

Call for Expression of Interest
Legal and Data Protection Officer
(Temporary Agents, Grade AD7)
Ref. BEREC/2022/01

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| Type of contract | Temporary Agent 2(f) |
| Function group and grade | AD 7 |
| Grade bracket for inter-agency mobility¹: | AD6 – AD7 |
| Grade bracket for internal mobility¹: | AD6 – AD7 |
| Duration of contract | 3 years (with the possibility of extension) |
| Maximum number of candidates to be placed on the Reserve List | 6 |
| Place of employment | Riga, Latvia |
| Partner Directorate General | DG CONNECT - Directorate General for Communications Networks, Content and Technology |
| Deadline for applications | 21/02/2022 at 12:00 (midday)², Riga time |

Applications are invited for the establishment of a reserve list for the post of Legal and Data Protection Officer at the Agency for Support for BEREC.

¹ For all existing EU temporary staff 2(f) applicants for whom Article 55 the Conditions of Employment of Other Servants of the European Union (CEOS) is applicable.

² Date of publication: 17 January 2022

1. Agency for Support for BEREC (BEREC Office)

The BEREC Office has been set up to provide administrative and professional support to BEREC, the Body of European Regulators for Electronic Communications. The BEREC Office is located in Riga, Latvia.

The BEREC Office is an Agency of the European Union (EU) managed by a Director under the supervision of a Management Board composed of the heads of the EU national regulatory authorities (NRAs) in charge of the monitoring of the telecom markets and a European Commission representative.

The BEREC Office is responsible, in particular, for collecting information from NRAs and exchanging and communicating information in relation to the role and tasks of BEREC, disseminating regulatory best practice among NRAs, assisting the Chair of the BEREC Board of Regulators in the preparation of his/her work, and setting up and providing support to expert working groups.

The Staff Regulations of Officials of European Communities, the Conditions of employment of other servants of the European Communities and the rules adopted jointly by the EU institutions for the purpose of applying these Staff Regulations and Conditions of employment apply to the staff of the Office.

For further information, please consult the BEREC website: www.berec.europa.eu.

2. The post

The job holder will be responsible, among others, for the following tasks grouped in two functions:

2.1. Legal Officer:

- Provide legal opinions and advice for the implementation of the BEREC Regulation, the legal framework for electronic communications and other legal acts in relation to the work of BEREC and the BEREC Office³, including access to documents;
- Provide legal advice in relation to the implementation of the Staff Regulation and Conditions of Employment of Other Servants and the respective staff implementing rules;
- Monitor the compliance with antifraud rules, provide advice on the relevant activities in the field of fraud prevention and monitor the implementation of the Agency's anti-fraud strategy;
- Draft BEREC Office's legal documents, when requested, prepare templates for BEREC Office legal and administrative documents, review and finalize BEREC Office's legal and administrative documents, coordinate the adoption of legal documents;

³ See https://berec.europa.eu/eng/about_berec/tasks/

- Contribute to the preparation of BEREC Office policies, incl. in the area of whistleblowing, prevention of harassment, application of the ethical principles by staff, conflict of interest, privileges and immunities and others;
- Coordinate the work on court cases, investigations by European Anti-Fraud Office (OLAF) or the Ombudsman;
- Participate in the risk management and in the activities related to the implementation of the internal control framework of the Agency in the area of competence;
- Ensure that the required registers in the area of competence are up-to-date and complete.

2.2. Data Protection Officer:

- Ensure that BEREC and the BEREC Office respect their legal obligations in the field of data protection;
- Advises on any measures which may have impact on processing and/or protection of personal data, in particular in the field of new technologies;
- Ensure that controller and data subjects are informed of their rights and obligations pursuant to the applicable Regulation on data protection;
- Provide opinion and advice to BEREC Office entities on processing personal data at the Agency, incl. by reviewing draft policies and procedures;
- Examine complaints and other requests from data subjects and conduct inquiries in response to complaints or on his/her own initiative in his/her area of responsibility;
- Perform awareness-raising and training of BEREC Office staff or members of BEREC Board of Regulators and its preparatory bodies on data protection;
- Draft guidelines and procedures related to the implementation of best practices in data protection, promote the principles of privacy-by-design and by default;
- Cooperate with the controller and the staff under his/her responsibility the preparation of privacy impact assessments for processing operations;
- Respond to requests from the European Data Protection Supervisor and, within the sphere of his/her competence, cooperates with the European Data Protection Supervisor at the latter's request or on his/her own initiative;
- Notify the European Data Protection Supervisor of the processing operations likely to present specific risks;
- Regularly attend meetings within the data protection field work, engage in inter-institutional cooperation and establishing a mutual exchange of information with other EU Institutions and bodies;
- Maintain the DPO register.

