



European Research Council
Executive Agency

Established by the European Commission

RECORD OF PERSONAL DATA PROCESSING

Art. 31 of the 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 "Data Protection Regulation")

Record n°

DPO 37-2020

In accordance with Article 31 of the data protection regulation, individuals whose personal data are processed by the Executive Agency in any context whatsoever are to be protected with regard to the processing of personal data and the Executive Agency has to keep records of their processing operations.

This record covers two aspects:

1. Mandatory records under Art 31 of the data protection 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.

Flexitime, Leave and Absence Management

Flexitime, Leave and Absence Management		
1	Last update of this record if applicable	Leave management and flexitime notification (DPO 47-2012) Ares(2012)1122836 - 26/09/2012
2	Short description of the processing	One of the main tasks of the time-management (GECO) team in the HR Unit is to manage the Human Resources policy of the Agency. This includes, among others, the implementation of legal prescriptions of the Staff Regulations and other relevant legal bases related to staff leave, absences and working patterns, for which it is necessary to process some personal data of the staff members. Most of the processing operations necessary to the time-related aspects of time/jobs management have been

	<p>transferred to SYSPER. Staff members on their own initiative indicate leave on this EC Corporate Tool by encoding the information required by the relevant rules and procedures. However, some operations (justificatory certificate for special leave) cannot be processed through SYSPER and are thus done in paper form (though the absence and its approval is recorded in SYSPER).</p> <p>The flexitime system permits greater flexibility in the organisation of work and a better reconciliation of work and private life of Agency staff.</p> <p>Interim staff, intra-muros experts and Blue Book trainees are not subject to this Record.</p>
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Part 1 - Article 31 Record

3	Function and contact details of the controller	<p>Head of the Human Resources Unit (ERCEA.D.2)</p> <p>ERC-GECO@ec.europa.eu</p>
4	Contact details of the Data Protection Officer (DPO)	ERC-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)	<p>Directorate-General for Informatics (DG DIGIT)</p> <p>DIGIT-SYSPER2@ec.europa.eu</p> <p>European Commission Pay Master Office (PMO)</p> <p>PMO-AGENCIES-SALARIES@ec.europa.eu</p> <p>European Commission Directorate General Human Resources (DG HR) – Medical Service</p> <p>HR-MAIL-D3@ec.europa.eu</p>
7	Purpose of the processing	<p>The purpose of this processing operation is to manage the rights and obligations of ERCEA staff members relating to working times and conditions, including requests for part-time work, parental and family leave, annual leave and daily working hours to ensure the continuous functioning of the ERCEA and the services it provides.</p> <p>The Controller may envisage anonymous statistical analyses with the purpose of improving the quality of the processes and the management of human resources.</p> <p>Non-anonymised reports are also drawn from SYSPER Data Warehouse and QlikView in order to enable the Agency's management to keep an overview of the presence and absences of the staff in their subordination.</p>

8	<p>Description of the categories of data subjects</p>	<p>Whose personal data are being processed?</p> <p><input checked="" type="checkbox"/> EA staff (Contractual and temporary staff in active position)</p> <p>ERCEA statutory staff members (Contract Agents and Temporary Agents) and Seconded National Experts.</p> <p>Non-statutory staff-members: interim staff, intra-muros experts and Blue Book trainees are not subject to this Record.</p> <p><input type="checkbox"/> Visitors to the EA</p> <p><input type="checkbox"/> Contractors providing goods or services</p> <p><input type="checkbox"/> Applicants</p> <p><input checked="" 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"/> Other, please specify _____</p>
9	<p>Description of personal data categories</p> <p>Indicate all 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>Categories of personal data:</i></p> <p><input checked="" type="checkbox"/> in the form of personal identification numbers</p> <p>[Personnel number, ID documentation].</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 checked="" type="checkbox"/> concerning pay, allowances and bank accounts</p> <p>[Data necessary to determine the individual rights and financial entitlements related to parental and family leave, part-time, time credits, CCP: e.g. unique payroll number (NUP), results of absence-based calculations, contribution to pension scheme].</p> <p><input checked="" type="checkbox"/> concerning the data subject's family</p> <p>[Information on removals, marriage, maternity, birth, adoption, welcoming a new-born, illness of a relative, family leave. These include family composition, name, address, date of birth, date of adoption and any other relevant information necessary to assess the rights and obligations of the staff member].</p> <p><input checked="" type="checkbox"/> concerning recruitment, contracts and the data subject's career</p> <p>[Place of work (institution/agency, Department, Unit), administrative status, type and duration of contract, staff category, function group, grade, work description,</p>

probationary period(s), career history, years of service, date of entry into service, description of duties, training].

concerning leave and absences

[Information on leave or absence related to flexitime, annual, sick and special leave, work patterns (including leave on personal grounds) and other absences. This information comprises timeframe, travelling time (when applicable), time credits, working time and reasons, among others].

concerning missions and journeys

concerning social security and pensions

concerning expenses and medical benefits

concerning telephone numbers and communications

[Personal and professional phone numbers].

concerning names and addresses (including email addresses)

[Name, surname, administrative address, private address (permanent or temporary), private and professional e-mail address].

Other: please specify:

[Date of birth, gender, place of origin/nationality].

