



**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°

2019 - 17

*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.*

<b>Leaves, absences and working patterns (this part may be public)</b>	
<b>1</b>	<p><b>Last update of this record (where applicable)</b></p> <p>The last version of this record was from November 2022.</p>
<b>2</b>	<p><b>Short description of the processing</b></p> <p>One of the main tasks of Unit R1 is to manage the Human Resources policy of the Agency. This includes, among others, to implement Staff Regulations prescriptions related to staff leaves, absences and working patterns.</p> <p>Since 2021 all the <b>time-related aspects of jobs management</b> have been transferred to Sysper. Staff members indicate leaves on this EC Corporate Tool.</p> <p><b>Teleworking</b> is one of the time management options that, together with the flexitime</p>

	system, permit greater flexibility in the organisation of work and a better reconciliation of work and private life of Agency staff.
3	<b>Approval of controller</b>
	NA
<b>Part 1 - Article 31 Record (This part may be public)</b>	
4	<b>Name of the Controller Unit(s) and/or function of person acting on behalf of the Controller</b>
	Controller: European Education and Culture Executive Agency Unit(s): Unit R1 (People, Workplace and Communication) <a href="mailto:EACEA-HR@ec.europa.eu">EACEA-HR@ec.europa.eu</a>
5	<b>Name and contact details of the Data Protection Officer (DPO)</b>
	<a href="mailto:EACEA-data-protection@ec.europa.eu">EACEA-data-protection@ec.europa.eu</a>
6	<b>Name and contact details of joint controller (where applicable)</b>
	NA
7	<b>Name and contact details of processor (where applicable)</b>
	DG HR owner of SYSPER IT TOOL  HR-MAIL-A3@ec.europa.eu  Service Level Agreement between DG HR and EACEA (Ares(2017)6026178)
8	<b>Purpose of the processing</b>
	One of the main tasks of the HR Unit is to manage the Human Resources policies and procedures in the Agency. This includes among others, to implement Staff Regulations prescriptions related to leave and time management. The purpose of the processing is to ensure all staff members are provided with the leaves' rights and working patterns they are entitled to.
9	<b>Description of the categories of data subjects</b>
	Whose personal data are being processed? In case data categories differ between different categories of persons, please explain as well (e.g. suspects vs. witnesses in administrative inquiries) <input checked="" type="checkbox"/> Agency staff (all Staff Members except for trainees and interim staff) <input type="checkbox"/> Visitors to the Agency <input type="checkbox"/> Contractors providing goods or services

	<input type="checkbox"/> Applicants <input checked="" type="checkbox"/> Relatives of the data subject <input type="checkbox"/> Complainants, correspondents and enquirers <input type="checkbox"/> Witnesses <input type="checkbox"/> Beneficiaries <input type="checkbox"/> External experts <input type="checkbox"/> Contractors <input type="checkbox"/> Other, please specify:
10	<b>Description of personal data categories</b>
	<p><b>Indicate <u>all</u> the categories of personal data processed and specify which personal data are being processed for each category (between brackets under/next to each category):</b></p> <p><i>a) Categories of personal data:</i></p> <p><input checked="" type="checkbox"/> in the form of personal identification numbers: <b><u>personnel number</u></b></p> <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: <b><u>name and surname, gender, date of birth</u></b></p> <p><input type="checkbox"/> concerning pay, allowances and bank accounts</p> <p><input type="checkbox"/> concerning recruitment and contracts</p> <p><input checked="" type="checkbox"/> concerning the data subject's family: <b><u>family composition, name of family members, voluntary medical data, date of birth of a child</u></b></p> <p><input checked="" type="checkbox"/> concerning the data subject's career: <b><u>date of entry into service, function group and grade, agency and unit, description of the duties in the Agency, opinion of the immediate hierarchical and other superior and decision of the appointing authority on CCP</u></b></p> <p><input checked="" type="checkbox"/> concerning leave and absences: <b><u>start and end date, reason for absence, the teleworking arrangement, previous structural teleworking, motivation of teleworking request (additional)</u></b></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: <b><u>mobile phone number</u></b></p> <p><input checked="" type="checkbox"/> concerning names and addresses (including email addresses): <b><u>private e-mail address, place of telework, place of residence during the leave (address and contact details)</u></b></p> <p><input checked="" type="checkbox"/> Other: please specify:</p> <ul style="list-style-type: none"> <li>• overtime,</li> <li>• timesheets of staff member, containing day balance, presence type, date, working hours recorded (by staff), approval of line manager (<i>in the context of flexitime</i>)</li> <li>• chosen work pattern,</li> <li>• tools needed for teleworking,</li> <li>• outside activity (if applicable) - its place, contact details, description of the nature of activities and of work, type of position, role as employee/shareholder, links</li> </ul>

