



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: 35
Created on (date): 19/12/2019
Last update (date): 08/07/2020

NAME OF THE PROCESSING ACTIVITY

Implementation of the REA administrative budget

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 data controller is exercised by the Head of Department C (Administration, Finance and Support Services). The controller may be contacted via the functional mailbox REA-CONTRACT-MANAGEMENT@ec.europa.eu.

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

Ms María Francisca Brunet Company

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

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

DG Budget (BUDG) is sole controller in relation to the registration of Legal Entities and Bank Account Files in ABAC – BUDG-FICHIER-TIERS@ec.europa.eu

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

- Office for Administration and Payment of Individual Entitlements (PMO) for services under Service Level Agreement including missions (MIPS) and salaries (NAP) of REA staff;
- Office for Infrastructures and Logistics in Brussels (OIB) for reimbursement of public transport of REA staff (molibity.net);
- DG Human Resources & Security (DG HR) for data of REA staff (SYSPER2);
- DG Budget (BUDG) for Legal Entity and Bank Account Files, as well as for validation of payments - BUDG-FICHIER-TIERS@ec.europa.eu;
- Secretariat-General (SG) for data in HERMES/Ares – SG-EDOMECC@ec.europa.eu;
- DG for Informatics (DG DIGIT) for Outlook and shared-drives - DIGIT-COMM-TEAM@ec.europa.eu;
- European Research Council Executive Agency (ERCEA) for data in Speedwell IT tool dealing with payments – ERC-BACKOFFICE-PORTAL@ec.europa.eu;
- DG Research and Innovation (DG RTD) for data in REA FORMS (candidates);
- External lawyers providing legal assistance and/or representing the REA in courts (on a very exceptional basis).

1.5. Purpose of the processing

The purpose of the processing operation is to enable the Agency to implement its administrative budget, which is referred to hereinafter as “budget”. Since the operational budget is implemented in a streamlined manner through corporate processes and tools, those aspects are not in the scope of this record.

The Agency implements its administrative budget through the following financial transactions:

• Budgetary commitments

A budgetary commitment is the act by which the REA earmarks funds to cover one or more future expenses. It is recorded in the ABAC system.

• Legal commitments

A legal commitment is the act by which an obligation to a third party is acknowledged or created. This obligation implies a contractual liability. Any contract awarded to a third

party or order form submitted to a third party represents a legal commitment on the part of the REA.

- **Payments**

A payment is the act that releases the REA from an obligation to a creditor. Where payment consists in transferring a sum of money to a beneficiary/contractor's account, it is classified as a payment made through the REA treasury.

In addition, salaries and missions expenses are paid to REA staff and charged to the Agency's administrative budget.

- **Forecast of Revenues**

This step allows the Authorising Officer (AO) to make an estimate of the probable or potential entitlement. In practice, the operation is done in the IT financial system ABAC (forecast of revenue).

There are two reasons why it is important and necessary to register the estimate of amounts due (Art. 97 of Financial Regulation). On the one hand, these forecasts are fed into the Commission's/Agency's accounts at the end of the year. On the other, they are a kind of reminder to allow a better follow-up of the entitlement by the Commission/the Agency officer and his/her successors.

- **Recovery Orders**

The recovery order is the procedure by which the AO registers the right that the Agency has to claim an amount, due by a debtor, usually a third party.

1.6. Legal basis for the processing

Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012.

1.7. Categories of data subjects

- Members of the REA Staff and potentially other EU Staff members;
- Natural persons (staff members, candidates for recruitment, representatives, service providers, etc., of contractors/subcontractors and/or external suppliers), whose details are referenced in contracts, purchase orders and any related documents;
- Experts for costs that may be covered by the administrative budget;
- Representatives of potential beneficiaries and grant holders for costs that may be covered by the administrative budget.

