



RECORD OF PERSONAL DATA PROCESSING

Art. 31 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 (henceforth the "Regulation")

Record n°

010-2020

In accordance with Article 31 of Regulation 2018/1725, individuals whose personal data are processed by the Executive Agency in any context whatsoever are to be protected with regard to the processing of personal data and the Executive Agency has to keep records of their processing operations.

This record covers two aspects:

- 1. Mandatory records under Art 31 of the Regulation (recommendation: make the header and part 1 publicly available)*
- 2. Compliance check and risk screening (initial; part 2 is internal only to the Agency, not published)*

The ground for the record is (tick the relevant one):

- Regularization of a data processing operation already carried out*
- Record of a new data processing operation prior to its implementation*
- Change of a data processing operation*
- Migration from notification to record*

Processing requests/complaints under article 90 (§1 and §2) and requests of assistance under article 24 Staff Regulations	
1	Last update of this record (where applicable) The relevant notification was last updated on 20/06/2012 (2012-006).
2	Short description of the processing By a request under Article 90(1) of the Staff Regulations, contract and temporary agents may ask the Agency Director (who is the authority responsible for concluding contracts of employment) to take a decision concerning their rights. By lodging a complaint under Article 90(2) of the Staff Regulations, contract and temporary agents may seek the annulment or amendment of an Agency's decision, including the rejection of a request, which in their view affects their statutory right and is prejudicial.

	Contract and temporary agents may introduce a request for assistance under Article 24 of the Staff Regulations in case of threats, insulting or defamatory acts or harassment.
Part 1 - Article 31 Record	
4	<p>Name of the Controller Unit(s) and/or function of person acting on behalf of the Controller</p> <p>Controller: Education, Audiovisual and Culture Executive Agency Unit(s): Head of Unit R1 (People, Workplace and Communication) EACEA-HR@ec.europa.eu</p>
5	<p>Name and contact details of the Data Protection Officer (DPO)</p> <p>EACEA-data-protection@ec.europa.eu</p>
6	<p>Name and contact details of joint controller (where applicable)</p> <p>N/A</p>
7	<p>Name and contact details of processor (where applicable)</p> <p>In some cases:</p> <ul style="list-style-type: none"> European Commission, DG HR E.2 Appeals and Case Monitoring HR-MAIL-E2@ec.europa.eu European Commission, Investigation and disciplinary office (IDOC) HR-MAIL-IDOC@ec.europa.eu
8	<p>Purpose of the processing</p> <p>The purpose of the procedures is to establish the facts on which the Director's decision is based and to prepare the decision in reply to the request/complaint.</p>
9	<p>Description of the categories of data subjects</p> <p><input checked="" type="checkbox"/> Agency staff (Contractual and temporary staff in active position)</p> <p><input type="checkbox"/> Visitors to the Agency</p> <p><input type="checkbox"/> Contractors providing goods or services</p> <p><input checked="" type="checkbox"/> Applicants (staff selection procedure)</p> <p><input checked="" type="checkbox"/> Relatives of the data subject</p> <p><input type="checkbox"/> Complainants, correspondents and enquirers</p> <p><input checked="" type="checkbox"/> Witnesses</p> <p><input type="checkbox"/> Beneficiaries</p> <p><input type="checkbox"/> External experts</p>

	<input type="checkbox"/> Contractors <input type="checkbox"/> Other, please specify:
10	<p>Description of personal data categories</p> <p>Depending on the request, the following categories of personal data can be transferred</p> <p><i>a) Categories of personal data:</i></p> <p><input checked="" type="checkbox"/> in the form of personal identification numbers (name, family name, personal number)</p> <p><input type="checkbox"/> concerning the physical characteristics of persons as well as the image, voice or fingerprints</p> <p><input type="checkbox"/> concerning the data subject's private sphere</p> <p><input checked="" type="checkbox"/> concerning pay, allowances and bank accounts</p> <p><input checked="" type="checkbox"/> concerning recruitment and contracts</p> <p><input checked="" type="checkbox"/> concerning the data subject's family</p> <p><input checked="" type="checkbox"/> concerning the data subject's career</p> <p><input checked="" type="checkbox"/> concerning leave and absences</p> <p><input type="checkbox"/> concerning missions and journeys</p> <p><input type="checkbox"/> concerning social security and pensions</p> <p><input type="checkbox"/> concerning expenses and medical benefits</p> <p><input checked="" type="checkbox"/> concerning telephone numbers and communications</p> <p><input checked="" type="checkbox"/> concerning names and addresses (including email addresses)</p> <p><input type="checkbox"/> Other: please specify: _____</p> <p><i>b) Categories of personal data processing likely to present <u>specific risks</u>:</i></p> <p><input checked="" type="checkbox"/> data relating to suspected offences, offences, criminal convictions or security measures</p> <p><input checked="" type="checkbox"/> data being used to evaluate personal aspects of the data subject (ability, efficiency, conduct)</p> <p><i>c) Categories of personal data whose processing is <u>prohibited</u>, with exceptions (art. 10):</i></p> <p><input type="checkbox"/> revealing racial or ethnic origin</p> <p><input type="checkbox"/> revealing political opinions</p> <p><input type="checkbox"/> revealing religious or philosophical beliefs</p> <p><input type="checkbox"/> revealing trade-union membership</p> <p>concerning health</p> <p><input type="checkbox"/> genetic data, biometric data for the purpose of uniquely identifying a natural person</p> <p><input type="checkbox"/> concerning sex life or sexual orientation</p> <p><i>d) Specify any additional data or explanatory information on the data being processed, if</i></p>

