



## Data Protection Notice for Reclassification 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 2018/1725<sup>1</sup> 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 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's Steering Committee Decision of 26.02.2021 on general implementing provisions regarding Article 87(3) of the CEOS for contract staff and HaDEA's Steering Committee Decision of 26.02.2021 laying down general implementing provisions regarding Article 54 of the CEOS for temporary staff<sup>2</sup>.

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

**The purpose** of this processing is to reward the best performers, each year, on the basis of comparison of merits and within the limits of the budgetary resources.

Which personal data is collected?

**The following of your personal data are collected:** The process is undertaken entirely electronically via Sysper2: personal identification data (first name, last name, personal perID); career-related data (position, grade, unit, start date, type of contract, administrative status, objectives) as well as current or previous reports which contain opinions of staff member and managers on the performance and training needs of the jobholder are **mandatory** for the purpose(s) 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 jobholder, HaDEA managers (Heads of unit, Heads of Department and Director), authorized HaDEA HR staff, Staff Committee members, Joint Reclassification Committee members 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).

---

<sup>1</sup> 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).

<sup>2</sup> 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.

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 10 years after the extinction of all rights of the staff member at the end of the career. 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 cancellation 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 Head of Unit C.3 (entity acting as data controller) via mail to [HADEA-PERFORMANCE@ec.europa.eu](mailto:HADEA-PERFORMANCE@ec.europa.eu) or to HaDEA Data Protection Officer at [HADEA-DPO@ec.europa.eu](mailto:HADEA-DPO@ec.europa.eu).

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

Version June 2021