



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°

08-2020

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

| Salaries | |
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| 1 | Last update of this record (where applicable) The last update of this record is from November 2022 (Record n° 08-2020) |
| 2 | Short description of the processing One of the main tasks of the HR Unit of EACEA is to manage human resources policies and procedures in the Agency. This includes among others, to implement Staff Regulations prescriptions related to the establishment and follow up on staff individual rights, the calculation and payment of the salaries, and the financial aid to staff or to pensioners or their family members in accordance with financial social assistance procedures. The Agency has signed a Service-Level-Agreement (SLA) with the Office for the Administration and Payment of the Individual Entitlements of the European Commission (Pay Master Officer, hereinafter referred to as "PMO") |

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| | <p>Based on this SLA, PMO ensures the establishment of staff individual rights from entry into service up to the end of service and the payroll calculation.</p> <p>The Agency ensures the monthly payment of the salaries to staff.</p> |
| Part 1 - Article 31 Record | |
| 3 | <p>Name of the Controller Unit(s) and/or function of person acting on behalf of the Controller</p> <p>Controller: European Education and Culture Executive Agency Unit(s): Head of Unit R1 People, Workplace and Communication EACEA-STAFF-MOVES@ec.europa.eu EACEA-SALAIRES@ec.europa.eu</p> |
| 4 | <p>Contact details of the Data Protection Officer (DPO)</p> <p>eacea-data-protection@ec.europa.eu</p> |
| 5 | <p>Name and contact details of joint controller (where applicable)</p> <p>N/A</p> |
| 6 | <p>Name and contact details of processor (where applicable)</p> <p>DG HR - Commission Medical Service</p> |
| 7 | <p>Purpose of the processing</p> <p>The purpose of the processing operation of personal data is to ensure:</p> <ul style="list-style-type: none"> • the establishment of staff individual rights • the calculation and the payment of salaries • to provide financial aid to staff or to pensioners or their family members in accordance with financial social assistance procedures. |
| 8 | <p>Description of the categories of data subjects</p> <p><input checked="" type="checkbox"/> Agency staff <u>contractual and temporary staff in active position, seconded officials</u></p> <p><input type="checkbox"/> Visitors to the Agency</p> <p><input type="checkbox"/> Contractors providing goods or services</p> <p><input type="checkbox"/> Applicants</p> <p><input checked="" type="checkbox"/> Relatives of the data subject</p> <p><input type="checkbox"/> Complainants, correspondents and enquirers</p> <p><input type="checkbox"/> Witnesses</p> <p><input type="checkbox"/> Beneficiaries</p> <p><input type="checkbox"/> External experts</p> <p><input type="checkbox"/> Contractors</p> <p><input type="checkbox"/> Other, please specify:</p> |
| 9 | <p>Description of personal data categories</p> <p><i>a) Categories of personal data:</i></p> |