	<p>any: Personal data are provided in the request or complaint spontaneously by the person.</p>
11	<p>Retention time (time limit for keeping the personal data)</p> <p>Complaints and requests receiving a negative response in respect of which the person concerned may submit an appeal to the Court are kept 2 years or until the Agency has complied with the Court's judgment (CRL point 12.3.11)</p> <p>The Director decisions (when positive and having an impact on the staff situation) are kept in personal file of the person concerned. Personal files are kept 8 years after the extinction of all rights of the person concerned and of any dependants, and for at least 100 years after the recruitment of the person concerned (CRL point 12.3.7)</p> <p>Is any further processing for historical, statistical or scientific purposes envisaged? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no</p>
12	<p>Recipients of the data</p> <p>The Director of EACEA.</p> <p>In addition, access may be given to the following recipients:</p> <ul style="list-style-type: none"> • Head(s) of Department EACEA • Head of Unit of HR EACEA • Deputy Head of HR EACEA • Head of sector of HR EACEA • HR EACEA designated staff member responsible for the file • Designated staff member in the EACEA's legal team responsible for the file • Selection board members • EACEA Head of Unit of the staff concerned (in case the contribution is relevant) • DG HR (if the Agency requests their support in dealing with the specific file) • IDOC (if the Agency requests their support in dealing with the specific file)
13	<p>Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?</p> <p>No.</p>
14	<p>General description of the technical and organisational security measures</p> <p>1. Organisational measures: Organisational measures include appropriate access rights and access control. As a rule, within the Agency access to information systems, the file system or offices are subject to a series of authorisations where the person granting the access is different from the person requesting or authorising the access - except in limited cases of delegation. The HR responsible person collects and places the documents either in a confidential file which is kept under locks in the HR offices accessible only to designated HR staff on a need-to-know basis or in the staff personal files, which are kept under locks accessible only to designated HR staff on a need-to-know basis.</p>

	<p>2. <u>Technical measures:</u></p> <p>Technical measures include the use of secure equipment (e.g. cupboards in a locked room) and IT-tools (including secure connections, firewalls, etc.) The Agency's IT systems abide by the Commission's security guidelines. The Agency must comply with Commission Decision <u>(EU, Euratom) 2017/46 of 10 January 2017 on the security of communication and information systems in the European Commission</u>. In this context, a specific 'Information Security Technology Plan' is reviewed annually with a view to describe the implementation of the above rules and guidelines in EACEA. The procedures set out in the document must be applied to the Agency's IT systems to ensure the security of the stored data and they are based on the European Commission's standards on security.</p> <p>Paper copies (if applicable) are stored in locked cupboards and then immediately destroyed once the case is closed. Final decisions (if they are positive and have an impact on previous decisions) are filed in the Staff personal file (paper, in the archives of a locked room, and electronic in the Sypser module). Requests, including supporting documents provided by the person, and answers are kept electronically in Ares.</p> <p>The Server Rooms of the Agency are equally protected and locked.</p>
15	<p>Information to data subjects / Privacy Statement</p> <p>Procedures are described in the HR section of the EACEA Intranet available to all staff and contains a specific Privacy Statement.</p> <p>The Complaints & Appeals page in Myintracom contains all the information relevant to this processing operation.</p> <p>The IDOC page in Myintracom contains all related information.</p>