



RECORD OF PERSONAL DATA PROCESSING ACTIVITY

Record No: HR.01

Initial approval by Data Controller: ARES registration date

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

NAME OF THE PROCESSING ACTIVITY

Management of Learning and Development activities

IDENTIFICATION OF THE DATA CONTROLLER

Head of HaDEA Unit C.3 “Staff, Communication and Support”

GROUND FOR THIS RECORD (*select relevant ground*)

- Record of a new type of processing activity of personal data (before its implementation)
- 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

Management of Learning and Development activities

This processing activity is performed in accordance with **Regulation (EU) No 2018/1725¹** 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:

Head of HaDEA Unit C.3 “Staff, Communication and Support” , Place Charles Rogier 16, B-1049 Brussels, BELGIUM and can be contacted at HaDEAPeople-Development@ec.europa.eu

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

HADEA-DPO@ec.europa.eu

1.3 Joint controller:

Not applicable

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

The following entities process personal data on HaDEA’s behalf:

1. The European Commission Directorate-General for Human Resources Unit HR.C.4- Learning & Development (L&D), who provides L&D infrastructure and services, including EU Learn IT learning management system and external L&D procurement.
2. The European Commission Directorate-General for Communications Networks, Content and Technology (DG CONNECT), Unit D.4., which owns and operates Newsroom.
3. External services providers who may be engaged for certain specialized or external training activities, based on dedicated contracts.

1.5 Description and purpose(s) of this processing:

The purpose of this processing is to provide training and development activities to HaDEA staff. In some cases, providing evidence of participation in training to HaDEA People Development Team is necessary to ensure that staff follows training required for the proper fulfilment of their tasks or for which a financial contribution is requested.

Specifically, the HaDEA People Development Team uses an internal IT Tool to search information from EULearn about staff members that have (not) attended (mandatory) trainings and follow-up with them.

Moreover, newsletters related to L&D activities are sent to HaDEA staff using the Newsroom IT tool owned by DG CONNECT (see more information on how personal data is processed via Newsroom [here](#)).

Training is a key concept according to the European Commission Internal Control Standards (ICS) 4 – Staff Evaluation and Development. Every year training priorities are developed based on the multi-annual Inter-Executive Agencies HR Strategy.

These priorities depend on the core tasks of the Agency, the needs expressed by management and staff and, if applicable, by recommendations of central services. The Inter-Executive Agencies HR Strategy

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).

serves as a tool for both management and staff to ensure that the staff development is in line with the needs for fulfilment of the overall mission of the Agency, but also with individual staff career development.

Training courses are managed through the Commission tool [EU Learn](https://eulearn.europa.eu/ilp/pages/internaldashboard.jsf?menuId=54308996#/?dashboardId=805652) (see the privacy policy statement at <https://eulearn.europa.eu/ilp/pages/internaldashboard.jsf?menuId=54308996#/?dashboardId=805652>)

In case of external training, at the request of the data subject, the personal data are managed through paper documents or scanned versions of these, which can be sent by email. In this case, participation is not recorded in EU learn. Information concerning participation is recorded only in the payment or reimbursement files.

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

- (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 body²;
- (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** to which the controller is subject;
- (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.

Furthermore, when it comes to the processing of special categories of personal data, the processing operation is lawful under Article 10(2)(a) of Regulation (EU) 2018/1725 provided data subjects have given prior explicit consent.

1.7 The categories of data subjects

- Agency staff (Contractual and temporary staff in active position)
- Visitors to the Agency
- Applicants
- Relatives of the data subject
- Complainants, correspondents and enquirers
- Witnesses
- Beneficiaries

² • Article 24a of the Staff Regulations (SR) and articles 11 and 81 of the Conditions of Employment of Other Servants of the European Union (CEOS).

• Communication to the Commission on Learning and Development Strategy of the European Commission of 24/6/20164.

• Steering Committee Decision of 26 February 20215 on the application by analogy of Commission Decision C(2016)3828 of 24/06/2016 on the implementation of the learning and development strategy of the European Commission.

External experts

Contractors

Other, please specify: other types of HaDEA personnel (e.g., interimaire, trainees, external service providers), internal trainers at HaDEA, staff members of other Executive Agencies or other EU institutions, who enroll for learning and development activities and events organised by HaDEA; staff from other EU institutions, bodies or agencies providing training courses; any person whose details are referenced in contracts, purchase orders and any related documents.

