



EUROPEAN COMMISSION
Executive Agency for Small and Medium-sized Enterprises (EASME)

RECORD OF PERSONAL DATA PROCESSING ACTIVITY

Based on Article 31 of the Regulation (EU) 2018/1725¹ on the protection of natural persons with regards to the processing of personal data by the Union Institutions, bodies, offices and agencies and on the free movement of such data, each responsible EASME data controller has to maintain a record of the processing activities under his/her responsibility.

Record No: R-2019-12

Initial approval by Data Controller: see date of Ares signature

Previous Notification (if applicable): n/a

Update (s) (if applicable): n/a

NAME OF THE PROCESSING ACTIVITY

Repayment of exceptional education costs

IDENTIFICATION OF THE DATA CONTROLLER

Executive Agency for Small and Medium-sized Enterprises (EASME), Head of Unit C.2 Administration

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 (ex-post)
- Change/Amendment/ Update of an already existing previous record (or previous notification to DPO)

DESCRIPTION OF THE PROCESSING ACTIVITY

EASME staff requesting the repayment of exceptional education costs need to provide a series of documents regarding their dependent child(ren) school and medical reports in order for the Appointing Authority to take a Decision to grant the repayment. The complete fill will be only processed by the staff from EASME HR Team who will submit a note for the file to the Appointing Authority, this note will serve as a payment request to be sent from HR to Finance. The whole file will therefore stay in EASME as PMO does not intervene in the payment.

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. INFORMATION ON THE PROCESSING ACTIVITY

of the Repayment of exceptional education costs

This processing activity is performed in accordance with **Regulation (EU) No 2018/1725**² 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:

The Administration Head of Unit C.2 at the Executive Agency for Small and Medium-sized Enterprises (EASME), Place Charles Rogier 16, B-1049 Brussels and can be contacted at: EASME-HR-Administration@ec.europa.eu

1.2. The following entity(ies) is/are acting as Processor(s):

n/a

1.3. The legal basis for the processing based on Article 5(1) of Regulation 2018/1725:

- (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 body³;
- (a2) the processing is necessary for the **management and functioning** of the Union Institutions or bodies (Recital (22) of Regulation 2018/1725) ;
- (b) the processing is necessary for **compliance with a legal obligation** to which the controller is subject, which are Articles 30 and 98 of the CEOS⁴ and Administrative notice n°34-2016/12.07.2016;
- (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.

1.4. The purpose(s) of this processing is/are to:

Check eligibility criteria, assess them and proceed with the repayment of exceptional education costs when justified.

1.5. The categories of data subjects concerned by this processing are:

EASME staff (CA, TA, SNE if applicable) and their dependents.

1.6. The following personal data are collected:

Staff personal number, staff name, dependents' name, school certificates of child(ren) stating the imperative educational reasons for changing schooling, medical data supporting the claim, school reports, educational curriculum vitae of the child since the 1st year of primary school, supporting documents showing school fees (invoices, payments, bank transfer), staff salary slip and proof of monthly payments if any and proof of the spouse annual net income.

The above-mentioned personal data are **mandatory** for the purpose(s) outline above.

² 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).

³ EASME Act of Establishment: Commission Implementing Decision C(2013/771/EU) of 17 December 2013 establishing the 'Executive Agency for Small and Medium-sized Enterprises' and repealing Decisions 2004/20/EC and 2007/372/EC

⁴ 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 2018/C 451/07.

1.7. The recipients to whom of the personal data will or might be disclosed are: the EASME HR staff and EASME staff in charge of payment in the Finance unit, Head of Unit C2, Head of Sector C2.1, Head of Department C, Legal Team and EASME Director as Appointing Authority 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).

1.8. Personal data will not be transferred to third countries or international organisations.

1.9. The processing of this personal data will not include automated decision-making (such as profiling).

1.10. The following technical and organisational security measures are in place to safeguard the processing of this personal data: all the exchange of information between the EASME staff member and the services involved in the procedure will be performed using SECEM (encrypted e-mails). The documents referred in paragraph 1.6 will be stored on a dedicated server folder with contingency measures based on “need to know” criteria. The ARES file will also be restricted with handling restrictions stamp. Paper files (Medical reports) will be processed by the HR Administration with sealed envelope to the Medical Services, stored in locked cupboards.

1.11. The personal data concerned will be kept for a maximum period of 36 months from the date of EASME Decision on the repayment. Data will be manually deleted at the end of this period.

1.12. 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 **EASME Data Protection Officer** at EASME-DPO@ec.europa.eu and to the **European Data Protection Supervisor** at <https://edps.europa.eu>.

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

Request from a data subject to exercise a right will be dealt within **one month**.

Any queries concerning the processing of personal data, have to be addressed to the Data Controller indicated above in 1.1. at easme-HR-administration@ec.europa.eu.
