



EUROPEAN COMMISSION

European Health and Digital Executive Agency (HaDEA)

Data Protection Notice for the annual appraisal exercise

The European Health and Digital Executive Agency (HaDEA) processes your personal data¹ in line with [Regulation \(EU\) 2018/1725 of the European Parliament and of the Council of 23 October 2018²](#) on the protection of personal data by the European Union's institutions, bodies and agencies and on the free movement of such data.

What is the purpose(s) of this processing activity?

The purpose of this processing is to assess and manage the individual performance of staff members in the course of a given period and allow them to obtain feedback from their managers in view of their career development.

Who is the data controller?

The data controller of the processing operation is Head of Unit C.3 Staff, Communication and Support of HaDEA.

Which personal data is collected?

The following of your personal data are processed:

- Data obtained from Sysper: personal identification data (first name, last name, personal ID); career related data (position, grade, unit, start contract date, type of contract, current or previous reports which contain opinions of managers on the data subject, administrative status, objectives).
- Personal data provided by the jobholder when completing his/her performance report. Opinions of the Jobholder and his/her reporting officer on the performance and training needs of the jobholder are mandatory for the purpose outlined above.
- In case of underperformance: relevant evidence which might include personal data of hierarchical superiors of the person concerned.

Who has access to the personal data of data subjects and to whom can they be disclosed?

¹ **Personal data** shall mean any information relating to an identified or identifiable natural person ('data subject'). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

² 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 L295/39 of 21.11.2018).

The recipients of your personal data will be:

- HaDEA Reporting officers, Countersigning officers and Appeal Assessors;
- Authorised HaDEA HR staff;
- Authorised HaDEA Staff Committee members;
- The Director of HaDEA;
- The Joint Committee members (in case of contract termination proposal);
- The Joint Reclassification Committee members during the reclassification exercise;
- When the appraisal exercise concerns seconded officials, personal data regarding the person concerned and their hierarchical superiors might be shared with the service of origin and the European Commission Directorate-General for Human Resources and Security;
- On a need-to-know basis and in compliance with the relevant legislation, bodies charged with monitoring or inspection tasks in application of EU law (e.g. EC internal audit, Court of Auditors, European Anti-fraud Office (OLAF), the European Ombudsman, the European Data Protection Supervisor (EDPS), the European Public Prosecutor).

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

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

Which is the legal basis for processing your personal data?

We process your personal data on the basis of Article 5(1)(b) of Regulation (EU) No 2018/1725 because processing is necessary for compliance with a legal obligation to which the controller is subject.

Specifically, the legal bases for the processing activity are the following:

- Article 43 of the Staff Regulations which is applicable to Temporary Agents and Contract Agents by virtue of Articles 15(2) and 87(1) of the CEOS respectively³;
- HaDEA Steering Committee Decision SC01(2021)08 of 26.02.2021 laying down general provisions for implementing Article 43 of the Staff Regulations and implementing the first paragraph of Article 44 of the Staff Regulations;
- HaDEA Steering Committee Decision SC01(2021)09 of 26.02.2021 on general provisions for implementing Article 87(1) of the Conditions of Employment of Other Servants of the European Union and implementing the first paragraph of Article 44 of the Staff Regulations.

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.

How long do we keep your personal data?

Your personal data will be kept for a maximum period of ten years after the finalisation of the relevant appraisal report. Data will be deleted at the end of this period.

What are your rights regarding your personal data?

You have the right to access your personal data and to request your personal data to be rectified, if the personal data is inaccurate or incomplete; where applicable, you have the right to request restriction or to object to processing, to request a copy or erasure of your personal data held by the data controller. If processing is based on your consent, you have the right to withdraw your consent at any time, without affecting the lawfulness of the processing based on your consent before its withdrawal.

Your request to exercise one of the above rights will be dealt with without undue delay and within **one month**.

If you have **any queries** concerning the processing of your personal data, you may address them to Head of Unit C.3 (entity acting as data controller) via mail to HaDEA-People-Development@ec.europa.eu or to HaDEA Data Protection Officer at HADEA-DPO@ec.europa.eu.

You shall have right of recourse to the European Data Protection Supervisor at <https://edps.europa.eu>.

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