



RECORD ON PROCESSING ACTIVITY OF HaDEA STAFF COMMITTEE ELECTIONS

Record No: HR.03 **Initial approval by Data Controller:** ARES registration date

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

NAME OF THE PROCESSING ACTIVITY

HaDEA Staff Committee Elections

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 of HaDEA Staff Committee Elections

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 Unit C3 at the European Health and Digital Executive Agency (HaDEA), Place Charles Rogier 16, B-1049 Brussels, BELGIUM, who can be contacted at HADEA-PEOPLE@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 [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).

1.4 The following entity(ies) is/are acting as Processor(s): Not Applicable

1.5 Description and purpose(s) of this processing:

The purpose of the process is to organise the elections in order to set up the HaDEA Staff Committee. The processing covers setting up of the electoral committee, extracting from Sysper and publishing the electoral roll (names), checking the eligibility of applications and publishing the list of candidates, organizing and supervising the voting process, setting up of the staff committee members list and dealing with potential complaints.

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 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** to which the controller is subject, which are laid down in Union law³;
- (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.

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
- External experts
- Contractors
- Other, please specify:

² [Commission Implementing Decision](#) (EU) 2021/173 of 12 February 2021 establishing the European Climate, Infrastructure and Environment Executive Agency, the European Health and Digital Executive Agency, the European Research Executive Agency, the European Innovation Council and SMEs Executive Agency, the European Research Council Executive Agency, and the European Education and Culture Executive Agency and repealing Implementing Decisions 2013/801/EU, 2013/771/EU, 2013/778/EU, 2013/779/EU, 2013/776/EU and 2013/770/EU.

Council Regulation (EC) No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes.

³ Article 9 and Article 1 of Annex II of the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community.

1.8 Categories of personal data

a) *Categories of personal data:*

The following personal data are collected:

- For the members of the Election Committee and of the appointed Staff Committee:
 - First name (mandatory);
 - Last name (mandatory);
 - Type of contract [Temporary Agents (TA), Contracts Agents (CA)] (mandatory) and its duration;
 - Role in the respective committee (e.g. chairperson, member) (mandatory);

- Data processed for all Agency staff participating in the elections for a Staff Committee, who meet the conditions to stand for these elections (candidates and alternate candidates):
 - First name (mandatory);
 - Last name (mandatory);
 - Type of contract [Temporary Agents (TA), Contracts Agents (CA)] (mandatory) and its duration;
 - Nationality;
 - Seniority in the Agency and age in case of candidates with the same number of votes;
 - Grade (in case of Seconded Officials);
 - Motivation and priorities to address as a candidate.
 - To facilitate their campaign, candidates may provide (on their own initiative) information on the following:
 - Photo (not mandatory);
 - Unit (not mandatory);
 - Function (not mandatory);
 - Background or profile (not mandatory);
 - Any other information that candidates may share.

- Data processed⁴ only for the staff members that meet the conditions to vote for a Staff Committee:
 - First name (mandatory);
 - Last name (mandatory);
 - Type of contract [Temporary Agents (TA), Contracts Agents (CA)] (mandatory);
 - EU LOGIN user name;
 - E-mail address.

b) *Categories of personal data processing likely to present specific risks:* Not relevant

c) *Categories of personal data whose processing is prohibited, with exceptions (art. 10):* Not relevant

⁴ The data will be stored on the Commission server (via EU login) on the e-voting tool.

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 Common Retention List of the Commission by analogy. Personal data are kept for the time necessary to fulfil the purpose of collection or further processing. Documents in electronic format (candidacy) related to the HaDEA Staff Committee Elections will be retained for six months after the results of the elections are confirmed by the Director. The election results will also be available under the HaDEA Intranet for a period of six months after the end of the elections.

Data under the e-voting tool is kept for 4 months after the voting.

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

yes no

1.10 The recipient(s) of the data

The recipients⁵ to whom the personal data will or might be disclosed are:

- For the elections campaign: HaDEA's staff

The electoral roll, announcements, data concerning the appointment of the Staff Committee, and the lists of eligible candidates will be published on the Intranet and thus available to all staff of the Agency and to other European Institutions and bodies having access to this Intranet. Also leaflets/brochures that could be placed (during the elections period) in public areas of the HaDEA building will be disclosed to staff and visitors having access to HaDEA building.

- For the voting process: the Elections' Committee and C3 staff managing the elections process from HR and Workplace Sectors

Candidates' data, as listed above, are processed by HaDEA's Election Committee in order to establish a list containing all eligible candidatures. Data may be processed by the Director of the Agency (outcome of the election, etc.), the agency HR and Workplace Sectors (i.e. administrative and technical support, etc.).

- For the establishment of the Staff committee: HaDEA's staff

The results of the elections will be published on the HaDEA Intranet thus they will be available to all staff of EU Institutions and bodies that have access to HaDEA's Intranet.

- 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 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 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 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**.

Your 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.