



**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 45 -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

### Teleworking from abroad requests during the COVID-19 pandemic

1	Last update of this record if applicable	N/A
2	Short description of the processing	<p>Telework allows staff members to work from outside their place of employment by making use of modern information technologies. In response to the COVID-19 pandemic, telework from home at the place of employment has been the default work arrangement for most staff members. In certain situations, staff members may request to telework from a place other than their place of employment, i.e. outside of Belgium, on an exceptional and duly justified basis to ensure business continuity while taking into consideration individual circumstances.</p> <p>Staff members submit their request through the available form via email to their line manager, explaining the reasons of their request. The line manager will then forward the</p>

		request either to the GECO team, in case other time management solutions appear more suitable or, in case the request could qualify as a request for TW from abroad to the Advisory Committee with a statement on the reasoning of his/her assessment. The Advisory Committee will assess the request and present their opinion to the AHCC for final decision.
<b>Part 1 - Article 31 Record</b>		
3	<b>Function and contact details of the controller</b>	ERCEA Director  <a href="mailto:ERC-GECO@ec.europa.eu">ERC-GECO@ec.europa.eu</a>
4	<b>Contact details of the Data Protection Officer (DPO)</b>	<a href="mailto:ERC-DATA-PROTECTION@ec.europa.eu">ERC-DATA-PROTECTION@ec.europa.eu</a>
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>	Directorate-General for Informatics (DG DIGIT)  <a href="mailto:DIGIT-SYSOPER2-INTERNALSUPPORT@ec.europa.eu">DIGIT-SYSOPER2-INTERNALSUPPORT@ec.europa.eu</a>
7	<b>Purpose of the processing</b>	<p>The purpose of the processing of personal data in the context of teleworking from abroad is to:</p> <ul style="list-style-type: none"> <li>- Assess teleworking from abroad requests while taking into consideration the needs of the service and the applicable guidelines;</li> <li>- Establish (and occasionally adapt or cancel) teleworking from abroad agreements;</li> <li>- Ensure the administration, the follow-up and the implementation of teleworking from abroad in the context of the COVID-19 pandemic.</li> </ul> <p>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.</p>
8	<b>Description of the categories of data subjects</b>	<p>Whose personal data are being processed?</p> <p><input checked="" type="checkbox"/> <b>EA staff (Contractual and temporary staff in active position)</b></p> <p>[Temporary Agents and Contract Agents].</p> <p><input type="checkbox"/> Visitors to the EA</p> <p><input type="checkbox"/> Contractors providing goods or services</p>

		<input type="checkbox"/> Applicants <input checked="" type="checkbox"/> <b>Relatives of the data subject</b> <input type="checkbox"/> Complainants, correspondents and enquirers <input type="checkbox"/> Witnesses <input type="checkbox"/> Beneficiaries <input checked="" type="checkbox"/> <b>External experts</b> [Seconded National Experts]. <input type="checkbox"/> Other, please specify _____
<b>9</b>	<b>Description of personal data categories</b>  Indicate <b>all</b> the categories of personal data processed and specify which personal data are being processed for each category (between brackets under/next to each category):	<i>Categories of personal data:</i> <input checked="" type="checkbox"/> <b>in the form of personal identification numbers</b> [Personnel number]. <input type="checkbox"/> concerning the physical characteristics of persons as well as the image, voice or fingerprints <input checked="" type="checkbox"/> <b>concerning the data subject's private sphere</b> [The reasons provided by the staff members as severe hardship may concern their private sphere]; [Justification reasons related to: circulation restrictions, distance]. <input type="checkbox"/> concerning pay, allowances and bank accounts <input checked="" type="checkbox"/> <b>concerning recruitment and contracts, leave and absences</b> [E.g. Unit, period of the teleworking, full-time or part-time working patterns, annual leave]. <input checked="" type="checkbox"/> <b>concerning the data subject's family</b> [Justification reasons related to, e.g., staff member's parents, spouse, recognise partner, children]. <input type="checkbox"/> concerning the data subject's career <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"/> <b>concerning telephone numbers and communications</b> [Private telephone number/phone transfer]. <input checked="" type="checkbox"/> <b>concerning names and addresses (including email addresses)</b>

