



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°

006-2020

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.

Transfer to the Member States

1	Last update of this record (where applicable) The first version of this record is from June 2020.
2	Short description of the processing This processing operation enables EACEA to answer requests submitted by Member States concerning personal data of their own national staff members. EACEA transfer personal data only for the purposes referred to in Article 15 of the Protocol (No 7) on Privileges and Immunities of the European Union annexed to the Treaties.

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 Unit(s): Unit R1 People, Workplace and Communication 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 processing operation is necessary to answer to requests filed by the Member States (namely Permanent Representations, Embassies, Ministries of Foreign or European Affairs or other national authorities).</p> <p>The Agency can share personal data for the purposes outlined art. 15(1) of the Protocol and most specifically in its articles 11, 12(2) and 13. More precisely, personal data can be shared in case of:</p> <ul style="list-style-type: none"> • article 11 (disputes between the EU and its personnel, import-export of one's furniture, car etc.), • article 12(2) (on exemption from national taxes of salaries, wages and emoluments paid by the Union), and • article 13 (on the country of actual residence and the domicile for tax purposes). <p>The Agency will not transfer the personal data of staff to the member states for other than the above purposes unless the staff members provide their explicit consent.</p>
8	<p>Description of the categories of data subjects</p> <p><input checked="" type="checkbox"/> Agency staff (Contract 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	<p>Description of personal data categories</p>
	<p>Depending on the request, the following categories of personal data can be transferred</p> <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 type="checkbox"/> concerning the physical characteristics of persons as well as the image, voice or fingerprints <input checked="" type="checkbox"/> concerning the data subject's private sphere <u>nationality (i.e. that they are nationals of the Member state/national authority sending the requests)</u> <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. <u>Category: contract agent, temporary agent and grades.</u> <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) <u>name and surname, professional e-mail address and professional address.</u> <input type="checkbox"/> Other: please specify: <p><i>b) Categories of personal data processing likely to present specific risks:</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> data relating to suspected offences, offences, criminal convictions or security measures <input type="checkbox"/> data being used to evaluate personal aspects of the data subject (ability, efficiency, conduct) <p><i>c) Categories of personal data whose processing is prohibited, with exceptions (art. 10):</i></p> <ul style="list-style-type: none"> <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 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 <p><i>d) Specify any additional data or explanatory information on the data being processed, if any:</i></p> <p>The information processed in the framework of this processing activity is the same as the information registered in Sysper2. The HR Unit does not keep any hard copies of these listings.</p>
10	<p>Retention time (time limit for keeping the personal data)</p> <p>Personal data are prepared and sent in electronic format (excel file) and then immediately deleted.</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>If yes, indicate the further retention time:</p> <p>If the answer is yes, please go to Part 2, Storage and Security for technical safeguards.</p>
11	<p>Recipients of the data</p> <p>Access may be given on a need-to-know basis to the following recipients:</p> <ul style="list-style-type: none"> • Permanent Representations of the Member States to the EU • Embassies of the Member States in Belgium • Ministries of foreign or European Affairs of the Member States • Other national authorities • Director of EACEA • Head(s) of Departments and Units of EACEA • EACEA designated HR staff • EACEA Data Protection Officer <p>In addition, in case of control or dispute, personal data can be shared with and processed by the bodies charged with a monitoring or inspection task in application of Union law in compliance with the applicable data protection rules and within the scope of their tasks entrusted by the relevant legislation. This includes, in particular, the following recipients:</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 European Anti-Fraud Office (OLAF); • The Internal Audit Service of the Commission • The Investigation and Disciplinary Office of the Commission (IDOC) • The European Court of Auditors • The European Ombudsman • The European Public Prosecutor’s Office • EU courts and national authorities
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>There are no transfers to third countries or international organisations.</p>
13	<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. <u>Organisational measures:</u></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.</p> <p>The HR responsible person collects and places the documents in a restricted file that is accessible</p>

	<p>only to designated HR staff on a need to-know basis.</p> <p>2. <u>Technical measures:</u></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>
14	<p>Information to data subjects / Privacy Statement</p> <p>EACEA staff members can find the relevant information in the Privacy Statement published on the Agency intranet (Staff categories/Contract and temporary agent) https://myintracomm.ec.europa.eu/dg/eacea/staff/categories/Pages/agents.aspx</p>