The above tasks and responsibilities will be conducted in the English language.

The jobholder will work under the supervision of the Director at the BEREC Office located in Riga, Latvia and may be assigned other duties appropriate to the grade in the interest of the service.

3. Eligibility criteria

Candidates will be eligible for this selection procedure if they fulfil the following formal criteria at the time of the application deadline:

- 3.1. Be a national of a Member State of the European Union (EU) and enjoy his or her full rights as a citizen;
- 3.2. Have fulfilled any obligations imposed by applicable laws concerning military service;
- 3.3. Be physically fit to perform the duties linked to the post⁴;
- 3.4. Produce the appropriate character references as to suitability for the performance of the duties⁵;
- 3.5. Languages: Have a thorough knowledge of one of the official EU languages and a satisfactory knowledge of a second EU language to the extent necessary for the performance of his/her duties;
- 3.6. In addition to the above (points 3.1 – 3.5) eligibility criteria for **external applicants**:
 - 3.6.1. Qualifications:
 - a. Have a level of education which corresponds to completed university studies of at least 4 years attested by a diploma⁶; or
 - b. Have a level of education which corresponds to completed university studies of at least 3 years attested by a diploma and appropriate professional experience of at least one year;
 - 3.6.2. Professional experience:
 - a. Have at least 6 years of appropriate professional experience⁷, by the closing date for applications.

⁴ Before being hired, a temporary agent shall be medically examined by one of the institution's medical officers to verify if (s)he fulfils the requirements of the Conditions of employment of other servants of the EU.

⁵ Prior to appointment, successful candidates will be asked to provide a certificate issued by a competent authority attesting the absence of a criminal record.

⁶ Only diplomas and certificates that have been awarded in EU Member States or that are the subject of equivalence certificates issued by the authorities in the Member States will be taken into consideration. In the latter case, the AACC reserves the right to request proof of such equivalence.

⁷ Only appropriate and duly documented professional experience acquired after achieving the minimum qualification stated in point 3.6 shall be considered. Where additional periods of training and study are accompanied by periods of professional activity, only the latter shall be considered as professional experience. Compulsory military service or equivalent civilian service accomplished after achieving the minimum qualification stated in point 3.6 shall be taken into consideration. Internships will be taken into consideration if they are paid. Professional activities pursued part-time shall be calculated pro rata, on the basis of the percentage of full-time hours worked. A given period may be counted only once.

3.7 In addition to the above (points 3.1 – 3.5) eligibility criteria for **internal mobility**:

- a. To be a temporary agent 2(f);
- b. To be engaged within the agency in the function group and grade belonging to the grade bracket AD6-AD7 on the closing date for applications and on the day of filling the post;
- c. Preferably to have not less than 24 months of seniority in the post⁸;
- d. To have relevant knowledge and experience for the post.

3.8 In addition to the above (points 3.1 – 3.5) eligibility criteria for **inter-agency mobility**:

- a. To be a temporary agent 2(f);
- b. To be engaged within their agency in the function group and grade belonging to the grade bracket AD6-AD7 on the closing date for applications and on the day of filling the post;
- c. To have at least two years' service within their agency before moving;
- d. To have successfully completed probationary period provided for in Article 14 of the CEOS, in the relevant function group⁹.

4. Selection criteria

If the eligibility criteria set out in the section "Eligibility criteria" are met, the candidates' application forms, CVs and motivation letters will be evaluated on the basis of the selection criteria below. The most suitable candidates will be invited to an interview and written test.

When filling in the application form, candidates are expected to include elements that demonstrate that their profile matches the requirements below.

4.1. Essential:

- 4.1.1. Relevant professional experience of at least 6 years in duties similar to the ones described in the section "The post" above;
- 4.1.2. University degree in Law;
- 4.1.3. Knowledge of the European Union law and of the functioning of the EU institutions;
- 4.1.4. Excellent legal drafting skills;

⁸ A request for earlier mobility may be satisfied subject to a prior approval of the Director.

⁹ Where, in exceptional circumstances, the agency engages a member of temporary staff 2(f) who does not meet that condition⁵, such member shall serve a full probationary period with the new agency in accordance with Article 14 of the CEOS and the new contract is not considered as a renewal of contract but an ex novo contract.

4.1.5. Thorough knowledge of written and spoken English.¹⁰

4.2. Advantageous:

4.2.1. Strong analytical skills and ability to find solutions to complex legal issues;

4.2.2. Capability to organise and manage work autonomously and with minimal supervision to deliver results;

4.2.3. Ability to cope with stress in relation to demanding tasks, heavy workload and tight deadlines in a rapidly evolving work environment;

4.2.4. Experience in an international or multicultural environment.

4.3. Evaluation during interviewing and written test process

Candidates invited to the interview and written test will be evaluated based on their professional and personal competencies, as well as their knowledge of English as a working language and their motivation and commitment to work for the BEREC Office in Latvia.