		<p>[First name, last name, professional email address, place of telework (home address or other address provided by the data subject)].</p> <p><input checked="" type="checkbox"/> <b>Other:</b></p> <p>[Work-related data: e.g. type of tasks to be performed during teleworking and/or outputs during teleworking, suitability of tasks, performance, justification and compatibility with the interest of the service].</p> <p>[Further supporting documents may be requested to confirm the statements made in the requests, e.g., proof of circulation restrictions applicable in a Member State, proof of residence in a Member State].</p> <p><i>Categories of personal data processing likely to present specific risks:</i></p> <p><input type="checkbox"/> data relating to suspected offences, offences, criminal convictions or security measures</p> <p><input type="checkbox"/> data being used to evaluate personal aspects of the data subject (ability, efficiency, conduct)</p> <p><i>Categories of personal data whose processing is prohibited, 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"/> <b>concerning health</b></p> <p>[Justification reasons related to health: e.g. serious illness of a family member, health condition, disability].</p> <p><input type="checkbox"/> genetic data, biometric data for the purpose of uniquely identifying a natural person</p> <p><input type="checkbox"/> concerning sex life or sexual orientation</p> <p><b>Specify any additional data or explanatory information on the data being processed, if any:</b></p> <p>[Staff members may voluntarily disclose additional personal information].</p>
10	Retention time (time limit for keeping the personal data)	<p>Personal data processed in order to assess the requests to telework from abroad including the registries stored in the Shared Drive are kept for up to four years.</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>The ERCEA may envisage anonymous statistical analyses with the purpose to improve the quality of the processes</p>

		and the management of human resources.
11	<b>Recipients of the data</b>	<p>The persons with access to your personal data, <b>on a need-to-know basis</b>, are:</p> <ul style="list-style-type: none"> <li>- The ERCEA's Director and the line managers of staff (as the case may be: Heads of Department, Unit or Sector);</li> <li>- Authorised personnel of Unit D.2 - "Human Resources" responsible for time management;</li> <li>- Members of the Advisory Committee, consisting of a representative of the HR Unit, a representative of the Legal Unit and a member of the Agency's Management Team;</li> <li>- Authorised staff members in the IT Unit (D.1) and DG DIGIT in charge of developing, hosting and maintaining the system.</li> </ul> <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	<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>Physical security</b></p> <ul style="list-style-type: none"> <li>- Access to the two server rooms is restricted to the LSA team and the HoU D.1, controlled by badge and pin code.</li> <li>- Access to the DIGIT datacenter is restricted to DIGIT.</li> <li>- Authorized staff; it is controlled by badge and pin code.</li> </ul> <p><b>IT security</b></p> <ul style="list-style-type: none"> <li>- ERCEA HR Shared Drive: Access to the Shared Drive is only given to authorised staff members of the HR Unit in charge of the process.</li> <li>- Outlook: the user needs to log onto the Windows Environment or onto the Outlook WebApp (available via <a href="https://myremote.ec.europa.eu">https://myremote.ec.europa.eu</a> 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.</li> <li>- Access to the functional mailbox (FMB) <a href="mailto:ERC-GECO@ec.europa.eu">ERC-GECO@ec.europa.eu</a> is restricted to authorized personnel.</li> <li>- SYSPER is the HR Information System of the European Commission, access to personal data is protected by the management of the access rights which are strictly limited to authorised personnel.</li> </ul>

14	<b>Information to data subjects/Data Protection Notice (DPN)</b>	<p>A Data Protection Notice is available on the intranet page of the Agency under Data Protection &amp; Privacy - Leave and Flexitime Privacy Statements:</p> <p><a href="http://intranet.ercea.cec.eu.int/services/human-resources/priv/Pages/Absence.aspx">http://intranet.ercea.cec.eu.int/services/human-resources/priv/Pages/Absence.aspx</a></p> <p>The privacy statement of SYSPER may be found at:</p> <p><a href="https://myintracomm.ec.europa.eu/staff/EN/technical-assistance/Pages/sysper-privacy-statements.aspx">https://myintracomm.ec.europa.eu/staff/EN/technical-assistance/Pages/sysper-privacy-statements.aspx</a></p>
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