



EUROPEAN RESEARCH EXECUTIVE AGENCY

RECORD OF PERSONAL DATA PROCESSING OPERATION

In accordance with Article 31 of the Regulation (EU) 2018/1725 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 data¹ ('Regulation'), individuals whose personal data are processed by the European Research Executive Agency ('REA' or 'Agency') in any context whatsoever are to be protected with regard to the processing of personal data and the Agency has to keep records of their processing activities.

Record No: 01
 Created on (date): 01 October 2018
 Last update (date): 22 September 2021

NAME OF THE PROCESSING OPERATION

REA Staff Committee Elections

GROUND FOR THE RECORD (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.

IDENTIFICATION OF THE DATA CONTROLLER

European Research Executive Agency (REA)

¹ 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 (OJ L 295/39 of 21.11.2018).

Mandatory record under Article 31 of the Regulation

1.1. Name and contact details of controller

The controller is the European Research Executive Agency (REA), represented by its Director. For organisational reasons, the role of the data controller has been entrusted by the Director to the delegated controller and is exercised by REA Head of Unit D.2 “People and Workplace” of REA.

The controller/delegated controller may be contacted via address email/ functional mailbox: REA-STAFF-COMMITTEE-ELECTIONS@ec.europa.eu

1.2. Name and contact details of the Data Protection Officer (DPO)

REA DATA PROTECTION OFFICER

REA-DATA-PROTECTION-OFFICER@ec.europa.eu

1.3. Name and contact details of joint controller (where applicable)

Not applicable.

1.4. Name and contact details of processor (where applicable)

Not applicable.

1.5. Purpose of the processing

The purpose of the process is to set up the Staff Committee of the Agency according to Article 9 and Article 1 of Annex II of the Staff Regulations and according to the REA Steering Committee Decision of 20/10/2009 (REA/SC(2009)15) setting-up a Staff Committee within the Agency.

To do so, the Agency should organise the elections of the Staff Committee every three years.

1.6. Legal basis for the processing

Article 5.1 (a), (b), (c) and (d) of the Regulation:

- (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;
- (b) processing is necessary for compliance with a legal obligation to which the controller is subject;
- (c) processing is necessary for the performance of a contract to which the data subject is party;
- (d) the data subject has given consent to the processing of his or her personal data for one or more specific purposes.

Council Regulation (EC) No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes:

- a. Article 11, paragraph 6, the Director shall be empowered under the arrangements applicable to other servants of the European Communities to conclude employment contracts in respect of staff of the executive agency. The Director shall be responsible for all other matters relating to personnel management within the executive agency.
- b. Article 18 lays down the general conditions regarding the staff to be recruited by the executive agencies. In particular:
 - Article 18, paragraph 1, the executive agency's staff shall consist of Community officials seconded as temporary staff members by the institutions to positions of responsibility in the executive agency, and of other temporary staff members

directly recruited by the executive agency, as well as of other servants recruited by the executive agency on renewable contracts. The nature of the contract, governed by either private law or public law, its duration and the extent of the servants' obligations vis-à-vis the agency, and the appropriate eligibility criteria shall be determined on the basis of the specific nature of the tasks to be performed, and shall comply with the Staff Regulations as well as with current national legislation.

- Article 18, paragraph 3, the Steering Committee, in agreement with the Commission, shall adopt the necessary implementing rules for personnel management within the executive agency, if necessary.

The Commission Implementing Decision 2013/778/EU of 13 December 2013, establishing the Research Executive Agency and repealing Decision 2008/46/EC;

The Commission Decision C(2021) 952 final of 12.02.2021 delegating powers to the European Research Executive Agency with a view to the performance of tasks linked to the implementation of Union programmes in the field of Research and Innovation, Research of the Fund for Coal and Steel and Information Provision and Promotion Measures concerning Agricultural Products comprising, in particular, implementation of appropriations entered in the general budget of the Union;

Staff Regulations²:

- Article 9 concerning the obligation to set up a Staff Committee within each Institution
- Article 1 of Annex II concerning the composition and procedure of the Staff Committee

Decision of the Steering Committee of 20/10/2009 (REA/SC(2009)15) setting-up a Staff Committee within the Agency.