5. Stages in the selection procedure

The BEREC Office sets up a Selection Committee. This Committee will make a comparative assessment of all eligible applications, and identify a number of candidates whose profiles best match the selection criteria listed above. These candidates will be invited for a written test and an interview with the Selection Committee.

The selection procedure will be organised in accordance with the following steps:

5.1. Admission to the selection procedure

After the deadline for applications, the complete applications submitted (application forms, CVs and motivation letters) will be checked against the eligibility criteria. Only eligible applications will be then assessed against the selection criteria (essential and advantageous).

5.2. Assessment of eligible applications

The Selection Committee will analyse the motivation letters, together with the application forms and the CVs of eligible applicants with reference to the elements indicated in the selection criteria section (essential and advantageous). In addition, the Selection Committee will assess the motivation and the overall suitability of each eligible application on the basis of the requirements of the post.

5.3. Interview and written test

Upon completion of the assessment of eligible applications, the most suitable candidates will be invited for a written test and an interview. The maximum total number of candidates invited to attend the interview and written test will be 12.¹¹ The interview and written test will take

¹⁰ Level C1 or above of the Common European Framework of Reference for Languages (CEFR). As established in the BEREC Office Management Committee Decision MC/2016/02, the working language of the BEREC Office is English.

¹¹ Where a number of candidates tie for the last available place in the list of candidates to be invited for interviews, they will all be invited.

place remotely.

Candidates are kindly invited to indicate in their application any special arrangements that may be required, if invited to attend the written test and interview.

The interview will aim to assess the suitability of the candidates to perform their duties, their professional knowledge, their skills and competencies relevant to the post and their motivation. The interview shall cover an analysis of the language abilities and the personal and professional competences of each applicant. The interview will be held in English. Candidates with English as their mother tongue will be tested in another official EU language to check that the eligibility criteria is met (i.e. satisfactory knowledge of a second official EU language).

The written test will be in English. It will be related to the tasks and responsibilities related to the post, and be designed to test candidates' ability to communicate in written English, and their job-related knowledge and competences.

The content of the questions asked during the interviews will be set in accordance with the level and profile of the position advertised.

The Selection Committee will propose a maximum of 6¹² candidates with the highest scores achieved in the interview and written test for placement on the reserve list.

5.4. Establishment of a reserve list

On the basis of the outcome of the interviews and written tests, the authority authorised to conclude contracts of employment may draw up a reserve list of maximum 6¹³ candidates.

The reserve list will be valid until 31 December 2022. Its validity may be extended by the authority authorised to conclude contracts of employment. Inclusion on a reserve list does not imply any entitlement to employment in the BEREC Office. Moreover, recruitment will be subject to budget availability.

The reserve list may be used for filling in of other posts at the Agency if and when appropriate.

6. Possible job offer(s), verification of documents and scrutiny

If a post in the relevant grade and job field related to the current call for expression of interest becomes vacant, a job may be offered to a suitable candidate¹⁴.

The information provided in the applications of the successful candidates will be checked against the supporting documents to confirm its accuracy and eligibility.

If, at any stage in the procedure, it is discovered that the information given in an application has been knowingly falsified, the candidate will be disqualified from the selection process.

¹² Where a number of candidates tie for the last available place on the reserve list, they will all be proposed.

¹³ Where a number of candidates tie for the last available place on the reserve list, the AACC may decide to include all of them in the reserve list.

¹⁴ The CVs and motivation letters of the candidates on the reserve list will be assessed towards the requirements of the vacant post. A second interview with the AACC and/or one or more delegated staff member(s) may be organised.

Candidates will also be disqualified if they:

- do not meet all eligibility criteria;
- do not provide all the required supporting documents, including to substantiate the facts and statements in their applications.

7. Conditions of employment

The Legal and Data Protection Officer will be appointed by the authority authorised to conclude contracts of employment as a temporary agent at grade AD7¹⁵ pursuant to Article 2f of the Conditions of employment of other servants of the European Communities for a period of three years. The authority authorised to conclude contracts of employment may renew the contract according to the modalities indicated in the relevant general implementing rules valid at the BEREC Office.

The period of engagement will not in any case exceed the lifetime of the BEREC Office.

8. Application procedure

8.1. Applications

For their applications to be valid, candidates must submit:

1. A covering letter outlining their reasons for applying;
2. A curriculum vitae (CV), preferably drafted using the Europass CV format¹⁶;
3. The application form in the annex.

Applicants are explicitly requested to highlight and give a brief account of their experience and expertise relevant to the job and the start and end dates of employment contracts. Applicants are invited to indicate, apart from the duration of studies, the legal length of the diplomas that they hold.

