



**PRIVACY STATEMENT**  
**for processing of personal data related to:**

- **SELECTION of EXPERTS,**
- **GRANT APPLICATIONS,**
- **PROCUREMENT PROCEDURES and**
- **RECRUITMENT OF STAFF**

**BY THE FCH JU**

**1. Context and Controller**

As the FCH JU collects and further processes personal data, it is subject to Regulation (EC) 45/2001 of the European Parliament and of the Council of 18 December 2000 *on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.*

Processing operations are under the responsibility of the Controller, the FCH JU.

**2. What personal information do we collect, for what purpose, through which technical means and under which legal bases?**

*Types of personal data*

<i>Selection of experts, grant applications and procurement procedures</i>	<i>Recruitment of staff</i>
Names; Function;	Personal details: names, gender, date of birth, nationality, civil status, family situation and related supporting certificates, residence

	certificate, passport format photos;
Contact details;	Contact details;
Passport number, ID number;	Passport number/ ID number; Financial identification form, bank account
Information for the evaluation of selection/ eligibility criteria: expertise, technical skills and languages, educational background, professional experience, including details on current and past employment;	Education, diplomas, knowledge of languages, professional experience, previous working contracts plus salary slips, recommendation letters, motivation letters
Declaration of honour	Moral conduct; recent criminal records extract

***Purpose and Technical means of personal data processing***

<b><i>Selection of experts, grant applications and procurement procedures</i></b>	<b><i>Recruitment of staff</i></b>
<p>Upon reception of your expression of interest, grant application, tender or request to participate by the FCH JU, your personal data is collected and further processed for the purpose of the management and administration of the selection of experts or procurement or grant procedures by the FCH JU.</p> <p>The information is collected in files stored in an isolated secure system. The information is processed by the FCH JU personnel under the responsibility of the Controller mentioned in the Call for Expression of Interests, Grant Application Form or Invitation to Tender.</p>	<p>The main purpose of the collection of the data above is to prepare the selected candidate's file and to finalise the candidate's recruitment procedure to permit entry into service.</p> <p>Recruitment files are stored electronically and access is protected by the management of the access rights. Paper documents are archived in physical files and stored in a locked cabinet until their destruction.</p>

***Legal bases***

The legal bases for the processing operations on experts', applicants' and tenderers' personal data are:

- Financial Rules of the Fuel Cells and Hydrogen Joint Undertaking

- Council Regulation (EC, Euratom) N° 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities "the Financial Regulation", in particular Article 179a for selection of experts,
- Commission Regulation (EC, Euratom) N° 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) N°1605/2002 on the Financial Regulation applicable to the general budget of the European Communities "the Implementing Rules", in particular Article 265a for selection of experts.
- FCH JU Rules for submission of proposals, and the related evaluation, selection and award procedures

The legal bases for the processing operations on candidates' for recruitment personal data are:

- Articles 12 - 15 and 82 - 84, 86 of the Conditions for Employment of Other Servants;
- General implementing provisions on the procedures governing the engagement and the use of contract staff at the FCH JU;
- General implementing provisions on the procedure governing the engagement and the use of Temporary agents at the FCH JU.

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

For the purposes detailed above, access to your personal data is given to the following persons, without prejudice to a possible transmission to the bodies in charge of a monitoring or inspection task in accordance with European Union law:

<i>Selection of experts, grant applications and procurement procedures</i>	<i>Recruitment of staff</i>
<ul style="list-style-type: none"> <li>• FCH JU staff as well as outside experts and contractors who work on behalf of the FCH JU for the purposes of management of the expert selection procedure, the procurement procedure and tender evaluation, the grant procedure and grant evaluation.</li> <li>• Members of the public: In case you are awarded a contract by the FCH JU, your personal data will be published on the FCH JU website, in accordance with the FCH JU's obligation to publish information on the outcome of the procurement procedure and on the beneficiaries of funds deriving from the budget of the FCH JU. The data to be made public includes your name and address, the amount awarded and the name of the project or programme for which you are awarded a contract.</li> <li>• Additionally, selected experts may be</li> </ul>	<p>Only authorised FCH JU staff has access to your personal data for the purposes of screening, interviewing and recruiting candidates. The persons to whom your data is disclosed include:</p> <ul style="list-style-type: none"> <li>• Members of the recruiting panel (including the respective representatives of the Industry and Research groupings)</li> <li>• FCH JU HR Officer</li> </ul>

listed in the Register of Expert Groups of the Commission on <a href="http://ec.europa.eu/transparency/regexpert/">http://ec.europa.eu/transparency/regexpert/</a>	
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#### 4. How can you access, rectify, block or erase your information?

##### *Access*

In case you wish to access your personal information and verify its accuracy, you can contact the FCH JU Data Protection Officer, Nicolas Brahy at [Nicolas.Brahy@fch.europa.eu](mailto:Nicolas.Brahy@fch.europa.eu). You may make a request to access the FCH JU Register of data processing operations in order to obtain more detailed information on how we treat and protect your personal data.

##### *Rectification*

You can, if need be, rectify your identification data throughout the entire selection process. You cannot, however, send us any changes of your personal data related to the admissibility criteria after the application deadline.

##### *Blocking and Erasure (EFFACER)*

In case you discover that your personal information is not accurate, you have the right to request its immediate blocking from the FCH JU Data Controller at [FCH-JU@FCH.Europa.eu](mailto:FCH-JU@FCH.Europa.eu).

Should you have any grounds to consider that FCH JU is processing your personal data unlawfully, you can send us a blocking or an erasure request at the above address. The Data Controller will assess the request and take action within 15 working days following its reception.

You could further request cancellation of your application and deletion of all linked personal data by making use of the contact information mentioned above.

#### 5. How long do we keep your personal data?

<i>Selection of experts</i>	<i>Files relating to tender procedures</i>	<i>Files relating to grant procedures</i>	<i>Recruitment files</i>
Personal data are kept until the end of the multi-annual programme for which you submitted an expression of interest in the service in charge of the procedure, and in the archives for a period of 5 years following the end of the	Personal data are retained in the service in charge of the procedure until it is finalised, and in the archives for a period of 10 years following the signature of the contract. However, tenders from unsuccessful tenderers have to be	Personal data are retained in the service in charge of the procedure until it is finalised, and in the archives for a period of 10 years following the signature of the grant agreements or decisions. However, applications from unsuccessful	Recruitment files of successful candidates are stored for a period of 10 years as of the termination of employment. The files of non-recruited applicants are retained for up to two years following the recruitment procedure. The

programme.	kept only for 5 years following the signature of the contract.	applicants have to be kept only for 3 years following the finalization of the call.	retention of files of non-recruited applicants on reserve lists is fixed in terms of the validity and the actual extension of the respective reserve lists.
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- OR until the end of a possible audit if one started before the end of the above periods.

## 6. Contact information

For any questions related to your rights, feel free to contact the Data Controller at [FCH-JU@FCH.Europa.eu](mailto:FCH-JU@FCH.Europa.eu) by indicating 'Data Protection' in the subject and explicitly specifying your request.

Any information relating to processing of your personal data is detailed in the register of the Data Protection Officer of the FCH JU, Nicolas Brahy, consultable on request at [Nicolas.Brahy@fch.europa.eu](mailto:Nicolas.Brahy@fch.europa.eu).

## 7. Recourse

In case of conflict, complaints can be addressed to the European Data Protection Supervisor <http://www.edps.europa.eu>