1.8 Categories of personal data

a) *Categories of personal data:*

The following personal data are collected via EU Learn and/or paper files:

Participants:

- First name;
- Last name;
- E-mail address;
- Login name;
- Institution/Agency;
- Department/Unit/Sector;
- Type of post;
- Gender;
- Name of line manager;
- Grade;
- Status of participation (present, absent, withdrawn, etc. – where applicable);
- Bank account number, bank name and address (in exceptional circumstances for external training when they need to be reimbursed – not stored under EU learn);
- Invoice date and registration fees (only for external training);
- Proof of attendance (for external training, where applicable);
- Participation in learning activities (learning history);
- Test scores and personal evaluation of the course;
- Skills and skill levels acquired through the learning activities.

Lists with participants' contact details may be distributed based on participants' consent.

The e-mail address is processed in order to send the HaDEA Learning & Development Bulletin to the data subject.

Trainers:

- First name;
- Last name;
- Email address;
- Telephone number;
- Address (if a freelance trainer contracted via procurement, to whom documents need to be sent in order to be signed);
- Bank account number (in exceptional circumstances when they need to be reimbursed for their services).

Access to HaDEA premises: For external trainers to access the HaDEA premises, the following data are collected: first name and surname, identity card or passport number, nationality and ID number³.

As regards the internal IT search tool for trainings participation, the following categories of personal data are processed:

- First name;
- Last name;
- Department/Unit/Sector;
- Type of post and job title;
- Grade;
- Start date of the staff member's contract;
- Name and date of the training.

b) Categories of personal data processing likely to present specific risks: not applicable.

c) Categories of personal data whose processing is prohibited, with exceptions (art. 10):

Health-related categories of data: The data subjects might provide personal data related to specific dietary requirements, such as allergies, on a need-to-know basis via a dedicated functional mailbox to which only authorised staff in HaDEA HR or Communication Sector might have access to.

In addition to the data required for the activities detailed above, additional personal data may be processed in the context of L&D activities, for example, voice and image for recording of online training delivered via a third party platform such as Skype for Business or Microsoft Teams. In such cases, data subjects are informed and their personal data is collected based on their consent.

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)

Personal data will be kept as follows:

³ This is in line with the Commission record DPR-EC-00655.3

1) All training records are kept for the duration of the staff member's career and for 5 years after the staff member leaves the employment, as per the privacy policy of EU Learn.

Certain personal data need to be conserved for a longer period if they are related to ongoing rights and obligations, i.e. certification of participation in a training course. This is particularly important for training activities that have an impact on the career path of the staff member, i.e., for language training connected to Article 45(2) of the Staff Regulations (proficiency in a third language before promotion) and for training of a compulsory or pre-requisite nature.

2) Recordings of trainings are kept for as long as the training is maintained as part of the curriculum, up to a maximum of 10 years from the date of training.

3) Presence lists of the training actions that are completed are kept in digital or paper form for the periods determined under the Financial Regulations as a justification document for the payment of the external contractor's invoices, which is until the end of the year after which the training took place. After that period the presence lists are destroyed.

4) Evaluations of the training actions and the trainers are kept according to the duration of the framework contract with the external contractors (maximum 5 years).

5) As regards the internal IT search tool for trainings participation, the retention period is 24 hours, after which personal data is automatically deleted.

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:

WITHIN THE AGENCY:

- HaDEA People Development Team authorised staff in charge of L&D activities;
- HaDEA Appointing Authority (the Director of the Agency);
- HaDEA Head of Unit/Head of Sector of the persons concerned;
- Course managers and trainers;
- HaDEA and Commission staff in case you voluntarily publish your training courses in 'Who is Who' on the HaDEA intranet;
- Participants in the trainings;
- HaDEA authorised staff on a need to know basis (e.g. HaDEA Finance and Procurement authorised staff);
- As regards the internal IT search tool for trainings participation, HaDEA People Development Team authorised staff in charge of L&D activities.

OUTSIDE THE AGENCY

- On a need-to-know basis and in line with the data minimisation principle, personal data of participants to L&D activities may be shared with HaDEA contractors or external training providers for purposes related to participation to L&D activities;
- External trainers;
- Participants in the trainings;
- European Commission staff in charge of L&D activities;
- European Commission staff (DG CONNECT) operating Newsroom.

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 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 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 DG 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 responsible person in the unit in charge of this action (processing operation of the current record) collects and places personal data in electronic format on the secured drive of the Unit with restricted access on a need to know basis. All Agency staff and its contractors are bound by confidentiality obligations. 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, including 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>.

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

Data subjects' 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.