Ref. Ares(2026)4797707 - 12/05/2026

EUROPEAN HEALTH AND DIGITAL EXECUTIVE AGENCY (HADEA)

RECORD OF PERSONAL DATA PROCESSING ACTIVITY

Record No: HR.09 **Initial approval by Data Controller**: ARES registration date

Update (s) *(if applicable):* N/A

NAME OF THE PROCESSING ACTIVITY

Requests and complaints under Article 90 of the Staff Regulations

IDENTIFICATION OF THE DATA CONTROLLER

European Health and Digital Executive Agency (HaDEA), Head of Unit C.3 Staff, Communication and Support

GROUND FOR THIS RECORD

□ Record of a new type of processing activity of personal data (before its implementation)
X **Record of a processing activity of personal data that is already in place**
□ Change/Amendment/ Update of an already existing previous record

1. INFORMATION ON THE PROCESSING ACTIVITY
related to requests and complaints under Article 90 of the Staff Regulations

This processing activity is performed in accordance with **Regulation (EU) No 2018/1725** ([1]) on the protection of individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data.

1.1. The Data Controller is:

The Head of Unit C.3 Staff, Communication and Support in the European Health and Digital Executive Agency (HaDEA), Place Charles Rogier 16, B-1049 Brussels, BELGIUM. The Data Controller can be contacted at HaDEA-HR-APPEALS@ec.europa.eu.

1.2 The contact details of the Data Protection Officer (DPO)

HADEA-DPO@ec.europa.eu

1.3 Joint controller:

N/A

1.4 The following entity(ies) is/are acting as Processor(s)

As data processor, the Directorate General for Human Resources and Security of the European Commission (DG HR, Unit F.6) may process personal data on HaDEA's behalf, when providing services to HaDEA based on the Service Level Agreement, Appendix E (HR E – Complaints) ([2]). The data processor may be contacted at HR-MAIL-F6@ec.europa.eu.

1.5 Description and purpose(s) of this processing:

The purpose of this processing activity is to handle administrative requests and complaints under Article 90 of the Staff Regulations ([3]).

By a request under Article 90(1) of the Staff Regulations, contract and temporary agents as well as candidates may ask the Agency Director (who is the authority responsible for concluding contracts of employment - AECE) to take a decision concerning their rights.

By lodging a complaint under Article 90(2) of the Staff Regulations, contract and temporary agents as well as candidates may seek the annulment or amendment of an Agency's decision, including the rejection of a request, which in their view affects their statutory rights and is prejudicial.

The purpose of the procedures is to analyse the complaint or request and other supporting documents in order to establish the facts and make a legal assessment of those facts based on which the decision will be prepared for its adoption by the AECE in response to the complaint or request.

1.6 The legal basis for the processing based on Article 5(1) of Regulation (EU) 2018/1725 is/are:

([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).

([2]) Ares(2021)2014174.

([3]) Staff Regulations of Officials of the European Union (hereinafter 'Staff Regulations') and Conditions of Employment of Other Servants of the European Union (hereinafter 'CEOS'), laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68, OJ L 56, 4.3.1968, p. 1, as last amended by Regulation (EU, Euratom) No 1023/2013 of the European Parliament and of the Council of 22 October 2013, OJ L 287, 29.10.2013, p. 15.

☒ **(a)** 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 laid down in Union law;

☐ **(a2**) the processing is necessary for the **management and functioning** of the Union Institutions, bodies or agencies (Recital (22) of Regulation (EU) 2018/1725) laid down in Union law;

☒ **(b)** the processing is necessary for **compliance with a legal obligation ([4])** to which the controller is subject, which are laid down in Union law;

☐ **(c**) the processing is necessary for the **performance of a contract** to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;

☐ **(d)** the data subject has given **consent** to the processing of his or her personal data for one or more specific purposes;

☐ **(e**) the processing is necessary in order to protect the **vital interests** of the data subject or of another natural person.

Processing is necessary to comply with a legal obligation to which the controller is subject, under Article 90(1) and (2) of the Staff Regulations, and Articles 46 and 117 CEOS.

Furthermore, when it comes to the processing of special categories of personal data, the processing operation is lawful under Article 10(2)(b) ([5]) of the Regulation (EU) 2018/1725.

1.7 The categories of data subjects

☒ Agency staff (Contractual and temporary staff in active position)

☒ Applicants

☐ Relatives of the data subject

☒ Complainants, correspondents and enquirers

☐ Witnesses

☐ Beneficiaries

☐ External experts

☐ Contractors

☐ Other, please specify: N/A

1.8 Categories of personal data

a) Categories of personal data:

- Identification data: surname, forename, date of birth, town/city of birth, country of birth, sex, nationality, staff number;
- Professional and private address and telephone number;
- Email address;

([4]) Processing is necessary to comply with a legal obligation to which the controller is subject, under Article 90(1) and (2) of the Staff Regulations. and Articles 46 and 117 CEOS.

