



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°

10 - 2021

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.*

Processing of personal data by the EACEA (Deputy) Data Protection Officer	
1	Last update of this record (where applicable) Not applicable.
2	Short description of the processing The purpose of the processing is to allow the Data Protection Officer (DPO) and its Deputy to collect and further process personal data where strictly necessary to perform his/her tasks in line with the requirements of the Data Protection Regulation (monitoring, investigative, auditing and consultative activities (including registering and advising on data breach cases).

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 Data Protection Officer EACEA-data-protection@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>Not applicable.</p>
6	<p>Name and contact details of processor (where applicable)</p> <p>Not applicable.</p>
7	<p>Purpose of the processing</p> <p>The purpose of the processing is to allow the Data Protection Officer (DPO) and its Deputy to collect and further process personal data where strictly necessary to perform his/her tasks in line with the requirements of the Data Protection Regulation (monitoring, investigative, auditing and consultative activities (including registering and advising on data breach cases).</p>
8	<p>Description of the categories of data subjects</p> <p>Whose personal data are being processed?</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 checked="" type="checkbox"/> Contractors providing goods or services</p> <p><input checked="" type="checkbox"/> Applicants</p> <p><input type="checkbox"/> Relatives of the data subject</p> <p><input checked="" type="checkbox"/> Complainants, correspondents and enquirers</p> <p><input checked="" type="checkbox"/> Witnesses</p> <p><input checked="" type="checkbox"/> Beneficiaries</p> <p><input checked="" type="checkbox"/> External experts</p> <p><input checked="" type="checkbox"/> Contractors</p>

	<p><input checked="" type="checkbox"/> Other, please specify: the Data Protection Officer collects and further processes the personal data of Agency staff and any natural persons outside the Agency (contractors, processors, applicants, grant beneficiaries, etc), who:</p> <ul style="list-style-type: none"> • exercise their rights under the Regulation, • bring to the attention of the Data Protection Officer any matter alleging that a breach of the Regulation has taken place; • request that the Data Protection Officer monitors, investigates or audits a specific processing operation of the Agency; • consult the Data Protection Officer on any matter concerning the interpretation of the Regulation; • complain to the European Data Protection Supervisor pursuant to the Regulation and whose complaints and personal data are transmitted to the Data Protection Officer; • are concerned by a specific monitoring, investigative, auditing or consultative activity of the Data Protection Officer; • inform the Data Protection Officer of a personal data breach, and/or are involved in managing a personal data breach.
9	Description of personal data categories
	<p><i>a) Categories of personal data:</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> in the form of personal identification numbers <input checked="" type="checkbox"/> concerning the physical characteristics of persons as well as the image, voice or fingerprints <input type="checkbox"/> concerning the data subject's private sphere <input type="checkbox"/> concerning pay, allowances and bank accounts <input type="checkbox"/> concerning recruitment and contracts <input type="checkbox"/> concerning the data subject's family <input checked="" type="checkbox"/> concerning the data subject's career <input type="checkbox"/> concerning leave and absences <input type="checkbox"/> concerning missions and journeys <input type="checkbox"/> concerning social security and pensions <input type="checkbox"/> concerning expenses and medical benefits <input checked="" type="checkbox"/> concerning telephone numbers and communications <input checked="" type="checkbox"/> concerning names and addresses (including email addresses) <input checked="" type="checkbox"/> Other: Any personal data of any individuals, whose personal data are processed by the Agency or its processors, which is necessary for the Data Protection Officer to perform his/her monitoring, investigative, auditing or consultative activities. <p><i>b) Categories of personal data processing likely to present <u>specific risks</u>:</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> data relating to suspected offences, offences, criminal convictions or security

	<p>measures</p> <p><input type="checkbox"/> data being used to evaluate personal aspects of the data subject (ability, efficiency, conduct)</p> <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>The Data Protection Officer does not collect per se sensitive categories of personal data under Article 10 of the Regulation. However, any personal data, processed by the Agency or its processors (including sensitive categories of personal data albeit this has not been requested), might potentially be communicated to the Data Protection Officer for the purpose of his /her monitoring, investigative, auditing or consultative activities.</p>
10	<p>Retention time (time limit for keeping the personal data)</p> <p>Retention period:</p> <p>Personal information is not be kept for a longer period than necessary having regard to the purpose of the processing.</p> <p>EACEA applies the principles and retention periods indicated in Common Retention List of the Commission by analogy.</p> <p>The following types of data are kept for a period of 5 years:</p> <ul style="list-style-type: none"> • Files concerning relation with the EDPS including consultations, provisions of information & notifications of data breaches ; • Files regarding the implementation of the Regulation; • Applications for the exercise of data subjects rights; • Complaints about maladministration & infringements of data protection rules. <p>The storage periods are the same as indicated for the retention period.</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> <p>Recipients are:</p> <ul style="list-style-type: none"> • The Data Protection Officer and Deputy Data Protection Officer, who are responsible for carrying out the processing operation. • Other Agency authorised staff in accordance with the “need to know” principle (Director, Heads of Departments, Heads of Units, and their respective assistants, etc.). • In case of audits or proceedings, etc., EACEA’s Internal Controller, Legal Sector, Staff Committee, etc. • The European Data Protection Supervisor for process involving them. • Any individuals, whose personal data are processed by the Agency as controller or its processors and potentially be affected by a personal data breach. <p>In addition, data may be disclosed to public authorities, and processed by these authorities in compliance with the applicable data protection rules according to the purpose of the processing, including inter alia:</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 competent Appointing Authority in case of a request or a complaint lodged under Articles 90 of the Staff Regulations; • OLAF in case of an investigation conducted in application of Regulation (EC) No 1073/1999; • The Internal Audit Service of the Commission within the scope of the tasks entrusted by article 118 of the Financial Regulation and by article 49 of the Regulation (EC) No 1653/2004; • IDOC in line with Commission Decision of 12 June 2019 laying down general implementing provisions on the conduct of administrative inquiries and disciplinary proceedings - C(2019)4231 and Commission Decision (EU) 2019/165 of 1 February 2019 Internal rules concerning the provision of information to data subjects and the restriction of certain of their data protections rights in the context of administrative inquiries, pre-disciplinary, disciplinary and suspension proceedings; • The Court of Auditors within the tasks entrusted to it by Article 287 of the Treaty on the Functioning of the European Union of the EC Treaty and Article 20, paragraph 5 of Regulation (EC) No 58/2003; • The European Ombudsman within the scope of the tasks entrusted to it by Article 228 of the Treaty on the Functioning of the European Union; • The European Public Prosecutor’s Office within the scope of Article 4 of Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor’s Office.
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>Not applicable.</p>

13	<p>General description of the technical and organisational security measures</p> <p>Personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored on the servers of the European Commission. All processing operations are carried out pursuant to the Commission Decision (EU, Euratom) 2017/46 of 10 January 2017 on the security of communication and information systems in the European Commission.</p> <p>In order to protect personal data, the Agency has put in place a number of technical and organisational measures.</p> <p>Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed.</p> <p>Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.</p> <p>All files are stored electronically in the protected files of the (Deputy) Data Protection Officer (on computer and network drives with restricted access on a need to know basis). Some of those documents are also registered and stored in ARES (access to those documents is restricted via authentication). Documents, which the Data Protection Officer receives in paper format, are stored in locked cupboards of the DPO's Office.</p>
14	<p>Information to data subjects / Privacy Statement</p> <p>A Data Protection Notice (DPN) relevant to this data processing activity is available on the EACEA Intranet (link) and EACEA external website (link).</p>