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| | <p><input checked="" type="checkbox"/> in the form of personal identification numbers</p> <ul style="list-style-type: none"> - NUP: a unique inter-institutional identification number used by PMO and DG BUDG in the NAP (this unique number of the Payroll system NAP remains unchanged for the full duration of a person's employment within the EU Institutions). - Personal number: given to each staff member by the Agency. - PerID: allows for the unique identification of an individual in SYSPER (statutory staff, agents of institutions, spouse, child, etc.). <p><input type="checkbox"/> concerning the physical characteristics of persons as well as the image, voice or fingerprints</p> <p><input checked="" type="checkbox"/> concerning the data subject's private sphere</p> <ul style="list-style-type: none"> - name and family name - current and historical information on the number of children and other dependants - current and historical information on a spouse <p><input checked="" type="checkbox"/> concerning pay, allowances and bank accounts</p> <ul style="list-style-type: none"> - information on the number of children and other dependants, - place of work - place of origin - place of residence - bank account details (BAF) - basic salary - present grade - administrative address - nurseries and after-school facilities regulations - contribution to season tickets for public transport - payment of advances including welfare grants and /or loans <p><input type="checkbox"/> concerning recruitment and contracts</p> <p><input checked="" type="checkbox"/> concerning the data subject's family</p> <ul style="list-style-type: none"> - information on the employment status of a spouse - For the purpose of financial social assistance: <ul style="list-style-type: none"> ✓ Identification data: Name, staff number, address (private and professional, mail and electronic); any identification data related to the application for financial assistance ✓ Financial data: amounts of all types of income, allocations and expenses as well as the amount of the financial aid granted; bank account number; any financial data related to the application for financial assistance. ✓ Medical data: recognition of disabilities, medical opinions, reports and certificates; any medical data related to the application for financial assistance. ✓ Social data: family composition and changes in family circumstances, social workers reports; school reports; any social data related to the application for financial assistance. ✓ Income or reimbursement of medical expenses from the Office for the Payment and Administration of Individual Entitlements (PMO) [optional]. ✓ Judicial data: legal guardianship, wage garnishments, debt recovery, collective debt settlement, any legal element related to the application for financial assistance. <p><input checked="" type="checkbox"/> concerning the data subject's career</p> <ul style="list-style-type: none"> - grade - step - grade code - step code - grade start date - entry date at the first institution - entry date at EACEA - end of the contract - statutory link code - description of the work pattern - the first day of chosen work pattern - the last day of chosen work pattern - next step in the agency and date of the entry into force |
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| | <ul style="list-style-type: none"> - next step in the European Commission and date of entry into force (for seconded officials) - reclassifications and promotions <input checked="" type="checkbox"/> concerning leave and absences - number of days of untaken leave (if any), parental leave, leave on personal grounds, part time, credit time, family leave <input type="checkbox"/> concerning missions and journeys <input checked="" type="checkbox"/> concerning social security and pensions - preserved pension rights <input checked="" type="checkbox"/> concerning expenses and medical benefits - medical insurance contribution <input checked="" type="checkbox"/> concerning telephone numbers and communications - payment of private calls <input checked="" type="checkbox"/> concerning names and addresses (including email addresses) <ul style="list-style-type: none"> - address - email address - personal email address - contact person in case of accident <p>b) Categories of personal data processing likely to present <u>specific risks</u>:</p> <ul style="list-style-type: none"> <input type="checkbox"/> data relating to suspected offences, offences, criminal convictions or security measures <input type="checkbox"/> data being used to evaluate personal aspects of the data subject (ability, efficiency, conduct) <p>c) Categories of personal data whose processing is <u>prohibited</u>, with exceptions (art. 10):</p> <ul style="list-style-type: none"> <input type="checkbox"/> revealing racial or ethnic origin <input type="checkbox"/> revealing political opinions <input type="checkbox"/> revealing religious or philosophical beliefs <input type="checkbox"/> revealing trade-union membership <input checked="" type="checkbox"/> concerning health <ul style="list-style-type: none"> - Decision of invalidity - Decision on the financial social assistance <p>In these cases, the Agency is only informed of the decisions, without processing any information relating to the specific medical situation.</p> <ul style="list-style-type: none"> <input type="checkbox"/> genetic data, biometric data for the purpose of uniquely identifying a natural person <input checked="" type="checkbox"/> concerning sex life or sexual orientation <p>When providing the necessary documentation, staff members might provide indication sensitive data such as their sexual orientation (e.g., providing the name of the spouse/partner).</p> <p>d) Specify any additional data or explanatory information on the data being processed, if any: ---</p> |
| 10 | <p>Retention time (time limit for keeping the personal data)</p> <p>Decisions on staff individual rights are kept in the staff member's personal file (electronic file in the corporate tool SYSPER). The CRL prescribes a retention period of 8 years after the extinction of all rights of the person concerned and of any dependents, and for at least 100 years after the recruitment of the person concerned (12.3.7. of the Common Retention List (CRL) – Commission Decision SEC(2022)400).</p> <p>Financial documentation regarding the payment of salaries is kept for at least 5 years from the date on which the European Parliament gives discharge of the budget (Article 75 of the Regulation 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union).</p> |

