



## **Data Protection Notice for managing the obligatory records of presence in the context of COVID-19**

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.

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

**The legal basis** for the processing activities is:

- Article 5(1)(a) of Regulation (EU) 2018/1728 because the processing is necessary for the management and functioning of the Union Institutions or bodies (Recital (22) of Regulation (EU) N° 2018/1725)<sup>2</sup>;
- Article 5(1)(b) of Regulation (EU) 2018/1725 because processing is necessary for compliance with a legal obligation to which the controller is subject and in particular Article 1e(2) of the Staff Regulations related to working conditions and health of the EU staff<sup>3</sup>;
- Article 5(1)(e) of Regulation (EU) 2018/1725 because the processing is necessary in order to protect the vital interests of the data subject or of another natural person.

**The purposes** of this processing operation are: to record and identify presences of the Agency staff to ensure a swift route of communication with the colleagues in case it

---

<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> Act of Establishment: 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.

<sup>3</sup> Article 1(e)(2) of the 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.

becomes necessary for health reasons in view of the ongoing COVID-19 situation. This applies to all colleagues working from the Agency or Commission premises or accessing the building exceptionally for short periods of time. The aim is to centrally register building presence, to identify staff in case an infection occurs, so as to take all necessary measures to protect the health of staff.

**The following of your personal data are collected and processed:**

- Identification data and officer number and date/place of work (first name, surname, organisation (Sector, Unit, Department), regular office number, different office (if staff will not work from their regular office), date and work type (morning, afternoon, all day), date of entry and, if applicable, modification of data.

Personal data are collected directly from you through the online tool for records of presence available in SharePoint. Certain data such as the name, surname, organisation (Sector, Unit, Department), regular office number are collected from ComRef to Microsoft Active Directory, where SharePoint reads it.

**The recipients** of your personal data on a need-to-know basis will be:

- Agency Director, the Business Continuity Team and authorised personnel (HR and IT staff) dealing with the records of presence.
- Authorised staff members in the Agency's HR and IT sectors, the REA's SharePoint administration team (the tool is hosted in REA), and DG DIGIT in charge of developing, hosting and maintaining the IT system.

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).

**Your personal data** will be kept for a maximum period of 4 weeks from the date of the presence as declared in the tool. Data will be deleted at the end of this period.

**You have the right** to access your personal data and to rectify or delete them yourself where necessary by editing the data. In certain cases, 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 via the mailbox: HaDEA-BCP@ec.europa.eu

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 HaDEA-BCP@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>.