



## 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°

11-2019

*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.

Probationary period report	
1	<b>Last update of this record (where applicable)</b> The relevant notification was last updated on 6/12/2011 (reference 2011-016).
2	<b>Short description of the processing</b> 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, the implementation of the probationary period, applicable to temporary and contract agents recruited by the Agency.
Part 1 - Article 31 Record	
3	<b>Name of the Controller</b> <b>Unit(s) and/or function of person acting on behalf of the Controller</b> Controller: Education, Audiovisual and Culture Executive Agency Unit(s): Unit R1 (Human Resources, Administration, Communication)

	<a href="mailto:EACEA-HR@ec.europa.eu">EACEA-HR@ec.europa.eu</a>
4	<b>Contact details of the Data Protection Officer (DPO)</b> EACEA-data-protection@ec.europa.eu
5	<b>Name and contact details of joint controller (where applicable)</b> N/A
6	<b>Name and contact details of processor (where applicable)</b> N/A
7	<b>Purpose of the processing</b> <p>The purpose of the processing is to evaluate the performance of a staff member during their first months at the service in order to decide whether to keep the temporary or contract staff member in their post.</p> <p>The probation report may also be used in the framework of the annual Career Development Report of the jobholder and the follow-up of individual training needs.</p>
8	<b>Description of the categories of data subjects</b> <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 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>
9	<b>Description of personal data categories</b> <p><b>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):</b></p> <p><b>a) Categories of personal data:</b></p> <p><input checked="" type="checkbox"/> in the form of personal identification numbers</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>

	<div data-bbox="276 203 1056 701"> <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 checked="" 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: please specify: participation in mandatory trainings. </div> <div data-bbox="276 730 1300 913"> <p><b>b) Categories of personal data processing likely to present <u>specific risks</u>:</b></p> <input type="checkbox"/> data relating to suspected offences, offences, criminal convictions or security measures  <input checked="" type="checkbox"/> data being used to evaluate personal aspects of the data subject (ability, efficiency, conduct) </div> <div data-bbox="276 947 1347 1478"> <p><b>c) Categories of personal data whose processing is <u>prohibited</u>, with exceptions (art. 10):</b></p> <input type="checkbox"/> revealing racial or ethnic origin  <input type="checkbox"/> revealing political opinions  <input type="checkbox"/> revealing religious or philosophical beliefs  <input type="checkbox"/> revealing trade-union membership  <input checked="" type="checkbox"/> concerning health <ul style="list-style-type: none"> <li>• In case of extension of the probationary period due to a maternity leave, sickness or an accident, data concerning health may be processed (cf. Art 34, paragraph 1, of the Staff Regulations, Art 14 paragraph 1 and Art 84 paragraph 1).</li> <li>• <b>Health data in the strict sense is never processed by the Agency</b></li> </ul> <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 </div> <div data-bbox="276 1525 1233 1585"> <p><b>d) Specify any additional data or explanatory information on the data being processed, if any:</b> _____</p> </div>
10	<div data-bbox="276 1619 989 1648" style="background-color: #f8d7da; padding: 2px;"> <b>Retention time (time limit for keeping the personal data)</b> </div> <div data-bbox="276 1682 1375 2047"> <ol style="list-style-type: none"> <li>1) The probationary report is stored in the staff 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 (section 12.3.7 of the Common Retention List (CRL)– Commission Decision SEC/2019/900 of 25/4/2019).</li> <li>2) The Decision of the Director to extend exceptionally the probationary period is stored the same way.</li> <li>3) The Decision of the Director on dismissal is filed in Ares where it is stored for 5 years (section 12.3.15 CRL) and in the 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 (section 12.3.7 CRL).</li> </ol> </div>

	<b>Is any further processing for historical, statistical or scientific purposes envisaged?</b> <input type="checkbox"/> yes <input checked="" type="checkbox"/> no
11	<b>Recipients of the data</b> <p>Access to personal data may be given on a need-to know basis to the following recipients:</p> <ul style="list-style-type: none"> <li>• Reporting Officer (EACEA)</li> <li>• Head of Unit concerned (EACEA)</li> <li>• Director of EACEA</li> <li>• Head of Department of EACEA</li> <li>• EACEA HR designated staff</li> <li>• Joint Committee (JC)</li> <li>• Medical Service of the European Commission</li> <li>• EACEA designated legal officer (in case of complaints)</li> <li>• DG HR in case of complaints under the SLA concerning the collaboration between DG HR and EACEA signed on 21 December 2017 –Ares(2018)127508.</li> </ul>
12	<b>Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?</b>  N/A
13	<b>General description of the technical and organisational security measures</b> <p><b>1. <u>Organisational measures:</u></b></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 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><b>2. <u>Technical measures:</u></b></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 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. The Server Rooms of the Agency are equally protected and locked.</p>
14	<b>Information to data subjects / Privacy Statement</b> <p>A specific privacy statement is available on the intranet under the Human resources section.(<a href="#">Link</a>)</p> <p>The procedure is, furthermore, explained to staff during the induction course when taking up duties.</p>