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| | <p>The working files for calculating the salary, e.g., exchange of mails between the Agency HR and PMO, listings, requests for advance payment or manual payments of salaries etc. are saved in HR restricted drive and/or in the Functional Mailboxes, are kept for maximum 4 years. (CRL 12.3.17)</p> <p>Financial social assistance: HR only keeps personal data for the time necessary to fulfil the purpose of collection or further processing, namely 3 years after the death of the person concerned (person eligible to receive financial aid) (12.3.14. B CRL). For the reasons of continuity of financial aids and their links to the family's situation (e.g. income of the household), the data concerning members of the same family will be treated as belonging to the same file which may limit individuals' rights to block or erase the data.</p> <p>Is any further processing for historical, statistical or scientific purposes envisaged? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no</p> |
| 11 | <p>Recipients of the data</p> <p>Access may be given on a need-to-know basis to the following recipients:</p> <ul style="list-style-type: none"> • EACEA Unit R1 designated staff in HR sector • Director of EACEA and their secretary or assistant • Head of Departments of EACEA • EACEA accountant • EACEA financial initiation and verification team – designated staff • PMO – designated staff • DG HR – designated staff in the Medical Service • DG DIGIT – designated staff (technical issues) • DG BUDG has access to the data related to the bank account of staff members or former staff members, to execute the payment into the bank accounts. • Third parties (such as lawyers, notaries in case a salary is under curatorship) <p>In case of complaints, EACEA legal team –designated staff- and DG HR (articles 90 on decisions taken by PMO)</p> <p>In addition, in case of control or dispute, personal data can be shared with and processed by the bodies charged with a monitoring or inspection task in application of Union law in compliance with the applicable data protection rules and within the scope of their tasks entrusted by the relevant legislation. This includes, in particular, the following recipients:</p> <ul style="list-style-type: none"> • The European Court of Justice or a national judge as well as the lawyers and the agents of the parties in case of a legal procedure • The European Anti-Fraud Office (OLAF) • The Internal Audit Service of the Commission • The Investigation and Disciplinary Office of the Commission (IDOC) • The European Court of Auditors • The European Ombudsman • The European Public Prosecutor's Office • EU courts and national authorities |
| 12 | <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>N/A</p> |
| 13 | <p>General description of the technical and organisational security measures</p> <p>The European Commission's IT systems used by the Agency abide by the Commission's security guidelines. The Agency must comply with Commission Decision (EU, Euratom) 2017/46 of 10 January 2017 on the security of communication and information systems in the European Commission.</p> |

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| | <p>Organisational measures:</p> <p>A Corporate Local Informatics Security Officer (C-LISO) is in place. Its role includes supervising the Agency compliance with the relevant regulations, and the application of security measures recommend by DIGIT.</p> <p>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 responsible person in the unit in charge of this action (processing operation of the current record) collects and places the documents on the secured drives of the Commission and all Agency staff are bound by a confidentiality obligation. The need-to-know principle applies in all cases.</p> <p>The printed version of personal files is kept in the staff member’s confidential file under lock and key and are only accessible to selected members of Unit R1 HR sector staff or the concerned staff member upon request.</p> <p>The digitalized personal files are stored in SYSPER. Only designated and authorized Unit R1 HR sector staff have access to the Module “Personal files” through the NDP-Personal files tool as well as to the electronic Functional Mailboxes (electronic version) related to individual rights and salaries and the restricted files in restricted drive.</p> <p>Technical measures:</p> <p>State of the art technical cybersecurity measures are implemented in the corporate systems, according to the security needs. Those measures are in constant evolution.</p> <p>Paper copies: the paper versions are stored in locked cupboards and then in the archives of a locked room.</p> <p>Financial social assistance:</p> <p>Any emails, in particular those concerning confidential medical information, are exchanged using an email encryption system available in EACEA (e.g., SECEM2).</p> <p>All requests, including the communication with the medical service are registered and filed in a restricted ARES folder (red folder) with limited access to the concerned Unit R1 members.</p> <p>Paper files (if any) are stored in a locked cupboard, under the responsibility of the HR Officer in charge of salaries and are not included in the staff member’s personal file.</p> |
| 14 | <p>Information to data subjects / Privacy Statement</p> <p>Staff can find the corporate information on MyIntraComm, Staff matters, Pay .</p> <p>A specific privacy statement on the SYSPER EC Corporate Tool is available here.</p> <p>The EACEA Privacy statement on Salaries is available here.</p> <p>The Privacy statement on Financial social policies is available here.</p> |