



Data Protection Notice for the Annual Appraisal exercise

This Data Protection Notice describes the measures taken to protect your personal data with regard to the action involving the present data processing operation and what rights you have as a data subject.

European Health and Digital Executive Agency (HaDEA or Agency) protects the fundamental rights and freedoms of natural persons and in particular your right to privacy and the protection of your personal data.

Your personal data are processed 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.

Who is the data controller?

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

Which is the legal basis for processing your personal data?

The legal basis for the processing activities is 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; and more precisely HaDEA Steering Committee Decision SC01(2021)08 of 26.02.2021 on general provisions for implementing Art. 87(1) of the CEOS of the EU and implementing the first paragraph of Art.44 of the Staff Regulations for contract agents 3(a), and HaDEA Steering Committee Decision SC01(2021)09 of 26.02.2021 laying down general provisions for implementing Art.43 of the Staff Regulations and implementing the first paragraph of Art.44 of the Staff Regulations for temporary staff 2(f) are applicable in order to comply with the legal obligations.

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.

Which personal data is collected?

The following of your personal data are collected: Data obtained from Sysper2: 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 outline above.

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

The recipients of your personal data will be HaDEA Reporting officers, Countersigning officers and Appeal Assessors in charge, authorised HaDEA HR staff and the Director of the Agency and Joint Committee in case of appeal. In addition, Joint Reclassification Committee members during the reclassification process and bodies charged with monitoring or inspection tasks in application of EU law (e.g. internal audits, Court of Auditors, European Anti- fraud Office (OLAF), EPPO).

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 L295/39 of 21.11.2018).

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

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

How long do we keep your personal data?

Your personal data will be kept for a maximum period of ten years after the end of your employment with the HaDEA?. 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 data is inaccurate or incomplete; where applicable, you have the right to request a restriction of 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**.

Restrictions in particular for the right to information, modification or cancelation in accordance with Article 25 of Regulation (EU) No 2018/1725 may apply in case of pre/investigations for irregularities or anti-fraud in order not to jeopardize potential investigations.

If you have **any queries** concerning the processing of your personal data, you may address them to the Head of Unit Staff, Communication and Support of the HaDEA (entity acting as data controller) via hadea-performance@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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