



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°

05-2023

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.*
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Higher Education Reform Experts (HEREs) in the framework of the SPHERE Service contract

1	Last update of this record (where applicable)
	10/05/2023
2	Short description of the processing
	<p>EACEA collects and processes personal data in order to establish a network of Higher Education Reform Experts (HEREs) in the European Neighbourhood Regions. The purpose of the network is to create a support structure that will be an essential component in the implementation of the Erasmus+ programme (2021-2027). The HEREs will be used as multipliers of the European Higher Education Policies and related tools in order to disseminate information and knowledge in the respective countries. They act as interlocutors to provide feedback on the international dimension of the Erasmus+ Programme. They will have a key role in supporting the Erasmus+ programme's objectives and impact.</p> <p>HEREs personal data are also collected and processed by the service contractor offering a Centralised Support to the Network of HEREs (SPHERE) for the purpose of organising the activities foreseen in the tender, including via registration on a Virtual community website. As exchange with the Support Structure of the Erasmus+ National Focal Points (SPENFP) is encouraged for common events, surveys and working group personal data of HERE might also be made available to the SPENFP.</p> <p>The HEREs contact details will also be used for networking within that group and for meetings with, the EACEA, other Commission services, National Agencies, the National Erasmus+ Offices, local Erasmus+ stakeholders. It is foreseen that the HEREs and the above mentioned institutions will meet at networking events online and in person. Considering the variety of events and activities to be organised under the SPHERE service contract, additional processing might be carried out and further explained in the applicable data protection notice.</p>

Part 1 – Article 31 Record

3	Name of the Controller Unit(s) and/or function of person acting on behalf of the Controller
	<p>Controller: European Education and Culture Executive Agency Head of Unit A4 Erasmus+: Higher Education – International Capacity Building E-mail: EACEA-EPLUS-CBHE-PROJECTS@ec.europa.eu</p>
4	Contact details of the Data Protection Officer (DPO)
	EACEA-data-protection@ec.europa.eu
5	Name and contact details of joint controller (where applicable)
	N/A
6	Name and contact details of processor (where applicable)
	The SPHERE team runs the HERE platform on behalf of EUROPEAN EDUCATION AND CULTURE EXECUTIVE AGENCY (EACEA)

SPHERE Consortia: ASOCIACION OBSERVATORIO DE LAS RELACIONES UNION EUROPEA-AMERICA LATINA (OBREAL-GLOBAL OBSERVATORY)

Official legal form: Association

Statutory registration number: 29857

Full official address: Adolf Florensa 8, 08028 Barcelona, Spain

EUROPEAN UNIVERSITY ASSOCIATION

Official legal form: Association – Non profit organization (ASBL)

Statutory registration number: 477216541

Full official address: Avenue de l'Yser 24, 1040 Brussels, Belgium

7 Purpose of the processing

Nomination:

Higher Education Reform Experts (HEREs) constitute a network financed and coordinated through the Erasmus+ Programme. The experts are nominated by the National Authorities in some of the former Tempus Partner Countries (Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Georgia, Kosovo*, Moldova, Montenegro, Ukraine, Israel, Jordan, Lebanon, Palestine**, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan, Algeria, Egypt, Libya, Morocco, Tunisia), with the endorsement of the EU Delegations.

* All references to Kosovo should be understood in the context of UNSCR-1244(1999)

**This designation shall not be construed as recognition of a State of Palestine and is without prejudice to the individual positions of Member States on this issue

Activities:

The role of these experts is to promote the modernisation of higher education in their countries, by organising local activities with the support of the National Erasmus+ Offices (NEOs). The EACEA organises regular training and networking activities for the HEREs, through a service contract with an external service provider (the SPHERE team: "Support and Promotion for HEREs").

EACEA collects and stores personal data of the experts nominated by the Partner Countries. Certain details are also collected by the SPHERE team when experts register on the Erasmus Networks Platform: <https://erasmus-networks.ec.europa.eu/landing-page/au-homepage>.

