



Data Protection Notice for flexible working time arrangements: ‘flexitime’

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:

Staff Regulations: Title IV – Chapter 4 – Art 16 and 91 of the CEOS²

General Implementing Provisions – Commission Decision C(2014) 2502.

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

The purpose of this processing is to enable you as HaDEA staff to benefit from the flexible working arrangement by encoding your daily arrival and departure time in SYSPER2 and for managers to validate/reject recuperation. In addition, the data can be used by the managers to assess workload in the team/unit.

Which personal data is collected?

The following of your personal data are collected: your first name, last name, title, period type, date, hours of arrival / departure, debit/credit per day/month, recuperation. The data 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 the HaDEA HR staff, Head of Unit Staff, Communication and Support, Head of Sector People (HR), JSIS, EC Medical Services, and HaDEA Director as Appointing Authority and bodies charged with monitoring or inspection tasks in application of EU law (e.g. internal audits, European Court of Auditors, European Anti-fraud Office (OLAF), EPPO).

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

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).

² Regulation No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community as last amended by Commission Decision 2020/C 428/10.

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 **5 years** from the validation date by the line manager. Data will be automatically 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) 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 (entity acting as data controller) via hadea-time-management@ec.europa.eu or to HaDEA Data Protection Officer at HADEA-DPO@ec.europa.eu.

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

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