



Data Protection Notice REA Staff Committee Election

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 'the 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.

REA collects your personal information only to the extent necessary to fulfil a precise purpose related to our tasks.

1. WHY DO WE COLLECT YOUR PERSONAL DATA?

The purpose of the process is to organise every three years the election of the Staff Committee which is a legal requirement pursuant to Article 9 and Article 1 of Annex II of the Staff Regulations and to the REA Steering Committee Decision of 20/10/2009 (REA/SC(2009)15) setting-up a Staff Committee in REA.

2. WHO IS RESPONSIBLE FOR THIS PROCESS?

The data controller is 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 the Head of Unit D2 ("People and Workplace") of REA. The controller/delegated controller may be contacted via the functional mailbox: REA-STAFF-COMMITTEE-ELECTIONS@ec.europa.eu

3. WHAT IS THE LEGAL BASIS TO COLLECT YOUR DATA?

The process is based on Article 5.1 (a), (b) and (d) of the Regulation (EU) 2018/1725 (Data Protection 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;
- (d) the data subject has given consent to the processing of his or her personal data for one or more specific purposes.

This processing is necessary for the performance of tasks carried out by REA or in the exercise of official authority vested in REA as established by the following legal acts:

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).

- i. 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.
- ii. Commission Implementing Decision (EU) 2021/173 of 12 February 2021 establishing the European Climate, Infrastructure and Environment Executive Agency, the European Health and Digital Executive Agency, the European Research Executive Agency, the European Innovation Council and SMEs Executive Agency, the European Research Council Executive Agency, and the European Education and Culture Executive Agency and repealing Implementing Decisions 2013/801/EU, 2013/771/EU, 2013/778/EU, 2013/779/EU, 2013/776/EU and 2013/770/EU.
- iii. Commission Decision C(2022) 9328 of 15 December 2022 establishing Guidelines for the establishment and operation of executive agencies financed from the EU budget and other sources and repealing Commission Decision C(2014) 9109 of 2 December 2014 and in particular Article 11.1.5 thereof.
- iv. Commission Decision C(2021) 952 final of 12 February 2021 on 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.
- v. 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.

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

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

4. WHICH PERSONAL DATA ARE COLLECTED?

Personal data processed during the election process are the following:

- i. Data processed for all REA staff participating in the elections:
 - First name
 - Last name
- ii. Data processed only for the members of the Election Committee:
 - Type of contract [Temporary Agents (TA), Contracts Agents (CA)]
 - Role (e.g. chairperson, member)
- iii. 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)]
 - Function group and grade
 - Personnel number
 - Trade union membership (optional)
- iv. 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
 - Other unsolicited data or information
- v. Names of the staff members who will be absent during the voting period with no access to the voting tool 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 encrypted email addressed to REA-STAFF-COMMITTEE-ELECTIONS@ec.europa.eu so that the casting of the vote can be added manually.

5. WHO WILL HAVE ACCESS TO YOUR PERSONAL DATA³?

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

- Candidates:

REA staff entitled to stand for the election: Temporary Agents and Contract Agents of the

³ With an exception of grades and personal numbers (section 1.8.C) to which may have access only the members of the Election Committee, other categories of data are accessible to all REA staff within the Agency and outside the Agency, EU Institutions and bodies who have access to My Intracomm.

Agency whose contract is for one year or more or for an indefinite period.

- Voters:

REA staff allowed to vote during the election process: all statutory staff: Temporary Agents and Contract Agents of the Agency in active employment on the date of the publication of the election notice.

- Members of the Election Committee: Temporary Agents and Contract Agents
- Members of the current and/or the newly elected Staff Committee: Temporary Agents and Contract Agents

- Non-statutory staff (Interim, Bluebook trainees and external service providers)

IT external service provider in charge of developing and implementing the voting tool. The participation to the voting procedure is completely anonymous.

6. HOW LONG DO WE KEEP YOUR PERSONAL DATA ?

REA applies the principles and retention periods indicated in [Common Retention List of the Commission](#) by analogy:

Documents in electronic format related to REA Staff Committee Election will be retained for ten years. Relevant information will also be available under the REA Intranet for a period of six months after the end of the election.

7. WHAT ARE YOUR RIGHTS?

A data subject may request access and/or rectification and/or erasure, restriction, or objection to processing of his/her personal data by sending an email to the functional mailbox REA-STAFF-COMMITTEE-ELECTIONS@ec.europa.eu

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) 2018/1725⁴.

8. THE DATA SUBJECT IS INFORMED THAT 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 CONTACT INFORMATION

In case you have any queries about the procedure, the processing of personal data or the collection of relevant information, you may contact the data controller who is responsible for this processing operation by sending an email to the following email address: REA-STAFF-COMMITTEE-ELECTIONS@ec.europa.eu.

Further to the above, the following instances can be addressed:

⁴ [Decision of the Steering Committee of the Research Executive Agency \(REA\) on internal rules concerning restrictions of certain rights of data subjects in relation to the processing of personal data in the framework of activities carried out by the Agency.](#)

REA Data Protection Officer (DPO): REA-DATA-PROTECTION-OFFICER@ec.europa.eu .In case of conflict with REA, a complaint can be addressed to the European Data Protection Supervisor: EDPS@edps.europa.eu.