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-2019-16 Initial approval by Data Controller: see date of Ares signature
Previous Notification (if applicable): DPO-2017-01 Update (s) (if applicable): n/a

NAME OF THE PROCESSING ACTIVITY

360 degree feedback on leadership competencies

IDENTIFICATION OF THE DATA CONTROLLER

Executive Agency for Small and Medium-sized Enterprises (EASME), Head of Unit C.2 Administration – C.2.1 HR sector.

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 EASME managers to obtain feedback on their competencies related to EASME’s leadership competency model. Those 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.

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1. INFORMATION ON THE PROCESSING ACTIVITY of 360 degree feedback on leadership competencies

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 Head of Unit C.2 Administration 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-Training@ec.europa.eu.

1.2. **The following entity(ies) is/are acting as Processor(s):**
Cubiks as external EASME service provider and its sub-contractor(s).

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 Art.24a and 110(2) of the Staff regulations and Art.11 and 81 of the CEOS\(^4\);
- (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 EASME managers to get feedback on their competencies EASME’s leadership competency model.

1.5. **The categories of data subjects** concerned by this processing are:
EASME managers (reviewees or reviewers) and other EASME staff members (reviewers).

1.6. **The following personal data** are collected:
Data of a personal nature allowing the identification of the data subject (name, first name, electronic address, gender, position, administrative entity); 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's competencies related to the EASME leadership competency model; Recommendations on training and on-the-job development activities matching development needs of reviewees.

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\(^4\) 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.
The above mentioned personal data are mandatory for the purpose(s) outline above.

1.7. **The recipients** to whom the personal data will or might be disclosed are:
The contractor and its sub-contractor receives and processes the personal data of all parties (reviewees and reviewers). The programme participant 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 identifiable personal data linked to the potentiality of recognizing someone's own written style. A certified coach from the sub-contractor will receive the same individual report as a support for the feedback session. No personal data is received by the EASME HR sector or senior management, or any staff member of the EU institutions, agencies or offices and bodies charged with monitoring or inspection tasks in application of EU law (e.g. internal audits, European Anti-fraud Office – OLAF).

1.8. **Personal data will be stored** on the server of the external service provider in the United Kingdom (Cubiks).

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 done online and access is given only to people who obtained a code to enter their comments/evaluation; The reviewee has access to her/his individual 360° Leadership Feedback report through an individual access code provided by the external supplier.

1.11. The personal data concerned **will be kept for a maximum period** of 12 months. The external service provider Cubiks 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. Click here to enter text.

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. **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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