



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 35-2020

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

Termination of service of ERCEA statutory staff

1	Last update of this record if applicable	End of Service: DPO 51-2012 Ares(2012)1174128 - 05/10/2012
2	Short description of the processing	The European Research Council Executive Agency (ERCEA) processes personal data of contract and temporary staff in the context of the termination of service with the ERCEA or, in the context of mobility, preceding mobility to a different ERCEA service. Moreover, personal data is processed following the suspension or termination of secondment of National Experts (SNEs). The termination of the service of statutory staff members in the ERCEA, or in an ERCEA service, can occur for

		reasons of mobility, resignation, end of contract, retirement, invalidity or death. The personal data of staff is used to ensure the individual rights of staff following the end of their service, to return ERCEA property and close all files, as well as to ensure an adequate hand-over of the files treated by ERCEA staff.
Part 1 - Article 31 Record		
3	Function and contact details of the controller	Head of the Human Resources Unit (ERCEA.D.2) ERC-RECRUITMENT@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)	European Commission Directorate General Human Resources (DG HR) Directorate General for Informatics (DG DIGIT) DIGIT-SYSPER2@ec.europa.eu Pay Master Office (PMO) PMO-BRU-ENTRY-INTO-SERVICE@ec.europa.eu
7	Purpose of the processing	Personal data is processed in order to manage the end of service of a staff member in the ERCEA as well as to ensure the smooth running of the ERCEA's operations. The processing is consequently necessary in the interest of the staff member and for the management and functioning of the ERCEA. The documents used in all cases related to the end of service (mobility, resignation, retirement, end of contract, invalidity and death) are used to determine the individual rights and financial entitlements of the staff members in these situations as well as to guarantee the follow-up of the tasks linked to a job as well as the retention of knowledge. The Controller may envisage anonymous statistical analyses with the purpose of improving the quality of the processes and the management of human resources.
8	Description of the categories of data subjects	Whose personal data are being processed? In case data categories differ between different categories of persons, please explain as well (e.g. suspects vs. witnesses in administrative inquiries) ☒ EA staff [Contract Agents, Temporary Agents].

		☐ Visitors to the EA ☐ Contractors providing goods or services ☐ Applicants ☒ Relatives of the data subject ☐ Complainants, correspondents and enquirers ☐ Witnesses ☐ Beneficiaries ☒ External experts [Seconded National Experts]. ☒ Other , please specify: European Commission staff.
9	Description of personal data categories 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):	<i>Categories of personal data:</i> ☒ in the form of personal identification numbers [ERCEA personnel number]. ☒ concerning the physical characteristics of persons as well as the image, voice or fingerprints [Photograph of the staff member on the badge]. ☐ concerning the data subject's private sphere ☒ concerning pay, allowances and bank accounts [Data necessary to determine the end-of-contract individual rights and financial entitlements of staff (e.g., through PMO forms) including data on the data subject's bank account, last salary statement, place or origin, if applicable the last taxable income of spouse, the data subject's household, the allowances at the end of service; information concerning transfers in of accumulated retirement rights. Where necessary, the ERCEA's Unit D.2 – "Human Resources" or the PMO may request additional financial information to establish the individual rights]. ☒ concerning the data subject's family [Marital status (e.g., marriage or civil partnership), certificate and date; first and last name, date of birth and nationality of spouse/partner; if applicable staff or pension number of spouse/partner; if applicable professional activity of spouse; if applicable first and last names, dates of birth and places of schooling of all dependent children, birth and school certificates of dependent children]. ☒ concerning the data subject's career, recruitment and contracts [Date of resignation/retirement/end of contract/returning to Commission (institution/agency), statutory link/contract type, Unit or Service, job title, new destination (if the staff member moves to another EU Institution or body);

	previous contracts and duration of contracts, details of career evolution; completion of military service and duration thereof during employment in the European institutions or bodies (if applicable); intention of gainful employment following retirement; content of work described in hand-over reports]. ☒ concerning leave and absences [Period(s) of leave on personal grounds, parental leave, part-time work; information concerning other types of leave (e.g., long-term sickness absence) may be referenced in specific documents]. ☒ concerning missions and journeys [If applicable, information concerning regular missions may be referenced in hand-over reports]. ☒ concerning social security and pensions [Data necessary to determine the individual rights of the staff member]. ☐ concerning expenses and medical benefits ☒ concerning telephone numbers and communications [Future contact details (telephone/fax); language preference for communications]. ☒ concerning names and addresses (including email addresses) [First name, maiden name, surname, private address at date of retirement/resignation, private e-mail address]; [Contact details of the person to be contacted in the event of an emergency (name, surname, address) and of the spouse/partner including name, surname, address, country, phone number and e-mail]. ☒ Other: please specify: [Nationality/citizenship, date and place of birth, gender]; [Data necessary to complete the hand-over report, such as the state of files and recommendations for future incumbent jobholders]. <i>Categories of personal data processing likely to present <u>specific risks</u>:</i> ☐ 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) <i>Categories of personal data whose processing is <u>prohibited</u>, with exceptions (art. 10 new Regulation):</i>
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10	Retention time (time limit for keeping the personal data)	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). Personal files of recruited staff members 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. In those cases in which the operations are carried out using SYSPER, the retention periods indicated in the SYSPER Data Protection Notice apply. For the retention period of PMO files, please refer to the following link: https://europa.eu/Rq79pB. Is any further processing for archiving purposes in the public interest, historical, statistical or scientific purposes envisaged? ☒ yes ☐ no If yes, indicate the further retention time: The ERCEA may envisage anonymous statistical analyses with the purpose to improve the quality of the processes and the management of human resources. However, the retention periods mentioned above will not be increased.
11	Recipients of the data	The persons with access to your personal data, on a need-to-know basis, are: - The members of the HR Unit and authorised personnel dealing with the termination of service; - Those impacted by the termination of service receive the hand-over report (e.g., new jobholders, staff ensuring business continuity, etc.); - Services of the European Commission: the PMO (for the determination of financial rights), DG HR (for managing the control access to the EC premises);

		- The AHCC (Authority Empowered to Conclude Contracts of Employment), i.e., the ERCEA's Director. 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.
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	General description of the technical and organisational security measures	The HR Unit is responsible for the management of any documents produced, circulated and/or received, ensuring the appropriate treatment of all documents. E-mails including personal data should be sent via encrypted e-mail (SECEM). Access to files is limited to authorised personnel, regardless of where they are saved: on the ERCEA Shared Drive; the Functional Mailbox (FMB) ERC-RECRUITMENT@ec.europa.eu; or of which a physical copy is kept. The official register of the Agency is ARES/NomCom and all files therein are processed using the restricted marking. 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.
14	Information to data subjects/Data Protection Notice (DPN)	The Data Protection Notice for Termination of the service is published on the ERCEA intranet "Human Resources - Data Protection & Privacy": http://intranet.ercea.cec.eu.int/services/human-resources/priv/Pages/default.aspx For SYSPER's privacy statements, please see here: https://europa.eu/!km76PF.