Applications will not be assessed if the dossier is incomplete or submitted after the deadline.

Supporting documents (e.g. certified copies of degrees/diplomas, references, proof of experience, etc.) should not be sent at this point but must be submitted at a later stage of the procedure, when requested.

Applications, preferably in English, should be sent only by e-mail to: recruitment@berec.europa.eu.

The reference (BEREC/2022/01 Legal and Data Protection Officer) must always be indicated in the subject line of e-mails.

¹⁵ Specific conditions about grading are defined on the title page of the Call for Expression of Interest. For existing EU temporary staff 2(f) from other EU bodies interested in an inter-agency mobility and internal applicants, the classification in grade and step should be established in line with Article 55 of the CEOS.

¹⁶ The Europass CV can be downloaded from the website <http://europass.cedefop.europa.eu>.

Candidates are asked to report any potential change of address in writing without delay to the address above.

8.2. Closing date for applications

Applications must be sent by email. The deadline is **21/02/2022 at 12:00 (midday) Riga time** (11:00 a.m. Central European Time). The Agency strongly advises candidates not to wait until the last few days before the deadline to apply. It is the sole responsibility of each applicant to submit his/her completed application by the deadline for submission. Any information or documentation provided after the deadline will not be taken into account.

8.3. Approximate timetable

The selection process may take several months; information will be released at the end of each stage.

9. Independence and declaration of interests

The Legal and Data Protection Officer may be required to make a declaration of commitment to act independently in the public interest and to make a declaration in relation to any interests that may be considered prejudicial to his/her independence. Candidates must confirm their willingness to do so in their application.

10. Other important information

Candidates are reminded that the work of the Selection Committee of the BEREC Office is confidential. It is forbidden for applicants to make direct or indirect contact with members of the Committee or for anybody else to do so on their behalf. Any infringement of this rule will lead to disqualification from the selection procedure.

11. Equal opportunities

The BEREC Office applies a policy of equal opportunities and non-discrimination in accordance with Article 1d of the Staff Regulations.

12. Protection of personal data

The BEREC Office will ensure that candidates' personal data are processed as required by 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/EC¹⁷.

13. Requests for information and appeal procedures

Applicants who would like further information, or consider that they have grounds for a complaint concerning a particular decision, may, at any point in the selection procedure, email a request for further information to recruitment@berec.europa.eu.

A candidate who feels that a mistake has been made regarding eligibility may ask to have his/her application reconsidered by sending a request for review within 20 calendar days of the date of the email notifying the candidate of the outcome, quoting the reference of the selection procedure, to the Chairperson of the Selection Committee at the following address:

BEREC Office
Human Resources
Z. A. Meierovica Bulv. 14
Riga, LV-1050
LATVIA

The Selection Committee will reconsider the application and notify the candidate of its decision within 45 calendar days of receipt of the letter.

If a candidate considers that he/she has been adversely affected by a particular decision, he/she can lodge a complaint under Article 90(2) of the Staff Regulations of Officials of the European Communities and Conditions of employment of other servants of the European Communities, at the above address.

The complaint must be lodged within three months. The time limit for initiating this type of procedure starts from the time the candidate is notified of the act that adversely affects him/her.

Candidates can submit a judicial appeal under Article 270 of the Treaty on the Functioning of the EU and Article 91 of the Staff Regulations of Officials of the European Communities to:

Court of Justice of the European Union
L - 2925 Luxembourg

Details of how to submit an appeal can be found on the website:

<http://curia.europa.eu/>

It is also possible to complain to the European Ombudsman pursuant to Article 228 of the Treaty on the Functioning of the EU and in accordance with the conditions laid down in the Decision of the European Parliament of 9 March 1994 on the Staff Regulations and the general conditions governing the performance of the Ombudsman's duties, published in the Official Journal of the European Union L 113 of 4 May 1994:

¹⁷ 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, Text with EEA relevance, OJ L 295, 21.11.2018, p. 39–98

European Ombudsman
1 Avenue du Président Robert Schuman
CS 30403
67001 Strasbourg Cedex
France
<http://www.ombudsman.europa.eu>

Please note that complaints made to the Ombudsman have no suspensive effect on the period laid down in Articles 90(2) and 91 of the Staff Regulations for lodging, respectively, a complaint or an appeal with the Court of Justice of the EU under Article 270 of the Treaty on the Functioning of the EU.

Please also note that, under Article 2(4) of the general conditions governing the performance of the Ombudsman's duties, any complaint lodged with the Ombudsman must be preceded by the appropriate administrative approaches to the institutions and bodies concerned. Therefore, before contacting the Ombudsman, candidates must have submitted a complaint/appeal to the BEREC Office and received a negative reply from the BEREC Office.
