



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°

005-2020

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.*

Ethics	
1	Last update of this record (where applicable) The first version of this record was from June 2020.
2	Short description of the processing EACEA has put in place a policy and measures to guide and to ensure that staff members hold themselves to rigorous ethical standards, ensuring transparency and accountability and preventing reputational risks. Unit R1 offers guidelines on how to avoid potential conflict of interest, guidance on outside

	activities, advice on contacts with the media etc. and processes a series of declarations (e.g., conflict of interest, outside activities and spouses' gainful employment) in order to guarantee the Agency's independence and credibility.
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): Unit R1 (People, Workplace and Communication) EACEA-HR@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>European Commission: DG HR owner of SYSPER IT TOOL</p> <p>Service Level Agreement between DG HR and EACEA (Ares(2017)6026178 and Ares(2021)7445821- Amendment 3)</p>
7	<p>Purpose of the processing</p> <p>Collecting and processing the data is necessary in order to comply with the legal obligations stemming from the Staff Regulations (SR) and the Conditions of Employment of Other Servants (CEOS).</p>
8	<p>Description of the categories of data subjects</p> <p>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)</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 who left the service, retired staff, staff in personal leave</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>

	<input type="checkbox"/> Contractors <input type="checkbox"/> Other, please specify:
9	Description of personal data categories
	<p>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):</p> <p><i>a) Categories of personal data:</i></p> <p><input checked="" type="checkbox"/> in the form of personal identification numbers, personnel number, applicant number in the selection procedure (if applicable)</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, remuneration relating to outside activities, speeches or publications; ownership or other investments including shares</p> <p><input type="checkbox"/> concerning recruitment and contracts</p> <p><input checked="" type="checkbox"/> concerning the data subject's family, name of employer (or self-employed), area of activity, responsibilities of spouse, the link between the spouse's employment and the staff member's duties in the institution, a link between the EACEA and the spouse's employment</p> <p><input checked="" type="checkbox"/> concerning the data subject's career, grade, administrative status (seniority in the post)</p> <p><input checked="" type="checkbox"/> concerning leave and absences, start and end date</p> <p><input checked="" 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), name, surname, building, office number, unit</p> <p><input checked="" type="checkbox"/> Other: name and type of a decoration or an honour; membership in a managing body or entity; membership, role in organisations, entities, businesses, clubs etc., duration of such membership or role, information on the public office (e.g., nature of duties, number of working hours)</p> <p><i>b) Categories of personal data processing likely to present <u>specific risks</u>:</i></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><i>c) Categories of personal data whose processing is <u>prohibited</u>, with exceptions (art. 10):</i></p> <p>Any of the following categories could be concerned depending on the topic dealt with by the staff member when requesting authorisation to publish a text or speech, running for</p>

	<p>public office or requesting an outside activity.</p> <p><input checked="" type="checkbox"/> revealing racial or ethnic origin e.g., upon declaring membership to relevant associations</p> <p><input checked="" type="checkbox"/> revealing political opinions, e.g., when running for public office or requesting an outside activity, staff members might reveal political opinion</p> <p><input checked="" type="checkbox"/> revealing religious or philosophical beliefs e.g., when requesting an outside activity, staff members might reveal their beliefs</p> <p><input checked="" type="checkbox"/> revealing trade-union membership, e.g., when requesting an outside activity, staff members might reveal information on trade union association</p> <p><input checked="" type="checkbox"/> concerning health (e.g., when requesting an outside activity, staff members might reveal information on health condition)</p> <p><input type="checkbox"/> genetic data, biometric data for the purpose of uniquely identifying a natural person</p> <p><input checked="" type="checkbox"/> concerning sex life or sexual orientation, e.g., when declaring the professional activities of the spouse, staff members might reveal their sexual orientation.</p> <p><i>d) Specify any additional data or explanatory information on the data being processed, if any: ----</i></p>
10	<p>Retention time (time limit for keeping the personal data)</p> <p>The retention time in Sysper is 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). The same retention period applies to paper documents of personal files.</p> <p>The retention time of the Ares files is 4 years and then they are eliminated (12.3.14 CRL)</p> <p>The overview table on outside activities is stored in the HR Restricted drive for 4 years (12.3.14 CRL).</p> <p>Is any further processing for historical, statistical or scientific purposes envisaged?</p> <p><input type="checkbox"/> yes <input checked="" type="checkbox"/> no</p>
11	<p>Recipients of the data</p> <ul style="list-style-type: none"> - Access may be given on a need-to-know basis to the following recipients: - EACEA Human Resources designated staff - EACEA Ethics Correspondent - EACEA Director - EACEA Heads of Units - EACEA Heads of Departments - EACEA Legal team (designated staff, when applicable) - Joint Committee (when applicable) - DG HR (owner of Sysper) - DG DIGIT (technical support of Sysper) <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> <p>1. 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>Only designated HR staff has access to the Agency SYSPER tool. Each staff member has access to the electronic version of his/her personal file in SYSPER (ECAS password).</p> <p>2. 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>
14	<p>Information to data subjects / Privacy Statement</p> <p>Ethics principles and procedures have dedicated pages on EACEA's intranet. In addition, Ethics & integrity is a mandatory training all staff members have to follow upon entry into service.</p> <p>The following privacy statements are available on the intranet: Ethics and Gainful employment of spouse.</p>