



Data Protection Notice

On the processing of Health Related Data in the Workplace

In accordance with 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'), the Research Executive Agency ('Agency' or '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?

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

2. WHO IS RESPONSIBLE FOR THIS PROCESS?

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 ("Administration People and Workplace") of REA. The delegated controller may be contacted via the functional mailbox: REA-TIME-MANAGEMENT@ec.europa.eu

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@ec.europa.eu](mailto:DG-HR-HR-BXL-EMPLOYEE_ASSISTANCE@ec.europa.eu)
- The JSIS Medical Officer PMO-3-RCAM-FO-BO@ec.europa.eu

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

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 constitute the 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 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 1(e) and 76 of the Staff Regulations and Articles 30 and 98 of the CEOS.
- j) Financial aid for persons with a disability: Articles 1(d)(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.

4. WHICH PERSONAL DATA ARE COLLECTED?

Personal data are collected via forms and requests for information in order to evaluate and determine the individual rights of staff and financial entitlements pursuant to the Staff Regulations and CEOS and REA policies:

General data concerning health

- 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 numbers (personnel number), first name, surname, corporate email address.

Special leave on medical grounds

- c) Maternity leave: date of birth of child and parents, name of child and parents, address, first name and surname of doctor and first name and surname 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: first name and surname of doctor and REA staff (name and surname).
- f) Management of family leave, part-time for medical reasons: first name and surname of doctor and 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 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.

Information concerning pay, pension and allowances

- h) Invalidity: data necessary to determine the individual rights and financial entitlements related to the invalidity allowance:
- Staff members' individual rights at end of service (if applicable: expatriation/foreign residence/management allowance);
 - Staff members' allowances at end of service (if applicable: e.g. household allowance, dependent child, double dependent child, preschool allowance, education allowance);
 - Information for the calculation of the pension: transfer in, severance grant;
 - Situation before retirement: last place of employment, place of origin, revision of the place of origin, removal plans;
 - 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, first name, surname 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. First name, surname and contact details of medical professionals. School reports of child, names and contact details of schoolteachers and head of school.

Depending on the assessment of the rights and entitlements of individuals, data relating to bank account details of staff and family members may be requested and processed.

Medical Service

The Medical Service collects and processes the following types of personal data upon recruitment and during the career of staff:

- Identification data: - Surname, first name, personnel number, date and place of birth, nationality, language, gender, civil status, children, family history, postal address, e-mail address, telephone numbers, first name and surname of family doctor, languages, post requested, type of contract.

- Data concerning health: - Medical history, objective examination, results of laboratory tests, x-rays, ECGs, allergies, treatments followed, usual medication, chronic diseases, pregnancy (since certain examinations and/or vaccinations can be contraindicated in this specific cases), results of other medical examinations (ophthalmic, audiometric, etc.) necessary for a particular individual, medical certificates, periods of absence and other medical records.

The processing of personal data by REA will not involve any systematic and extensive evaluation of personal data or scoring, including profiling and predicting.

5. WHO WILL HAVE ACCESS TO YOUR PERSONAL DATA?

The REA HR team is responsible for undertaking the necessary measures to ensure that documents are processed and managed in a rule-compliant and secure manner.

The personal data are stored in a secured physical and electronic environment, to prevent unlawful access or transfer of data to persons who do not have a 'need to know'.

Emails concerning personal data are sent via Secem encrypted email.

Hard copy documents are securely stored in locked cupboards with access only by designated personnel.

Access to the data (SYSPER, functional mailboxes, ARES, shared folders on the REA file server, etc.) is granted only to authorised members of REA staff. Access is granted only if there is a clearly specified administrative purpose and only to those staff members, whose role and level of responsibility require them to have access.

The authentication for HERMES-ARES-NOMCOM (HAN) and SYSPER is performed via the European Commission Authentication Service (ECAS) mechanism, which is designed to increase the security of the European Commission IT systems.

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 staff members of the Administration finance team. Documents are retained for 10 years by REA before their transfer to the EC historical archives.

a) Within REA

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

b) Outside REA

- 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.

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.

6. HOW LONG DO WE KEEP YOUR PERSONAL DATA?

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 the 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 four years (12.3.14. CRL). The decision relating to long-term medical leave is stored in the sharedrive for four 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 4 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 staff members of the Administration finance team. Documents are retained for 10 years by REA before their transfer to the EC historical archives.

g) Retention by the Medical Service

Medical files are kept for 30 years after data subjects cease to work at REA. In the case of persons exposed to carcinogens or mutagens, files are kept for 40 years after the last exposure incident (General regulation for the protection of workers, Belgium, Article 16, occupational medical services). The pre-recruitment files of candidates, who have not been recruited, are destroyed after two years. Where a negative medical opinion is given the file will be destroyed after two years, if no claim took place.

7. WHAT ARE YOUR RIGHTS?

Data subjects may have access to their personal data and may exercise their right of access / rectification / erasure / restriction / data portability / objection (where applicable) by sending an email to REA-TIME-MANAGEMENT@ec.europa.eu functional mailbox.

Your 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](#) (OJ L 198, 4.6.2021, p. 5–14) in accordance with Article 25 of Regulation (EU) 2018/1725.

8. CONTACT INFORMATION

In case you have any questions about the processing of your personal data, you may contact the data controller who is responsible for this processing activity by using the following email address: REA-TIME-MANAGEMENT@ec.europa.eu.

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

REA Data Protection Officer (DPO): REA-DATA-PROTECTION-OFFICER@ec.europa.eu.

In case of conflicts, complaints can be addressed to the European Data Protection Supervisor: EDPS@edps.europa.eu.