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)

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

revealing racial or ethnic origin

revealing political opinions

revealing religious or philosophical beliefs

revealing trade-union membership

[Special categories of personal data (such as information revealing political opinions, religious or philosophical activities or trade-union memberships) may be inferred, for instance, in the request for leave on personal grounds or special leave].

concerning health

[Information on sick leave, special leave, medical part-time

<p>10</p>	<p>Retention time (time limit for keeping the personal data)</p>	<p>and invalidity].</p> <p>[Requests concerning leave and absences for reasons related to health are described in the Record on “Processing of personal data related to health”].</p> <p><input checked="" type="checkbox"/> genetic data, biometric data for the purpose of uniquely identifying a natural person</p> <p>[Signatures on the different templates and forms].</p> <p><input type="checkbox"/> concerning sex life or sexual orientation</p> <p><i>Specify any additional data or explanatory information on the data being processed, if any:</i></p> <p>[The personal data processed may encompass more than one of the above categories].</p> <p>[Further information such as the justification in case of over time, the reasons for requesting the CCP and for not taking annual leave are also processed. This information may vary and therefore be related, for instance, to the staff member’s family, career or private sphere].</p> <p>[Moreover, data subjects may voluntarily disclose additional personal information not included under this section].</p> <p>[Note: In case of force majeure situations, the ERCEA may in these exceptional circumstances process additional personal data about health, as may be necessary to ensure the safety and well-being of our staff. Please refer to the DPN on Business Continuity for further information].</p> <p>Currently, the ERCEA applies by analogy the principles and the retention periods indicated in the Common Commission-Level Retention List SEC(2019)900/2 of 19 April 2019 (CRL).</p> <ul style="list-style-type: none"> - Personal files are retained for eight years after the termination of all rights of the person concerned and of any dependants, and for at least 100 years after the date of recruitment of the person concerned; - Documents supporting special leave are stored for four years; - The Excel tables used for administrative follow-up are kept for four years. <p>The retention periods for personal data encoded in SYSPER are governed by its privacy statement (here).</p> <p>Is any further processing for archiving purposes in the public interest, historical, statistical or scientific purposes envisaged? <input checked="" type="checkbox"/> yes <input type="checkbox"/> no</p> <p>Non-anonymised reports drawn from SYSPER Data Warehouse and QlikView are kept for up to 5 years. The ERCEA may also envisage anonymous statistical analyses with the purpose to improve the quality of the processes and the management of human resources.</p>
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11	Recipients of the data	<p>The persons with access to your personal data, on a need-to-know basis, are:</p> <ul style="list-style-type: none"> - Heads of services and Team Leaders having the role of Leave Validator in SYSPER; - The members of the HR Unit and authorised personnel dealing with flexitime, leave and absence management; - The AHCC (Authority Empowered to Conclude Contracts of Employment), i.e., the ERCEA's Director; - Authorised staff members in the IT Unit (D.1) and DG DIGIT in charge of developing, hosting and maintaining the system; - Services of the European Commission: DG HR, the Medical Service of the European Commission and the PMO; - The Joint Committee in cases of part-time work requests, where necessary. <p>In addition, certain administrative details may be disclosed, in compliance with the relevant current legislation and established case law, and on a temporary basis to legislative or supervisory bodies of the ERCEA, as well as auditing bodies or courts.</p>
12	Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?	N/A
13	<u>General</u> description of the technical and organisational security measures	<p>Physical security/Organisational measures (access to computer systems, quality of the file supports, public access or restricted access to locations, paper storage, transport of equipment, etc.)</p> <p>All leave-related information is saved in SYSPER, one of the human resources databases which belong to the European Commission. The datasets are safeguarded in the Commission's Data Centre in Luxembourg, to which access is limited to certain members of the security personnel and restricted by badge and code use.</p> <p>Paper files are used when dealing with supporting documents for special leave. They are kept in binders and a locked cupboard by the GECO.</p> <p>The paper files for the single parent and CCP approved requests are stored in the personal file, placed in a locked archive room to which access is restricted to authorised staff members of the HR Unit D.2 only.</p> <p>IT security (coding control, undue removal or transmission of data, passwords, encrypted directories, backup, audit trails for data processing and communication, etc.)</p> <p>ECAS authentication is required for any</p>

		<p>modification/updating of the information contained in the ERCEA Directory.</p> <p>Logical access to SYSPER is safeguarded by the numerous defensive measures implemented by the Informatics DG to protect the integrity and confidentiality of the electronic assets of the institution.</p>
14	<p>Information to data subjects/Data Protection Notice (DPN)</p>	<p>A Data Protection Notice is available on the intranet page of the Agency under Data Protection & Privacy - Leave and Flexitime Privacy Statements:</p> <p>http://intranet.ercea.cec.eu.int/services/human-resources/priv/Pages/Absence.aspx</p> <p>The privacy statement of SYSPER may be found at:</p> <p>https://myintracomm.ec.europa.eu/staff/EN/technical-assistance/Pages/sysper-privacy-statements.aspx</p> <p>The DPN on Processing Health Data and Administrative Information linked to Health may be found at:</p> <p>http://intranet.ercea.cec.eu.int/services/human-resources/priv/Pages/Health.aspx</p>