



EUROPEAN INNOVATION COUNCIL AND SMES
EXECUTIVE AGENCY (EISMEA)

Compliance, People and Budget
People, Workplace and Operational Coordination Support

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 EISMEA data controller has to maintain a record of the processing activities under his/her responsibility.

Record No: R-2019-16-02

Initial approval by Data Controller: [Ares\(2019\)6072793-01/10/2019](#)

Previous Notification (if applicable): DPO-2017-01

Update (s) (if applicable): February 2023

NAME OF THE PROCESSING ACTIVITY

360° feedback on leadership competencies for EISMEA managers

IDENTIFICATION OF THE DATA CONTROLLER

European Innovation Council and SMEs Executive Agency (EISMEA), Head of Unit C.02 –People, Workplace and Operational Coordination Support –HR Sector C.02.1 HR.

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

This process allows participants (reviewees) in the development programme for EISMEA managers to obtain feedback on their competencies related to EISMEA's leadership competency model. The persons providing feedback (reviewers) will not be identified in the feedback report to the reviewee, or in the feedback report received by the coach (for the feedback session with the reviewee). This type of tool is commonly used by other Commission Services and internationally by training providers in courses on management and leadership. The data will not be used in any form in the evaluation (appraisal) process of any of the persons involved.

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 360° feedback on leadership competencies for EISMEA managers

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:

European Innovation Council and SMEs Executive Agency (EISMEA), Head of Unit C.02 –People, Workplace and Operational Coordination Support – HR Sector C.02.1, B-1049 Brussels and can be contacted at: EISMEA-HR-TRAINING@ec.europa.eu.

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

The **GreenHouse Group** Rue de la Montagne 54/56 (B3), 1000 Bruxelles (Belgium) and **1Transformation GmbH Performance Consultants**, Zehdenicker Straße 1, 10119 Berlin (Germany) as external EISMEA service provider and its sub-contractor **Performance Consultants (International) Ltd** 93 Ifield Road, London, SW10 9AS (UK) acting as sub-processors.

1.3. The legal basis for the processing based on Article 5(1) of Regulation (EU) 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 Agency as laid down in Union law (Recital (22) of Regulation (EU) 2018/1725);
- (b) the processing is necessary for **compliance with a legal obligation** to which the Agency as controller is subject, which are:
 - Articles 24a and 110(2) of the Staff regulations and Articles 11 and 81 of the CEOS⁴ and
 - Agency Steering Committee Decision of 19/04/2017 on the application by analogy of Commission Decision C(2016)3828 on the implementation of the Learning and Development Strategy
- (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 to:

Allow all participants (reviewees) in the development programme for EISMEA managers to obtain feedback on their management and leadership skills and help them develop their competencies, in the context of EISMEA's leadership competency model. Other Commission Services routinely use this type of tool in 360° feedback as well as courses on management and leadership. The data will not be used in any form in the evaluation (appraisal) process of any of the persons involved.

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 [EISMEA Establishment Act: Commission Implementing Decision \(EU\) 2021/173](#) of 12 February 2021 establishing the **European Innovation Council and SMEs Executive Agency** (OJ L 50/9 of 15.2.2021).

[Act of Delegation: Commission Decision C\(2021\)949](#) delegating powers to the **European Innovation Council and SMEs Executive Agency** with a view to the performance of tasks linked to the implementation of Union programmes in the field of Innovative Europe, Single Market and Interregional Innovation Investments comprising, in particular, implementation of appropriations entered in the general budget of the Union.

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.

- Agency Steering Committee Decision of 19/04/2017 on the application by analogy of Commission Decision C(2016)3828 on the implementation of the Learning and Development Strategy.

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

EISMEA managers (reviewees or reviewers) and other EISMEA staff members (reviewers).

1.6. The following personal data are or may be collected:

Data allowing the identification of the data subject (name, first name, electronic address, gender, position, administrative entity, seniority in the function); Information provided by the reviewees on their own perception of their competencies related to the Agency's leadership competency model; Information provided by reviewers on their perception of the reviewees' competencies related to the Agency's leadership competency model; Recommendations on training and on-the-job development activities matching development needs of reviewees.

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

EISMEA staff providing feedback (reviewers) will not be identified by name in the feedback report given to the reviewee, or in the feedback report received by the coach (for the feedback session with the reviewee).

1.7. The recipients to whom the personal data will or might be disclosed are:

- The competent staff of the contractor and its sub-contractor(s) receive and process the personal data of all parties (reviewees and reviewers).
- The development program participant (reviewee) him/herself receives the anonymous, amalgamated report of the feedback. In these individual reports, the included free text comments provided by the reviewers could contain personal data which could potentially lead to recognise reviewers eg based on a specific writing style.
- A certified coach from the sub-contractor will receive the same individual report as a support for the feedback session.

In addition: bodies charged with monitoring or inspection tasks in application of EU and national law (e.g. internal audits, European Anti-fraud Office – OLAF, European Public Prosecutor's Office – EPPO) might receive the aforementioned personal data.

No personal data is received by the EISMEA HR sector or senior management, or any staff member of the EU institutions, agencies or offices.

1.8. Personal data will not be **transferred** to a third country not covered by an Adequacy Decision or to international organizations. Personal data and the individual 360° Leadership Feedback Report will be stored on the server of the external service provider located in the EU.

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: The feedback by reviewers is provided online and access is given only to persons who obtained an individual access code to enter their comments/evaluation; the reviewee has access to her/his individual 360° Leadership Feedback report only, provided by the external supplier. The sub-contractors are bound by contractual provisions to implement appropriate technical and organisational safeguards and subject to confidentiality obligations.

1.11. The personal data concerned **will be kept for a maximum period** of 12 months. The owner of the individual report is the concerned participant (reviewee) and the EISMEA HR sector will not receive a copy of it. Once the participant has obtained the individual 360° report, the external service provider will automatically delete the report after 12 months. If a group report is produced, a copy is kept by the Agency's HR sector; it does not contain any personal data.

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

The reviewee has access to her/his own individual 360° Leadership Feedback report through an individual access code provided by the external supplier. The reviewee and the reviewers are informed about the procedure and questionnaire they will receive and how to answer the questionnaire with the possibility to rectify data before sending it out. Access to the results will be restricted to the reviewee, who can ask the report to be erased from the server once it has been received.

Request from a data subject to exercise a right will be dealt with by the Data controller in **one month**.

Your right to information, access, rectification, erasure, restriction or objection to processing, communication of a personal data breach or confidentiality of electronic communications may be restricted only under certain specific conditions as set out in **the applicable [Restriction Decision](#)** in accordance with Article 25 of Regulation (EU) 2018/1725.

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