



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 17-2020

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

Management of training requests and training activities of ERCEA staff

1	Last update of this record if applicable	DPO 30-2012 Ares(2012)1174049 - 05/10/2012
2	Short description of the processing	The ERCEA gives staff members the opportunity to participate in a wide range of training activities. These activities are offered either centrally by DG HR Services, by other Commission services or, upon a specific request, internally by the Agency. To organise these training activities, the ERCEA processes personal data to plan, develop, organise, communicate, manage, evaluate, report on, reimburse, purchase and pay training and team building activities in line with the

Learning and Development Framework and the Agency's needs.

Part 1 - Article 31 Record

3	Function and contact details of the controller	Head of the Human Resources Unit (ERCEA.D.2) ERC-TRAINING@ec.europa.eu
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)	Directorate General Human Resources, Learning and Development Unit (DG HR.B.3) HR-EU-LEARN@ec.europa.eu Directorate-General for Informatics (DG DIGIT) DIGIT-SYSOPER2@ec.europa.eu DIGIT-EUSURVEY-SUPPORT@ec.europa.eu External providers to which ERCEA staff members may enrol for a training on a case-by-case basis. The external providers vary according to the specific needs and requests.
7	Purpose of the processing	Training of ERCEA staff is a key requirement for the proper implementation of the Agency's work. Every year training priorities are developed in the Learning and Development Framework (LDF). The LDF serves as a tool for both management and staff to ensure that the staff development is in line with the needs for fulfilment of the overall mission of the Agency, but also individual career development. In this framework, the ERCEA processes personal data to plan, develop, organise, communicate, manage, evaluate, report on, reimburse, purchase and pay training and team building activities in line with the LDF objectives and Agency's needs. The Controller or the ERCEA in general may envisage anonymous statistical analyses with the purpose of improving the quality of the processes and the management of human resources.

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 (Contract and temporary staff in active employment) including EA staff from other agencies</p> <p><input type="checkbox"/> Visitors to the EA</p> <p><input checked="" type="checkbox"/> Contractors providing goods or services External trainers including coaches, and other contractors providing training activities.</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 checked="" type="checkbox"/> External experts</p> <p><input checked="" type="checkbox"/> Other, please specify: trainees and interim workers, intra-muros, EC staff.</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 [Personnel Numbers for staff members/participants to the activities, VAT number for external trainers]</p> <p><input checked="" type="checkbox"/> concerning the physical characteristics of persons as well as the image, voice or fingerprints [Pictures]</p> <p><input type="checkbox"/> concerning the data subject's private sphere</p> <p><input checked="" type="checkbox"/> concerning pay, allowances and bank accounts [Bank account number, bank name and address, registration and/or examination fees, cost of the training including travelling fees, proof of payment (bank statement), TVA (if applicable) and amount to be reimbursed] ,]</p> <p><input checked="" type="checkbox"/> concerning recruitment and contracts [Staff category, grade and contracts awarded]</p> <p><input type="checkbox"/> concerning the data subject's family</p> <p><input checked="" type="checkbox"/> concerning the data subject's career [Name and place of the training activity, priority (current job or future professional development), justification, languages, learning status (current, pending, recommended, completed and cancelled courses), course enrolment status (in wish list, personal syllabus, requested, approved, cancelled, enrolled, failed, in progress, not approved, passed, concluded, not evaluated, waiting, unblocked), administrative status, Institution/Agency, Unit,</p>

