



Education, Audiovisual and Culture Executive Agency

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°

017-2019

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.*

| Leaves, absences and working patterns (this part may be public) | |
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| 1 | Last update of this record (where applicable) The relevant notification was last updated on 25/03/2013: <ul style="list-style-type: none"> • registration n°2013-04 teleworking • registration n°2013-02 leave and flexi time |
| 2 | Short description of the processing One of the main tasks of Unit RI is to manage the Human Resources policy of the Agency. |

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| | <p>This includes, among others, to implement Staff Regulations prescriptions related to staff leaves, absences and working patterns.</p> <p>Since 01/01/2010 most of the <u>time-related aspects of jobs management</u> have been transferred to Sysper. Staff members indicate leaves on this EC Corporate Tool. However, some operations (justificatory certificate for special leaves and unpaid leave) cannot be processed through Sysper and are thus done in paper form.</p> <p>Teleworking is one of the time management options that, together with the flexitime system, permit greater flexibility in the organisation of work and a better reconciliation of work and private life of Agency staff.</p> |
| Part 1 - Article 31 Record | |
| 4 | <p>Name of the Controller Unit(s) and/or function of person acting on behalf of the Controller</p> <p>Controller: Education, Audiovisual and Culture Executive Agency Head of Unit R1 (Human Resources, Administration, Communication) FACEA-HR@ec.europa.eu</p> |
| 5 | <p>Name and contact details of the Data Protection Officer (DPO)</p> <p>FACEA-data-protection@ec.europa.eu</p> |
| 6 | <p>Name and contact details of joint controller (where applicable)</p> <p>European Commission:</p> <ul style="list-style-type: none"> • DG DIGIT (DIGIT-SYSPER@ec.europa.eu) manages the Sysper IT tool |
| 7 | <p>Name and contact details of processor (where applicable)</p> <p>N/A</p> |
| 8 | <p>Purpose of the processing</p> <p>One of the main tasks of the HR Unit is to manage the Human Resources policies and procedures in the Agency. This include 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.</p> |
| 9 | <p>Description of the categories of data subjects</p> <p>Whose personal data are being processed?</p> <p><input checked="" type="checkbox"/> Agency staff (all Staff Members except for trainees and interim staff)</p> <p><input type="checkbox"/> Visitors to the Agency</p> <p><input type="checkbox"/> Contractors providing goods or services</p> |

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| | <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 | 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 <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 type="checkbox"/> concerning recruitment and contracts</p> <p><input checked="" type="checkbox"/> concerning the data subject's family; <u>family composition, name of family members, voluntary medical data</u></p> <p><input checked="" type="checkbox"/> concerning the data subject's career; <u>date of entry into service, function group and grade</u></p> <p><input checked="" type="checkbox"/> concerning leave and absences; <u>start and end date, reason for absence</u></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 <u>mobile phone number</u></p> <p><input checked="" type="checkbox"/> concerning names and addresses(including email addresses) <u>private e-mail address, place of telework</u></p> <p><input type="checkbox"/> Other: please specify: _____</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> |

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| | <input type="checkbox"/> revealing racial or ethnic origin <input checked="" type="checkbox"/> revealing political opinions <input type="checkbox"/> revealing religious or philosophical beliefs <input checked="" type="checkbox"/> revealing trade-union membership <input checked="" type="checkbox"/> concerning health <input type="checkbox"/> genetic data, biometric data for the purpose of uniquely identifying a natural person <input type="checkbox"/> concerning sex life or sexual orientation; d) Specify any additional data or explanatory information on the data being processed, if any: _____ |
| 11 | Retention time (time limit for keeping the personal data) Documents supporting special leave are stored for 4 years (section 12.3.14. of the Common Retention List (CRL)– Commission Decision SEC/2019/900 of 25/4/2019). The copy of the decisions on unpaid leave are 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). The overtime work table is stored for 4 years (12.3.14 CRL). 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 here . An excel table for telework administrative follow-up is stored for 4 years (12.3.14 CRL). Is any further processing for historical, statistical or scientific purposes envisaged? <input checked="" type="checkbox"/> yes <input type="checkbox"/> no If yes, indicate the further retention time: 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 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. If the answer is yes, please go to Part 2, Storage and Security for technical safeguards. |
| 12 | Recipients of the data EACEA HR Unit Line Manager Leave Manager Heads of Department EACEA Heads of Unit EACEA Director EACEA |

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| | <p>IT/Logistics Unit (only in case of necessity and only final decision)</p> <p>Designated financial teams in EACEA</p> <p>PMO Pay sector</p> <p>Medical Services of the Commission</p> <p>Staff members have the right to access and rectify their own data in Sysper.</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>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>1. Organisational measures:</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 is 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 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>2. Technical measures:</p> <p>Technical measures include the use of secure equipment (e.g. cupboards in a locked room) and IT-tools (including secure connections, firewalls, etc.) The Agency's IT systems 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. In this context a specific 'Information Security Technology Plan' is reviewed annually with a view to describe the implementation of the above rules and guidelines in EACEA. The procedures set out in the document must be applied to the Agency's IT systems to ensure the security of the stored data and they are based on the European Commission's standards on security.</p> <p>Paper copies: the paper versions are stored in locked cupboards and then in the archives of a locked room. The Server Rooms of the Agency are equally protected and locked.</p> |
| 15 | <p>Information to data subjects / Privacy Statement</p> <p>Privacy Statement with regards to teleworking can be found on the Intranet page (Link), the general Sysper IT Tool Privacy statement can be found in Sysper (Link). 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> |