



RECORD OF PERSONAL DATA PROCESSING ACTIVITY

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 data (Regulation), individuals whose personal data are processed by the 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: 24
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NAME OF THE PROCESSING ACTIVITY

Processing of Health Related Data in the Workplace

1. 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 data controller has been entrusted by the Director to the delegated controller and is exercised by Head of Unit D.2 ("People and Workplace") of REA. The delegated controller may be contacted via the functional mailbox: REA-TIME-MANAGEMENT@ec.europa.eu

1.2. 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)

Processor: European Commission - DG Human Resources and Security (DG HR):

Medical Service: hr-bxl-certificats-medicaux@ec.europa.eu

Preventive medicine: HR-MAIL-D3@ec.europa.eu

Sick-leave follow-up: HR-BXL-CONTROLES-MEDICAUX@ec.europa.eu

Support for managing invalidity applications: HR-MAIL-D3@ec.europa.eu

Medical Service – the Medical Officer in person: HR-D.3-DAL@ec.europa.eu

The Social workers from the Medical Service / DG HR HR BXL EMPLOYEE ASSISTANCE

The JSIS Medical Officer PMO-3-RCAM-FO-BO@ec.europa.eu;

1.5. Purpose of the processing

To ensure conformity with the recruitment, occupational health and personnel management requirements of the Staff Regulations of Officials and Conditions of Employment of Other Servants (CEOS).

1.6. Legal basis for the processing

The 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 (Article 5(1)(a) of the Regulation 2016/679).

The processing is necessary for compliance with a legal obligation to which the controller is subject (Article 5(1)(b) of the Regulation 2016/679).

The Staff Regulations are the main legal basis for the processing of administrative data related to health:

a) Pre-recruitment medical visits: Articles 28 and 33 of the Staff Regulations and Articles 12(d), 13(2) and 83(2) of the CEOS).

b) Annual medical visit, occupational medicine visits and other medical visits: Article

59(6) of the Staff Regulations, Articles 16(1), 59 and 91 of the CEOS.

- c) Maternity leave: Article 58 of the Staff Regulations and Articles 16 and 91 of the CEOS.
- d) Medical check during an absence because of sickness or accident: Article 59(1) of the Staff Regulations Article 59 of the staff regulations is applied by analogy in Articles 16 and 91 of the CEOS.
- e) Processing of medical certificates: Article 59(1) of the Staff Regulations. Article 59 of the Staff Regulations is applied by analogy in Articles 16 and 91 of the CEOS.
- f) Management of family leave, part-time for medical reasons: Articles 42a and 42b of the Staff Regulations are applied by analogy in Articles 16 and 91 of the CEOS.
- g) Management of special leaves of a medical nature: Annexe V section 2 of the Staff Regulations concerning special leave (Annex V of the Staff Regulations as referred to in Article 57 which is applied by analogy in Articles 16 and 91 of the CEOS).
- h) Invalidity procedure: Article 53 of the Staff Regulations.
- i) Assistance with home care or care for a sick child: Articles 1e and 76 of the Staff Regulations and Articles 30 and 98 of the CEOS.
- j) Financial aid for persons with a disability: Articles 1d(4), 67(3) and Article 2(5) of Annex VII of the Staff Regulations.
- k) Repayment of exceptional education costs: Articles 30 and 98 of the CEOS.

1.7. Categories of data subjects

- a) Pre-recruitment medical visits: Candidates who have not worked before for the Commission or other EU Agencies or bodies and who have received an offer of employment at REA.
- b) Annual medical visit, occupational medical visits and other medical visits: REA staff.
- c) Maternity leave: REA staff.
- d) Medical check to verify absence because of sickness/accident: REA staff.
- e) Medical certificates: REA staff.
- f) Family leave, part-time for medical reasons: REA staff.
- g) Management of special leaves of a medical nature: REA staff, family members (child, parent).
- h) Invalidity procedure: REA staff.
- i) REA Guidelines for the implementation of aid for persons with a disability:
 - a) REA staff and former staff;
 - b) Spouses of the persons specified in (a), provided that they are affiliated to the Joint Sickness Insurance Scheme (JSIS);
 - (c) Children in respect of whom the dependent child allowance is paid under the conditions set out in Article 2(2), (3), and (5) of Annex VII to the Staff Regulations ; and
 - (d) Orphans who have lost both parents and who are in receipt of an orphan's pension within the meaning of Article 21 of Annex VIII to the Staff Regulations.

- j) REA procedure on the repayment of exceptional education costs
REA staff and former staff who benefit from a retirement pension or invalidity allowance or where an official has died and dependents are entitled.
- k) Assistance with home care and care of a sick child:
REA staff and former REA staff who are entitled to an invalidity pension or an invalidity allowance as well as their spouses, recognised partners and family members.

