



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: 21
Created on (date): 19 July 2019
Last update (date):

NAME OF THE PROCESSING ACTIVITY

Teleworking at the REA

1. MANDATORY RECORD UNDER ARTICLE 31 OF THE REGULATION

1.1. Name and contact details of controller

The controller is the Research Executive Agency (REA). For organisational reasons, the role of the data controller is exercised by Ms Sari Vartiainen, head of Unit C1 ("Administration") of the REA. The controller may be contacted via functional mailbox: REA-TIME-MANAGEMENT@ec.europa.eu.

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

Mr Evangelos Tsavalopoulos (REA-DATA-PROTECTION-OFFICER@ec.europa.eu).

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

n/a

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

- DG HR for SYSPER (HR-MAILA3@ec.europa.eu);
- DG DIGIT for "ICT services" (functional mailboxes, etc.) (DIGIT-MOU@ec.europa.eu);
- PMO for services under SLA;
- EC Medical Service for pre-recruitment medical appointments (BREY 4/322, 1049 Brussels).

1.5. Purpose of the processing

The Human Resources Sector of the Agency (REA HR) defines, coordinates and ensures the implementation of human resource policies (covering the whole lifecycle of the teleworking policy). It does so by following the relevant provisions of the Staff Regulations and the Conditions of Employment of Other Servants of the European Communities (CEOS).

The goal of the teleworking policy is to enable staff to achieve a better balance between their private and professional life within the framework of a transparent and fair system which aims to promote equal opportunities. The purpose of the processing operation of teleworking in the REA is to allow the staff member to work from home during working hours

In particular, the processing of personal data in the context of regular teleworking is necessary in order to:

- Select the persons authorised to telework with regard to different criteria;
- Establish teleworking agreements;
- Ensure the administration, the follow-up and the implementation of the teleworking.

The purpose of processing of personal data in the context of the occasional teleworking is to offer to the staff members the possibility to temporarily telework under specific circumstances.

Teleworking should not have any prejudicial effect on the teleworker's career as long as objectives are met and the level of productivity is not affected. Teleworkers' workload and performance indicators must be the same as those of similar job holders working in the Agency.

1.6. Legal basis for the processing

- Council Regulation (EC) No 58/2003 laying down the statute for executive agencies;

- Commission Implementing Decision 2013/778/EU of 13 December 2013, establishing the Research Executive Agency and repealing Decision 2008/46/EC,
- Staff Regulations of Officials (Staff Regulations) and the Conditions of Employment of Other Servants of the European Union (CEOS), laid down by Council Regulation (EEC, Euratom, ECSC) No 259/681, and in particular to Article 110(2) of the Staff Regulations;
- Article 55 of the Staff Regulations of Officials of the European Communities
- Articles 16 and 91 of the Conditions of Employment of Other Servants (CEOS)
- REA Steering Committee Decision REA/SC(2016)2.4.1 adopting the Commission Decision on the implementation of telework in Commission Departments C(2015)9151 final
- DG HR fit@work guide on teleworking (April 2016) Commission Decision C (2015) 9151 Final of 17 December 2015 on the implementation of telework in Commission departments.

1.7. Categories of data subjects

Members of the REA staff (seconded Commission officials, temporary agents and contract agents) who have completed (by the date of their application) their probationary period as well as their children and/or dependent relatives (in case they are mentioned in supporting documents that the data subject adduces).

1.8. Categories of personal data

Personal data are collected and/or processed via SYSPER:

- Identification/administrative data: first name, last name, personnel number, unit, sector, administrative status, date of entry into service, teleworking schedule, dates of beginning/end of the teleworking, teleworking period already accomplished, full-time or part-time work patterns.
- Contact details: professional address, home address (or other address used by the data subject in order to telework on a regular basis), private telephone number (for transferring their office line), distance between place of residence and place of work (optional).
- Work-related data: reason for teleworking, comments (optional),
- IT-related data: if data subjects are in the possession of a laptop.
- Family data: first name and last name of children and/or dependent relatives (under the optional field "comments").

Other categories of data: mission, external training, difficult transport connections, family or personal constraints (under the optional field "comments").

Special categories of data

Health-related data (disability, serious health impediment, mobility problems, etc.) may be processed. This applies mainly for the cases where the data subject voluntarily provides relevant information in the application form.

For applying to the scheme of occasional teleworking for reasons related to reduced mobility (lasting more than two weeks), a note from the applicant's practitioner certifying that the person is able to work despite his/her mobility problem, will have to be submitted to the HR Sector. This note is not a medical certificate justifying absence from work. It should not be addressed to the Medical Service or any entity other than the REA HR Sector.

The REA does not process medical certificates in the context of teleworking. In principle, any data linked to health condition should be sent by the data subjects to the Medical Service.

The processing of health-related data in the REA is covered by a relevant Record "Processing of Health-related data by the REA"

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

Data (in SYSPER) related to applications for teleworking will be retained for two years for the following reasons:

- To enable the Agency to establish an order of priority for persons who have applied on several occasions but were not selected because of the large number of applications within the Agency;
- To enable the Agency to review on a mid-term basis the teleworking arrangements.

Personal data which are inserted under the field "comments" of SYSPER is automatically deleted after a period of two months after the acceptance or refusal of the last validator.

1.10. Recipients of the data

Within the Agency, the following recipients will have access to the personal data:

- The Director of the Agency;
- Head of Departments;
- REA Heads of unit and Line managers (e.g. Head of sector);
- Authorised personnel of unit REA.C.1 (Human Resources, ICT sector, etc.)

Other potential recipients are:

- The Court of Justice of the European Union;
- European Ombudsman;
- European Court of Auditors (ECA);
- Internal Audit Service of the European Commission (IAS);
- European Anti-Fraud Office (OLAF);
- European Data Protection Supervisor (EDPS);
- Directorate-General for Informatics (DG DIGIT).

This transmission is restricted to the information necessary for the legitimate performance of tasks within the competence of the recipient. The recipients of the data are reminded of their obligation not to use the data received for other purposes than the one for which they were transmitted.

If the transfer entails a change of purpose, it is expressly provided for in law and the data subject is informed of it.

In case a staff member of the Agency moves to another executive Agency or another EU institution, data residing under SYSPER may be automatically transferred.

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

Not applicable.

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 the 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 the REA staff.

1.13. Data Protection Notice

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