1.7. Categories of data subjects

REA Staff entitled to stand for elections:

- Temporary agents and Contract agents of the Agency whose contract is for one year or more or for an indefinite period

REA Staff allowed to vote during the election process:

- Temporary agents and Contract staff of the Agency with a contract of indefinite period or whose contract is for one year or more or less than a year provided they have been employed for at least six months

1.8. Categories of personal data

Personal data processed during the election process are the following:

A. Data processed for all REA staff participating in the elections:

- First name
- Last name

² EEC/EAEC Council: Regulation No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community, OJ 45, 14.6.1962, p. 1385–1386

- B. Data processed only for the members of the Election Committee:
- Type of contract [Temporary Agents (TA), Contracts Agents (CA)]
 - Role (e.g. chairperson, member)
- C. Data processed only for the candidates and the alternate candidates, successful candidates and alternate successful candidates:
- Type of contract [Temporary Agents (TA), Contracts Agents (CA)]
 - Grade
 - Personnel number
 - Union membership (optional)
- D. In order to facilitate their election campaign, candidates may provide (on their initiative) information on the following:
- Photo
 - Nationality
 - Unit
 - Function
 - Background or profile
 - Personal blog/Internet website address
- E. Names of the staff members who will be absent during the voting period but who are willing to give their proxy to another REA staff member may be collected by the Election Committee. The Election Committee shall be informed by means of an email addressed to REA-STAFF-COMMITTEE-ELECTIONS@ec.europa.eu so that the casting of the vote can be added manually.

1.9. Retention time (time limit for keeping the personal data)

Following the European Commission policy on the retention of the document, by analogy to the principles and the retention periods indicated in section 12.2.3, Annex 1 “Common Commission-Level Retention List for European Commission Files - Second Revision”³, collected personal data (electronic and paper format) related to elections to the Staff Committees are kept for a period of 10 years. Relevant information will also be available under the REA Intranet for a period of six months after the end of the elections.

Is any further processing for historical, statistical or scientific purposes envisaged? **No**

1.10. Recipients of the data

All recipients are on a “need to know basis”.

Candidate’s data is processed by REA Election Committee in order to establish a list containing all eligible candidatures.

Candidates’ data (name, photo, etc.) may be published on the dedicated REA intranet page and, in case where the election campaign is not organised remotely, as well on leaflets/brochures that could be placed (during the elections period) in public areas of the REA COV complex.

The results of the elections will be published on the dedicated REA Intranet page thus they will be available to all staff of EU Institutions, other agencies and bodies that have access to MyIntracomm (and/or SNET).

1.11. Transfers of personal data to third countries or international organisations

³ SEC (2019) 900/2 -ARES(2019)4374520 –09/07/2019

Not applicable

1.12. High-level description of security measures

REA Staff Committee Elections are facilitated by an online voting tool. The participation to the voting procedure is completely anonymous. REA staff (eligible to participate to the voting) usernames are stored in the database of the voting tool in order to ensure that they only participate to the voting only once. However, the username is not processed and will never be associated by any means to the vote of each staff member.

Data, in electronic format, is stored on the servers of the European Commission and/or of REA (limited access), the operation of which abide by the European Commission's security decisions and provisions established by the Directorate of Security for this kind of servers and services.

Access to data is provided only to authorised agents of REA staff and to REA Election Committee. There is no data stored in paper format.

1.13. Data Protection Notice

A Data Protection Notice (DPN) relevant to the REA Staff Committee Elections is available in the REA Intranet under the section "Data Protection". The DPN is also available on the online voting tool facilitating the elections.

The data subject is informed in the DPN of the right to information, access, rectification, erasure, restriction or objection to processing, communication of a personal data breach or due to the confidentiality of electronic communications may be restricted only under certain specific conditions as set out in the applicable [Restriction Decision](#) in accordance with Article 25 of Regulation (EU) 2018/1725.

Any request from a data subject to exercise a right will be dealt within one month from receipt of the request. This period may be extended pursuant to Article 14(3) of Regulation (EU) 2018/1725.