The platform provides a mechanism of information, communication and coordination, to ensure a smooth functioning of the national teams of Higher Education Reform Experts. The web platform serves as a communication tool for the expert community, as a source of information and as a registration website for events. The personal data is collected so that the Agency and its service provider, the SPHERE team, can have regular contacts with the members of the HERE network for training and information purposes. Making the personal data visible to registered users also facilitates networking between individual HEREs. [Some personal data of the contractors staff \(names, position, contact details\) managing the platform is also visible by other users of the platform.](#)

The personal data collected is needed:

- i. To invite HEREs to register as users of the Erasmus Networks Platform, grant them access to the European Commission's MS Teams platform for specific events organised by EACEA
- ii. To contact interested members regarding calls for experts (e.g., to speak at an event), calls for participation or contribution (e.g., to take part in a working group, take part in mentoring activities, take part in workshops, seminars, conferences), which may also be part of a process of selecting candidates for activities with limited numbers of participants
- iii. To engage members in the Community activities on the platform and allow them to communicate, network and collaborate through posts, reactions and chats
- iv. To organise and manage online events (e.g. workshops, web-seminars, stakeholder meetings and round tables, online meetings, trainings, mentoring activities, peer-learning) through audio-visual conferencing and/or recording

- v. To offer and manage other online learning activities (e.g., self-assessments as part of the feedback after trainings)
- vi. To organise and manage physical events, including to contact the participants regarding organisational information (e.g., agenda, travel expenses, hotel, organising networking dinners and lunches in compliance with food allergies declared by participants); and to illustrate, promote or document the physical activities
- vii. To document conducted activities and showcase the best digital solutions by submitting digital artifacts (e.g., minutes, publications, reports, news items, case studies and/or other outputs)
- viii. To allow for the analysis of members' feedback on Community activities (the main objective being quality monitoring and improvement)
- ix. To monitor and evaluate the Community's growth by keeping track of the number of members, also in relation to represented sectors of education and training and members' geographical location
- x. to inform about results and developments, upcoming events and/or other related initiatives of the European Commission through a dedicated newsletter
- xi. To handle helpdesk inquiries and to provide technical support
- xii. To be able to provide inclusive and accessible settings at physical events.

The framework of the MS Teams collaborations is defined in the data protection record for the European Commission's Microsoft 365 environment ([reference No. DPR-EC-04966.4](#)). The personal data of registered members will not be used for any automated decision-making including profiling.

8 Description of the categories of data subjects

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)

- Agency staff
- Visitors to the Agency
- Contractors providing goods or services
- Applicants
- Relatives of the data subject
- Complainants, correspondents, and enquirers
- Witnesses
- Beneficiaries
- External experts
- Contractors

x Other, please specify: Experts nominated by Partner Countries to promote higher education reform, the designated staff of the NEOs, the EACEA, other EU Institutions (e.g. DG EAC), National Authorities (e.g. Ministries) and other academic experts invited to join the platform <https://erasmus-networks.ec.europa.eu/landing-page/au-homepage> set up and managed by the contractor.

9 Description of personal data categories

a) Categories of personal data:

- in the form of personal identification numbers
- concerning the physical characteristics of persons as well as the image and voice
- concerning the data subject's private sphere
- concerning pay, allowances and bank accounts
- concerning recruitment and contracts
- concerning the data subject's family
- concerning the data subject's career
- concerning leave and absences
- concerning missions and journeys
- concerning social security and pensions
- concerning expenses and medical benefits
- concerning telephone numbers and communications
- x concerning names and addresses (including email addresses)

x Other: please specify: title, academic title, gender, institution type, institution name, institution location, present position, qualification, field of expertise in higher education reform topics, academic field. Furthermore, whilst using the discussion forum function of the platform/MS Teams, data subjects can also submit any other personal data voluntarily.

b) Categories of personal data processing likely to present specific risks:

- data relating to suspected offences, offences, criminal convictions or security measures
- data being used to evaluate personal aspects of the data subject (ability, efficiency, conduct)

c) Categories of personal data whose processing is prohibited, with exceptions (art. 10):

- revealing racial or ethnic origin
- revealing political opinions
- revealing religious or philosophical beliefs
- revealing trade-union membership
- concerning health
- genetic data, biometric data for the purpose of uniquely identifying a natural person
- concerning sex life or sexual orientation

d) Specify any additional data or explanatory information on the data being processed, if any: _____

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Retention time (time limit for keeping the personal data)

The EACEA stores on the U-Drive personal data of nominated HEREs until the end of the Erasmus+ Programme in 2027, or until the end of their nomination if they are replaced before the end of the Programme.

