RECORD OF PERSONAL DATA PROCESSING ACTIVITY

Based on Article 31 of the Regulation (EU) 2018/1725 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-2019-08 Initial approval by Data Controller: see date of signature in Ares
Previous Notification (if applicable): DPO-2013-06 Update (s) (if applicable): n/a

NAME OF THE PROCESSING ACTIVITY
Flexible working arrangements: ‘flexitime’

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

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 must encode their daily working hours as part of the flexible time arrangements. At the beginning of M+1, the line manager validates the timesheet or asks for corrections to the staff member. Once the timesheet is validated the staff member can either offset the extra hours or ask for recuperation. In addition, the data can be used by the managers to assess workload in the team/unit.

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1. INFORMATION ON THE PROCESSING ACTIVITY of flexible working arrangements - ‘flexitime’

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:
Head of Unit Administration 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 (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 body\(^3\);
- (a2) the processing is necessary for the management and functioning of the Union Institutions or bodies (Recital (22) of Regulation (EU) 2018/1725);
- (b) the processing is necessary for compliance with a legal obligation to which the controller is subject, which are Staff Regulations Title 4 and Chapter 4 Art. 16 and 91 of the CEOS and Commission Decision C(2014) 2502;
- (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:
Enable EASME staff to benefit from the flexible working time arrangements by encoding the daily arrival and departure time in SYSPER2 and for managers to validate/reject recuperation. In addition, the data can be used by the managers to assess workload in the team/unit.

1.5. The categories of data subjects concerned by this processing are:
EASME staff members i.e. CA, TA, SNE if applicable, trainees.

1.6. The following personal data are collected:
First name, last name, period type, date, hours of arrival and departure, debit/credit per day/month, recuperation. The above mentioned personal data are mandatory for the purpose(s) outline above.

1.7. The recipients to whom of the personal data will or might be disclosed are:
The EASME HR sector and line managers (Head of Sector, Team leaders if applicable, Head of Unit, Head of Department, the Director) 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).

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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:

Only EASME staff member have access to SYSPER time management tool who need to have access and the access is protected by personal password. In addition, only the GECO can access the data for all staff in order to produce reports.

1.11. The personal data concerned will be kept for a maximum period of 5 years from the validation date by the line manager. Data will be automatically deleted at the end of this period.

The personal data may be further processed for historical, statistical or scientific purposes. The further retention time for this purpose will be 5 years.

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.

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