1.8. Categories of personal data

- a) Pre-recruitment medical visits: first name, surname, private address, private phone number, private e-mail address, nationality, date and place of birth.
- b) Annual medical visit, occupational medical visits and other medical visits: personal identification number (personnel number), first name, surname, corporate email address.
- c) Maternity leave: date of birth of child and parents, name of child and parents, address, name of doctor and name of official of the local authority.
- d) Medical check to verify absence because of sickness/accident: name of doctor and of REA staff (name, surname and personnel number).
- e) Medical certificates: name of doctor and of REA staff (first name and surname).
- f) Management of family leave, part-time for medical reasons: first name and surname of doctor and of REA staff and spouse/partner, father, mother and grandparents, spouse/partner's father and mother, child). Nature of the illness. Duration of absence, date of appointment of the medical consultation/treatment/control, information on the validity and reception of medical certificates.
- g) Management of special leaves of a medical nature: first name and surname of REA staff and of spouse/partner, father, mother and grandparents, spouse/partner's father and mother, child. Nature of the illness. Duration of absence, date of appointment of the medical consultation/treatment/control, information on the validity and reception of medical certificates.
- h) Invalidity: Data necessary to determine the individual rights and financial entitlements related to the invalidity allowance:
 - a. Staff members' individual rights at end of service (if applicable: expatriation/ foreign residence/management allowance);
 - b. Staff members' allowances at end of service (if applicable: e.g. household allowance, dependent child, double dependent child, pre-school allowance, education allowance);
 - c. Information for the calculation of the pension: transfer in, severance grant;
 - d. Situation before retirement: last place of employment, place of origin, revision of the place of origin, removal plans;
 - e. Information on a staff member's intended gainful employment, copy of the most recent salary statement, staff payslip of month of invalidity decision.
- i) Assistance with home care and care of a sick child: data necessary to determine the individual rights and financial entitlements. Data regarding a child and related medical condition, family members (medical conditions), professional circumstances. Family composition and civil status of parents,

family financial situation, family home address and contact details (names, telephone numbers, address, email addresses), of family members, names and contact details of medical professionals.

- j) REA guidelines for the implementation of aid for persons with a disability: data necessary to determine the individual rights and financial entitlements. Data regarding a child/family member and related medical conditions, professional circumstances of parents/spouse, family composition (first name, surname and contact details) and civil status of parents. Family financial situation. First name, surname and contact details of medical professionals.
- k) REA procedure on the repayment of exceptional education costs: data necessary to determine the individual rights and financial entitlements. Data regarding a child/family member and related medical conditions, professional circumstances of parents/spouse, data on other family members. Family composition (first name, surname and contact details) and civil status of parents. Family financial situation. Name, surname and contact details of medical professionals. School reports of child, first name, surname and contact details of schoolteachers and head of school.

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

Retention by REA

a) Pre-recruitment medical visits

The aptitude certificate for recruited staff is stored for a period of 8 years after the extinction of all rights of the person concerned and of any dependants, and for at least 100 years after the recruitment of the person. The certificate for non-recruited staff is deleted after 2 years.

b) Medical Leave

Emails from Medical Service are stored for 4 years (12.3.14 CRL).

The GECO's maintain a table to monitor and follow up cases of long-term medical leave that is stored for 4 years (12.3.14. CRL).

The decision relating to long-term medical leave is stored in the sharedrive for 4 years (12.3.14. CRL).

c) Medical Part-time Working Arrangements and Family Leave

The note/email received from the Medical Service is stored for 4 years (12.3.14 CRL).

d) Special leave. Supporting documents for special leaves

Supporting documents for special leave are stored in the HR archives for 4 years (12.3.14. CRL).

In case of maternity leave, a copy of the certificate from the doctor giving the expected dates of giving birth is stored for 4 years (12.3.14. CRL) while the birth certificate is stored in the personal file, both electronic (NDP) and on paper (12.3.7. CRL).

The GECO's maintain a table to monitor and follow up maternity leave that is stored for four years (12.3.14 CRL)

For justifying special leaves for sickness of child or parent, the relevant attestations, are stored for a maximum period of 4 years (12.3.14 CRL).

e) Medical Service Decision on the declaration of invalidity

The decision on the invalidity of a staff member is stored in the electronic file (NDP) of the staff member for 8 years after the extinction of all rights of the person concerned and of any dependents, and for at least 100 years after the recruitment of the person concerned. (12.3.7. CRL).

f) Special financial reimbursements: financial assistance with a sick child, for persons with disability and exceptional education costs

Documents related to special reimbursements are filed in the ARES files "Execution of Administrative Budget" associated with the CRL category 4.2.2.E "Management of Expenditure" which is a restricted access file whose content is visible only to the authorised staff members of REA Administrative finance team. Documents are retained for 10 years by the REA before their transfer to the EC historical archives.

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

1.10. Recipients of the data

Within the Agency, the following recipients may have access to the data:

- The Director of the Agency
- Authorised staff members of REA Human Resources
- Administrative finance

Other potential recipients:

- The Medical Service;
- The Invalidity Committee;
- The Joint Sickness Insurance Scheme (JSIS) (in case of exclusion from certain benefit for a period of 5 years from recruitment);
- Social workers from the Medical Service / DG HR; and
- The JSIS Medical Officer

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

Although a transfer of data to third countries or international organisations is not envisaged, if it occurs, it will be done in compliance with Chapter V of the Regulation.

1.12. High-level description of security measures

All data in electronic format (emails, documents, etc.) that are processed during this processing activity are stored either on the servers of the European Commission or of REA, the operations 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 granted only to authorised members of REA staff.

1.13. Data Protection Notice

A Data Protection Notice (DPN) relevant to this data processing activity is available under REA Intranet (Section "Data Protection").