The personal data of HEREs is kept on the platform and the dedicated Microsoft TEAMS channel for the duration of their nomination.

The personal data of the users of the Erasmus networks platform [HERE Network | Erasmus Networks Platform \(europa.eu\)](#) is kept up to three years following the last login. In case users request the deactivation of their profile or the profile is automatically deactivated, no data will be visible to other users. The data will be deleted and if users with a deactivated profile want to continue using the platform, they will need to register again.

Personal data collected on MS Teams is processed and stored in line with the applicable data protection record No. DPR-EC-04966.4 <https://ec.europa.eu/dpo-register/detail/DPR-EC-04966.4>

Personal data collected and processed via Webex is processed and stored in line with the applicable data protection record DPR-EC-05006.3 <https://ec.europa.eu/dpo-register/detail/DPR-EC-05006.3>

Is any further processing for historical, statistical or scientific purposes envisaged?

yes no

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Recipients of the data

Personal data will be made accessible on need-to-know basis to the authorised staff within the following recipients:

- EACEA,
- SPENFP service provider,
- European Commission services, in particular DG EAC, INTPA, NEAR,
- EU Delegations in third countries,
- European External Action Service,
- SPHERE service provider

The applicable privacy statement of the platform used for HEREs is the following: https://commission.europa.eu/privacy-policy-websites-managed-european-commission_en

Some personal data of the users of the platform (HEREs, Staff of Erasmus+ National Agencies, and Erasmus+ National Offices (NEOs), EACEA and DG EAC staff) is visible by other users of the platform.

These recipients include all the above and the:

- Erasmus+ National Agencies,
- Erasmus+ National Offices (NEOs),

Furthermore, by registering to the platform, email address and name of the HEREs will be accessible to the entire HEREs network through the platform.

Third party tools used: Microsoft Teams and Webex.

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:

- 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 **Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?**

For the organisation of certain events taking place in third countries, the booking of travels and accommodations of participants can be made either by the participants directly or by the contractor, which will require the collect and transfer of personal data into these third countries. Such booking and subsequent transfers of personal data will be made upon the explicit consent of the data subjects (Art 50.1(a)).

For these countries, the EU has not adopted an adequacy decision pursuant to Article 47 of Regulation (EU) 2018/1725, hence certifying that the personal data once transferred, will benefit from an adequate level of protection in the third country of destination. Therefore, the level of protection of the personal data transferred will depend on the law or practice of that third country and, as a result, the rights as regards data protection might not be equivalent to those in and EU/EEA country or a country with an adequacy decision.

Limited personal data from MS Teams might be transferred to the United States as foreseen in section 6 of data protection record No. DPR-EC-04966.4 <https://ec.europa.eu/dpo-register/detail/DPR-EC-04966.4>, and from Webex to the United States and the United Kingdom as foreseen in section 6 of the data protection record DPREC-05006.3 <https://ec.europa.eu/dpo-register/detail/DPR-EC-05006.3>.

13 **General description of the technical and organisational security measures**

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.

1. Organisational measures: 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.

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.

2. Technical measures: State of the art technical cybersecurity measures are implemented in the corporate systems, according to the security needs. Those measures are in constant evolution. The access to the EACEA building is protected and only persons with the right to enter are allowed.

The service contract is managed by the Asociación Observatorio de las Relaciones Unión Europea-América Latina (hereafter "Obreal – Global") , which is obliged by national law to apply a series of technical and organisations measures to ensure the protection of personal data. A data protection officer and a specific committee are responsible for ensuring that personal data are processed properly and kept secure in accordance with applicable regulations.

Once nominated, the HEREs are informed by EACEA about the processing of their data via a Data Protection Notice (DPN) by email.

In addition, when registering to the platform, users will be obliged to acknowledge they have read the DPN before they are allowed to register. The DPN will also be made available on the platform.

The contractors staff managing the platform and whose personal data is displayed in the restricted part will be informed accordingly by receiving the above mentioned DPN.