



Data Protection Notice on processing of personal data for the Selection of Confidential Counsellors

The European Health and Digital Executive Agency (HaDEA) processes your personal data¹ in line with [Regulation \(EU\) 2018/1725 of the European Parliament and of the Council of 23 October 2018](#)² on the protection of personal data by the European Union's institutions, bodies and agencies and on the free movement of such data.

What is the purpose(s) of this processing activity?

The purpose is to select and identify candidates best qualified to assume the role of confidential counsellors for the implementation of the Anti-harassment Policy, to manage administratively the applications and the relevant selection procedure. The selection is organised with a call for expression of interest within HaDEA or jointly with other Executive Agencies. The applications are transmitted by e-mail to HaDEA Coordinator or the Executive Agencies Coordinators participating in the joint calls. The call for expression of interest is addressed to HaDEA staff or staff of Executive Agencies participating in the joint calls.

Who is the data controller?

The data controller of the processing operation is the Head of the Unit C.3 Staff, Communication and Support of HaDEA.

Which personal data is collected?

The following of your personal data are collected:

- Personal data provided by candidates, such as name and surname, staff number, professional address, phone number, email address, grade;
- Personal data included in the motivation letter and application form;
- Evidence of previous activities in the relevant field and other data related to the suitability of a candidate for the position of a Confidential Counsellor;
- The candidates shall provide a declaration on honour (solemn declaration) about their disciplinary situation (including also whether they are subject to an administrative inquiry) during their career within the EU institutions and bodies;
- The outcome of the training modules that candidates are required to attend;
- Identification data of members of Selection Committee.

¹ **Personal data** shall mean any information relating to an identified or identifiable natural person ('data subject'). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

² 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 L295/39 of 21.11.2018).

Who has access to the personal data of data subjects and to whom can they be disclosed?

The data contained in the selection files are disclosed to the following recipients on a need-to-know and need-to-do basis:

- Members of the selection committee;
- HaDEA Director and Directors of other Executive Agencies in case of joint calls for expression of interest;
- HaDEA Anti-harassment Coordinator, and Coordinators from Executive Agencies in case of joint calls for expression of interest;
- Authorised staff from HaDEA People Sector;
- The list of appointed Confidential Counsellors will be published on the Intranet or relevant sharepoint page of the participating Executive Agencies and will be accessible to individuals having access to the Intranet;
- External training providers for purposes related to participation to the compulsory training modules;
- On a need-to-know basis and in compliance with the relevant current legislation, bodies charged with monitoring or inspection tasks in application of EU law (e.g. EC internal audit, Court of Auditors, European Anti-fraud Office (OLAF), the European Ombudsman, the European Data Protection Supervisor (EDPS), the European Public Prosecutor).

Your personal data **will not be transferred** to third countries or international organisations.

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

Which is the legal basis for processing your personal data?

The legal bases for the processing activities are:

- Article 5(1)(a) of Regulation EU 2018/1725 because 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;
- Article 5(1)(b) of Regulation EU 2018/1725 because processing is necessary for compliance with a legal obligation to which the controller is subject.

In particular:

- Articles 1 and 31(1) of the Charter of Fundamental Rights³;
- Articles 1(d), 12, 12 (a) and Article 24 of the Staff Regulations and Articles 11 and 81 of the CEOS⁴;
- Commission Decision C(2006)1624/3 on the European Commission policy on protecting the dignity of the person and preventing

³ OJ C 326, 26.10.2012.

⁴ Staff Regulations of Officials of the European Union (hereinafter 'Staff Regulations') and Conditions of Employment of Other Servants of the European Union (hereinafter 'CEOS'), laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68, OJ L 56, 4.3.1968, p. 1, as last amended by Regulation (EU, Euratom) No 1023/2013 of the European Parliament and of the Council of 22 October 2013, OJ L 287, 29.10.2013, p. 15.

psychological harassment and sexual harassment⁵;

- Memorandum of Understanding for the setting up of a network of Confidential Counsellors with reference number Ares(2021)4905049.

How long do we keep your personal data?

Your personal data will be retained two years after the last actions in relation to the call for expression of interest of the Confidential Counsellor and will be deleted at the end of this period.

What are your rights regarding your personal data?

You have the right to access your personal data and to request your personal data to be rectified, if the data is inaccurate or incomplete; where applicable, you have the right to request restriction or to object to processing, to request a copy or erasure of your personal data held by the data controller. If processing is based on your consent, you have the right to withdraw your consent at any time, without affecting the lawfulness of the processing based on your consent before its withdrawal.

Your request to exercise one of the above rights will be dealt with without undue delay and within **one month**.

If you have **any queries** concerning the processing of your personal data or wish to exercise any of the rights described above, you can contact the Head of Unit C.3 at hadea-people@ec.europa.eu and HaDEA DPO at HADEA-DPO@ec.europa.eu.

You shall have right of recourse at any time to the European Data Protection Supervisor at EDPS@edps.europa.eu.

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⁵ Applicable to HaDEA by analogy by virtue of the Decision SC01(2021)06 of the HaDEA Steering Committee of 26 February 2021.