	<p>department, training passports (learning path), CVs of external trainers]</p> <p><input checked="" type="checkbox"/> concerning leave and absences</p> <p>[Status of participation (present, absent, withdrawn, force majeure where applicable), start and end dates and duration of trainings, certificate of attendance, total number of training hours, duration of the examination]</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</p> <p>[Professional phone number]</p> <p><input checked="" type="checkbox"/> concerning names and addresses (including email addresses)</p> <p>[First name, last name, name and address of the training body, office location and professional e-mail address (optional: secondary email address)]</p> <p><input checked="" type="checkbox"/> Other :please specify:</p> <p>[Car licence plate numbers may also be provided to contractors for parking reservations]</p> <p><i>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 checked="" type="checkbox"/> data being used to evaluate personal aspects of the data subject (ability, efficiency, conduct)</p> <p>[Final evaluations from staff members of training activities, ratings and comments via EU Learn and other evaluations]</p> <p><i>Categories of personal data whose processing is <u>prohibited</u>, with exceptions (art. 10 new Regulation):</i></p> <p><input type="checkbox"/> revealing racial or ethnic origin</p> <p><input type="checkbox"/> revealing political opinions</p> <p><input type="checkbox"/> revealing religious or philosophical beliefs</p> <p><input type="checkbox"/> revealing trade-union membership</p> <p><input checked="" type="checkbox"/> concerning health</p> <p>[Dietary requirements for the preparation of team buildings]</p> <p><input checked="" type="checkbox"/> genetic data, biometric data for the purpose of uniquely identifying a natural person</p>
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		<p>[Signatures on documents (e.g. presence lists and applications forms)]</p> <p><input type="checkbox"/> concerning sex life or sexual orientation</p>
10	<p>Retention time (time limit for keeping the personal data)</p>	<ul style="list-style-type: none"> • All training records in EU Learn are kept for the duration of the staff member's career and for 5 years after the end of the service or contract. • Paper and electronic files (such as training requests, purchase orders, contracts, CVs of external trainers, presence lists) are kept for at least 5 years determined under the Financial Regulations as a justification document for the payment of debit notes under SLAs and of the external contractor's invoices. • Evaluations forms completed by ERCEA staff members and submitted via EU Learn are kept for the duration of the framework contract with the contractor. • The EPI and SIN excel lists available on the ERCEA intranet remain on the intranet page as long as they are active staff members of the ERCEA or they request not to be included on the lists. • The ERCEA might envisage anonymous statistical analyses in the future with the sole purpose of improving the quality of the processes and the management of Human Resources. However, the retention periods mentioned above will for sure, not be increased for this further purpose. <p>Is any further processing for archiving purposes in the public interest, historical, statistical or scientific purposes envisaged?</p> <p><input type="checkbox"/> yes <input checked="" type="checkbox"/> no</p>
11	<p>Recipients of the data</p>	<p>Access to personal data is provided only to staff responsible for carrying out this processing operation and to authorised staff according to the “need to know” principle. Such staff abide by statutory, and when required, additional confidentiality agreements.</p> <p>The persons having access to candidates' personal data, on a need-to-know basis, are:</p> <ul style="list-style-type: none"> - ERCEA authorised personnel in the HR Unit D.2 - ERCEA Heads of Sector, Heads of Unit, Heads of Department and Team Leaders (EU Learn training approval workflow) - ERCEA IT Solutions and Services D.1 - ERCEA Units providing Intra-Agency courses - DG HR, Learning and Development Unit (DG HR.B.3) - Other European Commission Services and Agencies organising training activities and responsible for their planning and administering (e.g. DG RDT, BUDG, REA, EASME, etc.) - DG DIGIT EU Learn and EU Survey Support Team, - EUSA (European School of Administration) - OIB (Office for Infrastructure and logistics) - External contractors (training service providers) and trainers. - Suppliers of externally hosted online learning-related

		<p>platforms will have access to the identification data required to access the platform and to the results of the learning-related activities that occurred on their platform.</p> <ul style="list-style-type: none"> - For the organisation of job shadowing, conversation tables and coaching sessions: staff members (hosts) in other Units and Agencies. - Through EU Learn, participants can also see the names, e-mail, Institution/Agency and department, ratings and comments of the co-participants in the training activities. <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 and courts.</p>
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>The ERCEA does not plan to transfer personal data to third countries or international organisations, however, on exceptional basis it may happen that for answering a specific request from a staff member, trainings are organised in third countries or international organisations. If this will be the case, the transfer will happen only if all the necessary safeguards measures are in place.</p>
13	<p><u>General</u> description of the technical and organisational security measures</p>	<p>Include a general description of your technical and organisational security measures that you could also provide to the data subjects and general public.</p> <p>Physical security</p> <ul style="list-style-type: none"> - Access to the two server rooms is restricted to the LSA team and the HoU D.1, controlled by badge and pin code. - Paper files are stored in D.2/Training locked cupboards that are accessible to authorised staff members only. - Access to the DIGIT datacentre is restricted to DIGIT authorized staff; it is controlled by badge and pin code. <p>IT security</p> <ul style="list-style-type: none"> - ERCEA HR Shared Drive: Access to the Shared Drive is only given to authorised staff members of the HR Unit in charge of the monitoring of the processes. - Outlook: the user needs to log onto the Windows Environment or onto the Outlook WebApp (available via https://myremote.ec.europa.eu and protected via a two-way authentication methodology) to have access to his/her email account. In addition, the HR Unit recommends to all the internal stakeholders involved in the process to exclusively use the encrypted (S/MIME aka SECEM) security system. - Access to LSO functional mailboxes related to EPI-SIN application forms is restricted to authorised members of the ERCEA staff.

		<ul style="list-style-type: none"> - ARES: is protected with the European Commission's EU Login authentication system. - Access to EU Learn and EU Survey is restricted by passwords.
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:</p> <p>http://intranet.ercea.cec.eu.int/services/human-resources/priv/Pages/Training.aspx</p> <p>The Data Protection Notice on the Assessment of the Ability to Work in a Third Language [Art. 45(2) of the Staff Regulations] is available under:</p> <p>http://intranet.ercea.cec.eu.int/services/human-resources/career/Pages/Article-45-(2)---3rd-language.aspx</p> <p>The Privacy Policy of EU Learn can be found in the following link:</p> <p>https://webgate.ec.europa.eu/ilp/pages/external-dashboard.jsf?dashboardId=805652</p> <p>The Privacy Statement of EU Survey may be found in the following link:</p> <p>https://ec.europa.eu/eusurvey/home/privacystatement</p> <p>For further information concerning other types of processing of personal data, please refer to the ERCEA intranet – Data protection & Privacy:</p> <p>http://intranet.ercea.cec.eu.int/services/human-resources/priv/Pages/default.aspx</p> <p>Before entering into a contract, ERCEA informs external contractors and trainers about the processing of personal data in the “Request to submit an offer” (point 12) and in the general conditions for low-value contracts (that include a reference to the data protection notice) attached to the draft purchase order. Link to the General conditions for low value contracts:</p> <p>http://ec.europa.eu/budget/contracts_grants/info_contracts/lowVal_contracts/LowVal_contracts_en.cfm</p>