	<p style="text-align: center;">with Agency/Commission</p> <p><b><i>b) Categories of personal data processing likely to present <u>specific risks</u>:</i></b></p> <p><input type="checkbox"/> data relating to suspected offences, offences, criminal convictions or security measures</p> <p><input type="checkbox"/> data being used to evaluate personal aspects of the data subject (ability, efficiency, conduct)</p> <p><b><i>c) Categories of personal data whose processing is <u>prohibited</u>, with exceptions (art. 10):</i></b></p> <p><input type="checkbox"/> revealing racial or ethnic origin</p> <p><input checked="" type="checkbox"/> revealing political opinions</p> <p><input type="checkbox"/> revealing religious or philosophical beliefs</p> <p><input checked="" type="checkbox"/> revealing trade-union membership</p> <p><input checked="" type="checkbox"/> 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>Despite no detailed medical data is required, limited health information, data revealing political opinions and trade union membership can be submitted by staff members for the purpose of special leaves and absences.</p> <p><b><i>d) Specify any additional data or explanatory information on the data being processed, if any:</i></b> _____</p>
11	<p><b>Retention time (time limit for keeping the personal data)</b></p> <p>Since 2021 all the <u>time-related aspects of jobs management</u> (time worked and leaves) are recorded in SYSPER.</p> <p>The retention period in the Sysper EC Corporate tool is determined by the Commission and is outside of the Agency's control. The specific Privacy Statement regarding the retention periods for the time management module retrieved from <a href="#">here</a>.</p> <p>Documents supporting special leave requested before 2021 (introduction of Sysper module feature) were/are stored for 4 years (section 12.3.14). Decisions on unpaid leave before 2021 were filed in the staff member's personal file; 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. CRL).</p> <p>An excel table for regular telework requests made before the introduction of the Sysper module is stored for 4 years (12.3.14 CRL).</p> <p><b>Is any further processing for historical, statistical or scientific purposes envisaged?</b>  <input checked="" type="checkbox"/> yes <input type="checkbox"/> no</p> <p><b>If yes, indicate the further retention time:</b>  Statistical archives are kept with the number of teleworking requests approved per Unit. This does not contain any personal data. At the beginning of each year the HR produce some anonymous statistics on leave (at Agency level and Unit level, broken down for</p>

	<p>contract and temporary agents) on the basis of the Sysper data of the previous calendar year. These statistics are considered as an HR management tool, indicating the Agency absenteeism.</p> <p>If the answer is yes, please go to Part 2, Storage and Security for technical safeguards.</p>
12	<p><b>Recipients of the data</b></p> <ul style="list-style-type: none"> <li>• EACEA HR Unit</li> <li>• Line Manager</li> <li>• Leave Manager</li> <li>• Head of Department, and their assistants/secretaries</li> <li>• Heads of Unit EACEA, and their assistants/secretaries</li> <li>• Director, and his/her assistants/secretaries.</li> <li>• European Commission IT/Logistics Unit (only in case of necessity and only final decision)</li> <li>• Designated financial teams in EACEA</li> <li>• European Commission, PMO Pay sector</li> <li>• Joint Sickness Insurance Scheme (JSIS)</li> <li>• European Commission, Medical Services</li> <li>• Joint Sickness Insurance Scheme (JSIS)</li> </ul> <ul style="list-style-type: none"> <li>• DG HR (owner of Sysper)</li> <li>• DG DIGIT (provides technical support for Sysper)</li> </ul> <p>Staff members have the right to access and rectify their own data in Sysper.</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.</p> <p>This includes, in particular, the following recipients:</p> <ul style="list-style-type: none"> <li>• 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;</li> <li>• The European Anti-Fraud Office (OLAF);</li> <li>• The Internal Audit Service of the Commission</li> <li>• The Investigation and Disciplinary Office of the Commission (IDOC)</li> <li>• The European Court of Auditors</li> <li>• The European Ombudsman</li> <li>• The European Public Prosecutor's Office</li> <li>• EU courts and national authorities</li> </ul>
13	<p><b>Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?</b></p> <p>N/A</p>
14	<p><b>General description of the technical and organisational security measures</b></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</p>

	<p>the European Commission.</p> <p>Data relating to teleworking is kept according to the security measures developed by DG HR/DG DIGIT who own the EC tool Sysper.</p> <p><b>1. <u>Organisational measures:</u></b></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.</p> <p>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><b>2. <u>Technical measures:</u></b></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>
15	<p><b>Information to data subjects / Privacy Statement</b></p> <p>Privacy Statement with regards to leave, absences and working patterns can be found on the Intranet page (<a href="#">Link</a>), the general Sysper IT Tool Privacy statement can be found in Sysper (<a href="#">Link</a>). Furthermore, some parts of the HR section on the Agency's Intranet are specifically dedicated to explain rules and procedures on leaves (and contain links to the related Commission intranet sections).</p>