



EUROPEAN EDUCATION AND CULTURE
EXECUTIVE AGENCY (EACEA)

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°

07-2019

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.

Staff appraisal (CA and TA)	
1	Last update of this record (where applicable) The first version of this record was from August 2019 (reference 07-2019).
2	Short description of the processing One of the main tasks of the HR Unit of EACEA is to manage the Human Resources policy of the Agency. This includes, among others, staff appraisal, applicable to all temporary and contract agents who have completed their probationary period. The HR Unit provides administrative support in the process.
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 Head of Unit R1: People, Workplace and Communication. Email: 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>N/A</p>
7	<p>Purpose of the processing</p> <p>The purposes of the processing are the following:</p> <ul style="list-style-type: none"> - take stock of the jobholder's working area and performance; - establish the manager's and staff member's mutual expectations; - clarify possible development and learning needs of the staff member, seen in the light of existing as well as future tasks; - identify possible problems; - discuss routines and workflows that matter for the day-to-day work; - establish a development plan for the jobholder in both short and long-term perspective; - serve as element of background and documentation for possible reclassification of the jobholder; - enable staff members to exercise their rights regarding their evaluation and reclassification; <p>The annual appraisal report includes a conclusion on whether the Job Holder's (JH) general performance has been satisfactory or not. If the general performance of the JH is assessed as unsatisfactory in the last finalised appraisal report, the JH's advancement to the next step in the grade is blocked for one year.</p> <p>For JH occupying a function with the type of post of the job "head of unit or equivalent" the annual report must include a conclusion on whether the jobholder's managerial performance has been satisfactory or not. For seconded Heads of Unit, the conclusion on the managerial performance thus also appears. The assessment of the managerial performance is complementary to the assessment of the JH's general performance. The two aspects are not necessarily related, namely an unsatisfactory managerial performance evaluation does not automatically lead to the same conclusion in terms of general performance. If the managerial performance of a middle manager is assessed as unsatisfactory in the last annual report, a procedure for reassignment to a non-management function may be launched by the AIPN concerned.</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 type="checkbox"/> Applicants</p> <p><input 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>
10	<p>Description of personal data categories</p> <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 <u>Personnel number</u></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 type="checkbox"/> concerning pay, allowances and bank accounts</p> <p><input checked="" type="checkbox"/> concerning recruitment and contracts</p> <p><input type="checkbox"/> concerning the data subject's family</p> <p><input checked="" type="checkbox"/> concerning the data subject's career <u>Function group and grade</u></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 type="checkbox"/> concerning telephone numbers and communications</p> <p><input checked="" type="checkbox"/> concerning names and addresses</p> <p><input checked="" type="checkbox"/> Other: please specify:</p>

	<ul style="list-style-type: none"> • Membership in the Staff Committee <p>b) Categories of personal data processing likely to present <u>specific risks</u>:</p> <p><input 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> <ul style="list-style-type: none"> • Information on staff performance and conduct, • Self-assessment • Qualitative assessment by the line manager • Staff response to this qualitative assessment <p>c) Categories of personal data whose processing is <u>prohibited</u>, with exceptions (art. 10):</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><input 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>d) Specify any additional data or explanatory information on the data being processed, if any: _____</p>
11	<p>Retention time (time limit for keeping the personal data)</p> <p>The personal file (paper and electronic) is stored for 8 years after the extinction of all rights of the person concerned and of any dependents, and 100 years after the recruitment of the person (section 12.3.7 of the Common Retention List (CRL) – Commission Decision SEC/2019/900 of 25/4/2019).</p> <p>Working documents based on the information in Sysper is kept in the designated HR electronic platform for 5 years (section 12.3.15 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> <p>The following anonymous data is kept for statistical reasons: Gender, deadlines, number of staff involved in the assessment, unit, and grade.</p> <p>If the answer is yes, please go to Part 2, Storage and Security for technical safeguards.</p>
12	<p>Recipients of the data</p> <p>Designated EACEA and EC staff:</p>

	<p>The Reporting Officer (RO) and the Reporting Officer by Delegation (ROD) and their secretaries, The Countersigning Officer (CO), The Appeal Assessor (AA), The Joint Committee, Designated staff of Human Resources , The Director/Head of Department and their secretaries, The parent DG actors for seconded officials, The members of the Joint Reclassification Committee (in the context of the reclassification procedure), The delegation of the Staff Committee (in the context of the reclassification procedure) EACEA designated legal officer (in case of complaints) DG HR designated staff in case of complaints under the SLA concerning the collaboration between DG HR and EACEA signed on 21 December 2017 –Ares(2018)127508.</p>
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>N/A</p>
14	<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>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>Every staff members’ Sysper profile is password protected.</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>

15	<p data-bbox="276 230 1382 264">Information to data subjects / Privacy Statement</p> <p data-bbox="276 304 1382 443">The whole process is detailed in several documents available for all staff on the HR section of EACEA's intranet (available in English and French). The appraisal procedure is explained to staff during the induction course and during specific trainings given at the start of the exercise. In addition, an e-learning training module is always available to staff.</p> <p data-bbox="276 483 1382 517">In particular, the following are available on the intranet (Link):</p> <ul data-bbox="325 521 1382 622" style="list-style-type: none"> • A specific privacy statement. • The administrative note launching the yearly exercise. • The legal basis