



RECORD OF PERSONAL DATA PROCESSING ACTIVITY

by EASME as Data Processor

Based on Article 31 (2) 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: PR-2020-01

Initial approval by Data Processor: *see date of Ares signature*

Previous Notification (if applicable): n/a

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

NAME OF THE PROCESSING ACTIVITY

Ensuring Business Continuity in case of crises and operational disruptions

IDENTIFICATION OF THE DATA CONTROLLER AND PROCESSOR

The **data controller** is SG.DSG1.A.6 'Corporate Governance and Business Continuity'.
The Executive Agency for Small and Medium-sized Enterprises (EASME), Head of Department C is the **data processor** processing the data on behalf of the controller.

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 collects via the NOAH IT tool of the Secretariat General of the European Commission personal data of EASME staff to respond to crises and operational disruptions affecting its normal functioning by using the personal contact details of staff for communication purposes.

It enables the Agency to ensure continuity of service and to send information to staff for business continuity management purposes, i.e. to prepare exercises and respond to crises and operational disruptions.

This includes: 1) automated processing (automatic collection of personal contact details of staff from dedicated IT systems; recording and storage of such data in NOAH as resilient repository; generating lists of critical/essential staff and cascade lists; retrieval, consultation and disclosure of such lists according to strict and documented access rules; use of personal contact details for automated sending of e-mails and/or text messages (SMS); use of the lists / cascade system to contact relevant people use of any business continuity documents (BCP, relocation plan, telephone cascade, etc.) and annexes; 2) Manual processing (Excel sheet) 3) Other (Pdf sheets).

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 Business continuity management

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:

Secretariat-General of the European Commission, SG.DSG1.A.6 'Corporate Governance and Business Continuity' (SG-CORPORATE-BUSINESS-CONTINUITY@ec.europa.eu), acting as horizontal data controller on behalf of the European Commission as per data protection record ref. DPR-EC-00538.1.

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

Every Commission services and all the Executive Agencies of the European Commission (EASME, REA, EACEA, ERCEA, INEA, CHAFEA) are data processors.

For the Executive Agency for Small and Medium-sized Enterprises (EASME), Head of Department C is the data processor processing the personal data on behalf of the controller at EASME, Place Charles Rogier 16, B-1049 Brussels and can be contacted at: EASME-BCP@ec.europa.eu. EASME is filling in this Record as a data processor.

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/processor is subject, and in particular Art 55 of the Staff Regulations and the BCM Framework (SEC(2006)899);
- (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:

- During a **business disruption**, NOAH is used to signal an incident, to exchange and access information and instructions on the actions to be taken. NOAH can send automated communications to staff through **e-mail** (to both the office and personal e-mail addresses) and **text messages** (to the service and to the personal mobile phone number);

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.

- During **normal business**, NOAH is used to plan and prepare the business continuity activities. It offers a document repository, the duty roster, templates and discussion forums. It also contains the lists of critical/essential functions and staff, including their personal contact details, and generates **calling tree (so-called cascade) lists**.

The processing of personal data in NOAH is in the interests of both the institution and staff. It enables the Commission to safeguard continuity of service and to warn staff about situations that could be prejudicial to their safety or security.

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

All EASME staff, trainees and external service providers working intra-muros.

1.6. The following personal data are collected:

- **contact data:** name, private home phone number, if any; private mobile number, if any; private e-mail address, if any;
- **identification data:** user login, user function, date of login and information on changes in NOAH; “audit trail”, a technical tracking of each access and handling of personal data in NOAH to ensure that all accesses and changes can be traced back.

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

Personal data **is obtained** through automatic collection of personal contact details of staff from Sysper, AMA (ARGUS Management Application) and COMREF (Common Reference database holding Commission-wide data) and recording and storage of such data in NOAH as resilient repository.

Each individual member of staff provides her/his personal contact details in Sysper via HRM Forms and is responsible for inserting, modifying and updating such data.

1.7. The recipients:

For the data controller (SG): Line manager business continuity desk officers, correspondents, high-ranking officials and duty officers can access the personal data of staff of their own DG/executive agency for business continuity purposes. SG.A6’s business continuity team, being system owner of NOAH and responsible for carrying out this processing operation, can access all personal data of Commission and executive agency staff. DIGIT’s NOAH development team can also access all personal data of Commission and executive agency staff.

For the data processor (EASME): Information of agencies' staff is available to EASME Management, business continuity duty officers, correspondent and duty officers of the Agency.

The Secretariat-General, in its corporate capacity and as NOAH system owner, and HR.DS, can access all personal contact data. Moreover, 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. Technical and organisational security measures are in place to safeguard the processing of this personal data:

Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorized access, taking into consideration the risk presented by the processing and the nature of the personal data being processed.

Organizational measures include restricting access to the personal data solely to authorized persons with a legitimate need to know for the purposes of this processing operation. The access to personal data is protected by the management of the access rights which are strictly limited to specific users. The login and the passwords are managed by the common authentication service of the European Commission (EU Login). Furthermore, NOAH implements an “audit trail” that tracks each access and handling of personal data in NOAH.

1.11. The personal data concerned **will be kept as long as the member of staff works in the Agency.**

Therefore, regarding the data **controller (SG)**:

Personal details of staff are kept for the duration of active employment in the Commission. The starts date is recruitment, the end date is retirement or expiration of employment contract.

Regarding automatic and manually extracted reports from NOAH IT tool (Each entity (via BC Desk Officer/BC Contact Point) receives monthly/weekly "NOAH - SYSPER sanity check" automatic reports indicating any discrepancies in Sysper data; Any NOAH user can extract customized reports) the retention period is 6 months. The start date is date of extraction or the date of email received. The end date is 6 months from date of extraction or 6 months date of email received.

Regarding Business continuity documents (BCP, relocation plan, telephone cascade, etc.) and annexes personal data are kept as long as useful and up-to-date. The start date is creation of document. The information is retained until it is useful, at the latest until retirement or expiration of employment contract.

For the data **processor (EASME)** the same retention of personal data rules apply.

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;
- **or recourse** at any time to the **Data Protection officer of the European Commission** EC-DPO@ec.europa.eu or the **EASME Data Protection Officer** at EASME-DPO@ec.europa.eu and to the **European Data Protection Supervisor** at <https://edps.europa.eu>.

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 Processor indicated above in 1.2. at EASME-BCP@ec.europa.eu.
