the Administrative Unit.

6. Who has access to your personal data and to whom is it disclosed?

Data can be accessed by the following recipients on a need-to-know basis:

Internal recipients:

- Members of the Human Resources sector staff in charge of processing the applications, the Management of the CPVO, the Selection Committee members and, in case of recruitment, the Accounting & Finance sector. Internal and external auditors may as well access the data if necessary.

External recipients:

- Kioskemploi and its sub-processors.

7. How do we safeguard your personal data?

We implement appropriate technical and organisational measures in order to safeguard and protect your personal data from accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to it.

Access to GestMax (Kioskemploi's platform) is username- and password-protected and is accessible only to the Human Resources sector staff members as well as to authorised staff members participating in the recruitment procedure.

Kioskemploi and its sub-processors implement appropriate technical and organisational measures, in order to prevent accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data transmitted, stored or otherwise processed. Only authorised staff members of Kioskemploi and Kioskempoli sub-processors may access remotely the servers and the data. Access to servers of Kioskemploi are secured and protected by a firewall. Kioskemploi monitors on a daily basis any flaws identified in the tools in place and conducts as well a more comprehensive review a few times per year.

Kioskemploi only process the personal data on documented instructions given by the CPVO, which remains the data controller of the processing activities, and the processor ensures that all persons authorised to process the personal data have committed themselves to confidentiality. The data controller of this processing will monitor and verify the implementation of the required organisational and technical security measures necessary to ensure compliance with the Regulation (EU) No 2018/1725.

8. How long do we keep your data?

In accordance with the CPVO Decision on retention period for personal data of candidates in CPVO recruitment procedures and for personal data in the files of CPVO staff members of 31 March 2021, data from unsuccessful candidates kept on paper or in electronic format will be destroyed after a period of 2 years from the date of decision of the Office appointing the successful candidate and, as regards successful candidates, data are kept in the personal files and destroyed after a period of 10 years from the date of the end of the contract of the staff member.

Regarding those working documents, in paper or electronic format, that are used by the members of the Selection Committee for recruitment procedures in the CPVO, these are destroyed once the selection procedure is closed, that is, on the date of the decision of the CPVO appointing the successful candidate. As regards data processed by the external service provider Kioskemploi and its sub-processors, data are retained for no more than two years from the end of the selection procedure.

9. How can you obtain access to information concerning you and, if necessary, rectify it? How can you request the erasure of your personal data or restriction of processing or object processing? How can you request to exercise your right to data portability?

If you would like to request to obtain access to information concerning you and, if you think that it is necessary, to correct it, to request the erasure or restriction of processing of your personal data and/or object to processing of it; If you would like to request to receive the personal data concerning you in a structured, commonly used and machine-readable format and to transmit those data to another controller, you may contact us. In exercising your right to data portability, you also have the right to have your personal data transmitted to another controller, where technically feasible.

Right to object: We are using your personal data because we believe that it is necessary for the performance of a task carried out in the public interest on the basis or in the exercise of official authority vested in the CPVO. In case you disagree with the processing of your personal data, based on the aforementioned lawful ground, you have the right to object, at any time. It also includes the right to object the disclosure of personal data of those data subjects, which personal data is included in the requested documents.

Right to access: You have the right to access and confirm what personal data we hold about you, at any time.

Right to rectification: You also have the right to correct inaccurate personal data.

Right to erasure: You have the right to "erase" your personal data.

Right to data portability: You have the right to receive your personal data, which we have collected from you based on your consent, from us and to transfer or have it transferred (where it is technically feasible) to another controller.

Right to restrict the processing: When certain conditions apply, you have the right to request that we restrict the processing activities relating to your personal data.

If you would like to exercise any of these rights, please send us your request. We will provide information on action taken on your request without undue delay and in any event within one month of receipt of the request. That period may be extended by two further months where necessary, taking into account the complexity and number of the requests. We shall inform you of any such extension within one month of receipt of the request, together with the reasons for the delay.

In case you wish to request access to your personal data, to verify which personal data we store on your behalf, have it modified, erased, restrict the processing, exercise your right to data portability, object or withdraw consent, please make use of the contact information mentioned, by explicitly and accurately describing your request.

In principle, we cannot accept verbal requests (telephone or face-to-face) as we may not be able to deal with your request immediately without first analysing it and reliably identifying you.

Requests can be sent to the Controller by e-mail at dpc@cpvo.europa.eu.

10. Who should you contact if you have a question about the protection of personal data or in case you would like to lodge a complaint?

Should you have any queries in relation to the processing of your personal data, please address these to the data Controller, at the following email address: dpc@cpvo.europa.eu.

You may also consult the CPVO's Data Protection Officer: dpo@cpvo.europa.eu.

Complaints, in cases where the conflict is not resolved by the controller and/or the Data Protection Officer, can be addressed at any time to the European Data Protection Supervisor: edps@edps.europa.eu