([5]) Article 10(2)(b) of Regulation (EU) 2018/1725 reads "the processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law insofar as it is authorised by Union law providing for appropriate safeguards for the fundamental rights and the interests of the data subject".

- Personal data concerning the request/complaint such as description or subject of the request or complaint, scores assigned to candidates' application/written test/interview during a selection procedure;
- Personal data concerning the data subject's career or the data subject's personal file;
- Personal data concerning pay, allowances and bank accounts;
- Personal data concerning the data subject's family;
- Personal data concerning leaves and absences;
- Data provided by the department(s) concerned (meaning any department with information relevant to the analysis of the complaint/request).

b) Categories of personal data processing likely to present <u>specific risks:</u>
Not applicable

c) Categories of personal data whose processing is <u>prohibited</u>, with exceptions (art. 10):
Special categories of personal data under Article 10 of the Regulation (EU) 2018/1725 might be provided by the data subject.

d) Specify any additional data or explanatory information on the data being processed, if any:
Not applicable

1.9 Retention period (maximum time limit for keeping the personal data)

HaDEA applies the principles and retention periods indicated in the Common-Level Retention List for European Commission Files ([6]).
The time for which the complaint files may be kept in the personal file shall be 5 years.

Is any further processing for historical, statistical or scientific purposes envisaged?
☐ yes ☒ no

1.10 The recipient(s) of the data

The recipients to whom the personal data will or might be disclosed are:

A. WITHIN THE AGENCY

Within the Agency, **the recipients** of the personal data, depending on the content and nature of the request and complaint, will be:

- The People (Human Resources) Sector and the (Deputy) Head of Unit;
- Authorised staff members from the Legal Sector;
- Members of the hierarchy involved in validating or signing decisions;
- The Director and her/his assistant;
- Staff members who need to provide relevant information for the preparation of the reply to the request/complaint, such as for example the members of the Selection Committee in case the complaint is related to selection and recruitment processes.

B. OUTSIDE THE AGENCY

- European Commission staff (DG HR) in case they deal with the reply to the complaint/request based on the above-mentioned SLA.

In addition, in case of control or dispute, personal data can be shared with and processed by the bodies charged with a monitoring or inspection task in application of Union law in compliance with

([6]) Ref. Ares(2019)4374520.

the applicable data protection rules and within the scope of their tasks entrusted by the relevant legislation. This includes, in particular, the following recipients:

- Bodies in charge of a monitoring or an inspection task in application of Union law (e.g. internal audit, IAS, Court of Auditors, etc.);
- The European Court of Justice or a national judge as well as the lawyers and the agents of the parties in case of a legal procedure;
- OLAF in case of an investigation conducted in application of Regulation (EC) No 1073/1999;
- The European Ombudsman within the scope of the tasks entrusted to it by Article 228 of the Treaty on the Functioning of the European Union;
- The European Data Protection Supervisor in accordance with Article 58 of Regulation (EC) 2018/1725;
- The European Public Prosecutor's Office within the scope of Article 4 of Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office.

1.11 Transfers of personal data to third countries or international organisations

Personal data **will not be transferred to third countries** or **international organisations.**

1.12 The processing of this personal data **will not include** automated decision-making (such as profiling).

1.13 Description of security measures

The following technical and organisational security measures are in place to safeguard the processing of this personal data:
The European Commission's IT systems used by the Agency abide by the Commission's security guidelines. The Agency complies with Commission Decision (EU, Euratom) 2017/46 of 10 January 2017 on the security of communication and information systems in the European Commission.

1. Organisational measures:
A Corporate Local Informatics Security Officer (C-LISO) is in place. Its role includes supervising the Agency compliance with the relevant regulations, and the application of security measures recommend by DIGIT.
Organisational measures include appropriate access rights and access control. As a rule within the Agency, access to information systems, the file system or offices are subject to a series of authorisations where the person granting the access is different from the person requesting or authorising the access - except in limited cases of delegation.
The HR responsible person collects and places the documents on the secured drives of the Commission and all responsible Agency staff are bound by a confidentiality obligation.
The need-to-know principle applies in all cases.

2. Technical measures
State of the art technical cybersecurity measures are implemented in the corporate systems, according to the security needs. Those measures are in constant evolution.

1.14 Data protection Notice

Data Subjects are informed on the processing of their personal data via a **data protection notice on their rights:**
- to access their personal data held by a controller;
- to request their personal data held by a controller to be corrected;
- to obtain in some situations erasure of their personal data held by a controller, e.g. when data are held unlawfully (right to be forgotten);

- to withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal;
- **of recourse** at any time to the **HaDEA Data Protection Officer** at HADEA-DPO@ec.europa.eu and to the **European Data Protection Supervisor** at https://edps.europa.eu.

Request from a data subject to exercise a right will be dealt within **one month**.

The right to information, access, rectification, erasure, restriction or objection to processing, communication of a personal data breach or 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.

Electronically signed on 11/05/2026 13:58 (UTC+02) in accordance with Article 11 of Commission Decision (EU) 2021/2121