

PRIVACY STATEMENT

for processing of personal data in the context of the selection and management of interim workers by the BEREC Office

The Agency for support for the Body of European Regulator for Electronic Communication (BEREC Office) processes the personal data of a natural person in compliance with Regulation 2018/1725 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.

This privacy notice explains BEREC Office's policies and practices regarding its collection and use of your personal data, and sets forth your privacy rights. We recognise that information privacy is an ongoing responsibility, and we will update this notice where necessary.

1. What is the purpose and legal basis for processing your personal data?

The purpose the processing is the selection and management of interim workers that are necessary for the functioning of BEREC Office to replace staff on long-term absence or to cope with peak periods, which require additional workforce.

In particular, the purpose of the processing of the personal data is threefold, namely:

- To ensure selection of the best candidates for interim workers
- To ensure that the candidates are not in a potential conflict of interest with the tasks assigned to them and that they are committed to perform their duties in an impartial manner and by preserving high level of confidentiality
- To ensure the day-to-day management of the interim workers

The processing of your personal data 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 Therefore it is lawful according to Article 5(a) of Regulation 2018/1725.

In addition, the processing is lawful according to Article 5(1)(c) of Regulation (EU) 2018/1725, because 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.

The legal bases are:

- The BEREC OFFICE's Founding Regulation, Regulation (EU) No 2018/1971 of the European Parliament and of the Council of 11 December 2018, replacing the previous Regulation (EC) No 1211/2009 (and particularly Art. 31, 38 and 42).
- The Framework contracts in cascade for the provision of professional interim workers' services, namely, No BEREC/21/195, BEREC/21/196 and BEREC/21/197
- Internal Administrative Instruction No 04 of 2022 of BEREC Office Director on the adoption of User Guide for the implementation of Framework Contracts in cascade for provision of interim workers' services BEREC/21/195, BEREC/21/196 and BEREC/21/197

2. What personal data is collected and processed?

The BEREC Office processes the following categories of data:

- Identification data
- Contact data
- Data about previous employment, educational background and motivation to work for the BEREC Office (data contained in the CV and/or in the motivation letter)
- Data about any membership role or affiliation, or any other links with the organisations relevant to BEREC Office (data contained in the declaration of interest submitted by the interim worker)
- Data about any financial interests in a company relevant to the operating area of BEREC Office and/or voting rights in a company, including holding of stocks and shares, equity, bonds, partnership interests in the capital of a company, one of its subsidiaries or a company in the capital of which it has a holding (data contained in the declaration of interest submitted by the interim worker)
- Data about presences, absence and telework of the interim workers (data contained in the timesheet)

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

Your personal data are accessible to:

Within the BEREC Office:

- BEREC Office staff involved in the selection of interim workers
- Agency staff in charge of contract management,
- Agency line managers and the responsible authorising officer
- Legal Officer in limited case provided by internal rules

Outside the BEREC Office:

- Personnel of the contractors involved in the provision of interim workers' services (Processors of the data according to the relevant FWCs)

Access rights for each user group are governed by the “need to know” principle. All recipients of personal data in the framework of this exercise are instructed to process the personal data they receive only for the purpose for which they were transmitted

4. How long are your personal data kept?

The data are kept for five years following the year in which the European Parliament gives discharge for the financial year during which the last payment under the respective framework contract was executed.

The data of the candidates who are not considered for recruitment are not retained by the Agency.

5. What are your rights?

You have the right to request from the controller access to and rectification or erasure of your personal data or restriction of processing.

You also have the right to object to our processing of your personal data, on grounds relating to your particular situation, at any time.

The controller shall provide information on action taken on a request 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.

6. Who is the data controller and how to exercise your rights?

The BEREC Office shall exercise the tasks of the data controller for the purpose of these processing operations.

To exercise the mentioned rights, you can contact the controller by sending an email to: personnel@berec.europa.eu

If you consider your data protection rights have been breached, you can always lodge a complaint with the BEREC Office’s Data Protection Officer (dpo@berec.europa.eu) or with the European Data Protection Supervisor: edps@edps.europa.eu