1.8. Categories of personal data

The categories of data, which may be collected and processed in the frame of the above-mentioned processing operation, are the following:

- Identification and administrative data such as first name, last name, gender, nationality, place and date of birth, personnel number (only for Staff), title, function, national insurance number, passport number, ID number, etc.;
- Contact details such as e-mail address, telephone number, postal address, company and department, country of residence, etc.;

- Financial data such as bank account reference (IBAN and BIC codes), VAT number, Legal Entity File (LEF), Bank Account File (BAF), etc.;
- Other data such as expertise, professional experience, technical skills, linguistic skills/current/past employment, etc.;
- In case of candidates for recruitment, grant holders and individual experts engaged on the administrative budget: locations and kilometres travelled (not in all cases) and proof of booking and payments of accommodation and public transport.

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

Data in electronic format are stored in ABAC, Speedwell, HERMES/ARES, MIPS, SYSPER2 and OIB.mobility.net which are respectively managed by the following Commission services/Executive Agency: DG Budget (BUDG), European Research Council Executive Agency (ERCEA) Secretariat-General of the European Commission (SG), Office for Administration and Payment of Individual Entitlements (PMO), DG Human Resources & Security (DG HR), Office for Infrastructures and Logistics in Brussels (OIB).

For ABAC, Speedwell, MIPS, Mobility.net and in SYSPER2, the personal data will be maintained processed as long as necessary and in compliance with the corresponding retention period. In REA FORMS, personal data are deleted as soon as payments are processed.

For HERMES/ARES the retention period is ten years after the procedure is finalised. The same applies for the data stored on the shared-drive.

E-mails collected by REA in the context of processing financial transactions are registered in Ares with a retention period of 10 years. In Outlook, e-mails are kept during six months before deletion.

Paper files collected by REA for processing financial transactions are scanned, registered in the systems and not kept (except the contracts for which the blue-ink signature has a legal value). The retention period of the paper file is also ten years.

Is any further processing for historical, statistical or scientific purposes envisaged? YES

Files relating to the management of expenditure are preserved by REA for a period of 10 years after the procedure is finalised. After 10 years, the related documents are transferred to the Historical Archives of the European Commission.

1.10. Recipients of the data

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

- The Director of the Agency in his/her capacity of Authorising Officer (AO);
- The Heads of Department A and B in their capacity of Authorising Officer by Delegation (AOD) only for the REA Staff's Missions;
- The Head of Department C, the Head of Unit C1 "Administration", the Head of Sector C1.004 "Administrative Finance and Logistics" and other members of Unit C1 "Administration" in their capacity of Authorising Officers by Delegation (AOD);
- Heads of Units/Deputy Heads of Units in their capacity of Authorising Officers by Delegation (AOD), only for the REA Staff's Missions;
- Staff concerned by the respective financial transactions;

- Authorised members of the REA staff;
- Members of the C1.004 "Administrative Finance and Logistics" Sector;
- Authorised Staff of the C2 "Finance" Unit.

Other potential recipients are:

- DG Budget (BUDG) for Legal Entity and Bank Account Files, as well as validation of payments in ABAC;
- Secretariat-General (SG) - HERMES/Ares;
- DG for Informatics of the European Commission (DIGIT) - Outlook, shared drives;
- European Research Council Executive Agency (ERCEA) - Speedwell IT tool dealing with payments);
- DG Human Resources and Security (HR);
- Office for Administration and Payment of Individual Entitlements (PMO);
- Office for Infrastructures and Logistics in Brussels (OIB);
- In case of legal proceedings, documentation containing personal data may be shared with the judicial authorities of the Member State and external lawyers providing legal assistance to the REA or representing the Agency in the courts, based on an official request of Member States' authorities or on legal agreements / contracts in place.

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.

Public

Information may be disclosed to the public in accordance with the Commission's obligation to publish information on the outcome of the procurement procedure and on the beneficiaries of funds deriving from the budget of the European Union (Article 38 and Article 163 of the Financial Regulation, respectively). This information concerns in particular the name, address, amount awarded and the name of the project/programme (where applicable). This information is published in supplement S of the Official Journal of the European Union and on the public website of the Agency.

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.

Appropriate access rights and access control are put in place (usual User IDs and passwords) and/or secure connections and firewalls. Only designated staff on a need to know basis has the possibility to access the data kept for the purpose of administrative or financial process.

For hardcopy documentation, limited number of staff has access to cupboards (physical locks); the storage offices are always locked when unattended.

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").