

## DATA CONTROLLER

### RECORD OF PERSONAL DATA PROCESSING

[Art. 31 of the new Regulation (previous Art 25 Notification of (EC) 45/2001 of the European Parliament and the Council of 18 December 2000)]

Record n°

**DPO 74-2018**

(N° provided by the Data  
Protection Officer)

*In accordance with Article 31 of the new 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 new 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.*

### Procedure for the granting of advance of salary

1	<b>Last update of this record if applicable</b>	[N/A ]
2	<b>Short description of the processing</b>	A staff member who wants to request for an advance of salary is invited to talk to the Head of Unit D2 or the Head of sector 'Human Resources'. The aim of this meeting is to assess the need for the salary advance and to ensure that such a possible advance will not worsen the situation of the staff member and that appropriate measures are taken to improve the situation and possible help with additional measures and/or advice is given to the staff member. During this meeting, the staff member may need to show documents explaining the situation being encountered and supporting the request.



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The advance of salary may be granted for exceptional reasons such as sickness, divorce, death, fire etc...  
The request for a salary of advance from the ERCEA has to be a last resource. Staff should first to resort to other alternatives (such as ask for a loan in the bank) unless in cases of extreme urgency.  
No supporting documents are stored by Unit D2.  
If the advance of salary fulfils the requirements above mentioned, the Head of Unit D2 will write a note to the Director referring to the meeting held with the Staff member. The personal data mentioned by this note will be: the personal number of the staff member concerned, the personal reasons at the origin of the request, the list of the documents provided and an explicit mention to the fact that the documents were returned by hand to the staff member at the end of the meeting.  
This note is stored in the personal file (ARES with the marking 'Staff matters', thus ensuring restricted access).  
The final decision granting the advance of salary is notified by the Director to the member of staff via ARES with the marking 'Staff matters'.

3	<b>DPO consultation</b>	8 <sup>th</sup> October 2018
4	<b>Approval of controller</b>	Upon full completion of record and threshold check.


**Part 1 - Article 31 Record  
(may be published)**

5	<b>Name and/or function and contact details of controller</b>	Bruno WASTIN Bruno.Wastin@ec.europa.eu Head of Unit D.2. Human Resources
6	<b>Name and contact details of DPO</b>	Cristina GANGUZZA ERC-DATA-PROTECTION@ec.europa.eu
7	<b>Name and contact details of joint controller (where applicable)</b>	N/A
8	<b>Name and contact details of processor (where applicable)</b>	N/A
9	<b>Purpose of the processing</b>	Establishment and analyse of individual files for granting an advance of salary to working staff in active employment. A member of staff who encounters financial problems may request for an advance of salary in exceptional circumstances. The request for a salary advance from the ERCEA has to be a last resource; staff should first try to resort to other alternatives (for example, ask for a bank loan) unless in cases of extreme urgency.

<p>Eur 10</p> <p>Estab</p>	<p><b>Legal basis and lawfulness<sup>1</sup> for processing (see Art 5 of the new Regulation):</b></p> <p>[tick as appropriate]</p> <p><input checked="" type="checkbox"/> (a) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body</p> <p><input type="checkbox"/> (b) necessary for compliance with legal obligation incumbent on controller</p> <p><input type="checkbox"/> (c) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;</p> <p><input type="checkbox"/> (d) consent</p> <p><input type="checkbox"/> (e) vital interest (of the data subject or another person)</p>	<p>Articles 30, 76 and 98 of the Conditions of Employment of other servants of the European Union</p>
<p>11</p>	<p><b>Description of the categories of data subjects</b></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><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 (partners and/or family members officially residing at the same address as the member of staff )</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 checked="" type="checkbox"/> Other:</p>

<sup>1</sup> Lawfulness means that personal data must only be processed when data controllers have a legal ground for processing the data. It should also be assessed whether processing is unexpected for data subjects, e.g. before staff re-uses data for a different purpose than the one they were initially collected for, or because two formerly separate databases were merged or interconnected by new legislation. In case you rely on consent, make sure it is valid, free and informed.

<p>Eur 12</p> <p>Estab</p>	<p><b>Description of personal data categories</b></p> <p>Indicate <b>all</b> the categories of personal data processed:</p>	<p><i>Categories of personal data:</i></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> in the form of personal identification numbers</li> <li><input type="checkbox"/> concerning the physical characteristics of persons as well as the image, voice or fingerprints</li> <li><input checked="" type="checkbox"/> concerning the data subject's private sphere</li> <li><input checked="" type="checkbox"/> concerning pay, allowances and bank accounts</li> <li><input type="checkbox"/> concerning recruitment and contracts</li> <li><input checked="" type="checkbox"/> concerning the data subject's family</li> <li><input type="checkbox"/> concerning the data subject's career</li> <li><input type="checkbox"/> concerning leave and absences</li> <li><input type="checkbox"/> concerning missions and journeys</li> <li><input type="checkbox"/> concerning social security and pensions</li> <li><input type="checkbox"/> concerning expenses and medical benefits</li> <li><input type="checkbox"/> concerning telephone numbers and communications</li> <li><input checked="" type="checkbox"/> concerning names and addresses (including email addresses)</li> <li><input type="checkbox"/> Other: some personal data (name, private address, professional status) partners and/or family members officially residing at the same address as the member of staff</li> </ul> <p><i>Categories of personal data processing likely to present <u>specific risks</u>:</i></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> data relating to suspected offences, offences, criminal convictions or security measures</li> <li><input type="checkbox"/> data being used to evaluate personal aspects of the data subject (ability, efficiency, conduct)</li> </ul> <p><i>Categories of personal data whose processing is <u>prohibited</u>, with exceptions (art. 10 new Regulation):</i></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> revealing racial or ethnic origin</li> <li><input type="checkbox"/> revealing political opinions</li> <li><input type="checkbox"/> revealing religious or philosophical beliefs</li> <li><input type="checkbox"/> revealing trade-union membership</li> <li><input checked="" type="checkbox"/> concerning health</li> <li><input type="checkbox"/> genetic data, biometric data for the purpose of</li> </ul>
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Eur Estat		uniquely identifying a natural person <input type="checkbox"/> concerning sex life or sexual orientation  <i>Specify any additional data or explanatory information on the data being processed, if any:</i>  N/A
13	<b>Retention time (time limit for keeping the personal data)</b>	Data is conserved for 10 years after the closure of the file as per Common Retention List SEC (2012) 713, category 12.3.2.  Is any further processing for historical, statistical or scientific purposes envisaged? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no  If yes, indicate the further retention time. N/A
14	<b>Recipients of the data</b>	ERCEA Director HR Head of Unit HR Head of Sector Financial/HR officer on a need to know and need to do basis Unit D0 Manager of the payment authorisation for the data subject file.
15	<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
16	<b>General description of security measures</b>	The different notes, decisions and notifications mentioned in the procedure on Advance of salary will be registered and filed in ARES. Staff members will be granted user rights in the appropriate files for reading and filing, on a need to know basis (i.e. the Unit D0 file manager who authorizes the payment). Staff members involved in the process will use the appropriate security markings in order to ensure the appropriate confidentiality level and efficient management of the requests.
17	<b>Specific Privacy Statement</b>	 Acrobat Document

**Part 2 - Compliance Check and Risk Screening  
(internal only– not to be published)**

**Compliance check (Articles 4 and 5)**