

EEAS PRIVACY STATEMENT - DATA PROTECTION NOTICE

FOR THE PURPOSE OF
PROCESSING PERSONAL DATA RELATED TO ATTRIBUTION OF ENTITLEMENTS AND ALLOWANCES
FOR ALL STATUTORY EEAS AND EC STAFF MEMBERS STATIONED IN
OR TO BE ASSIGNED TO EU DELEGATIONS
USING THE E-RIGHTS SYSTEM BY THE EEAS

1. INTRODUCTION

The protection of your personal data and privacy is of great importance to the European External Action Service (EEAS), including the Delegations of the European Union. You have the right under EU law to be informed when your personal data is processed [e.g. collected, used, stored] as well as about the purpose and details of that processing.

When handling personal data, we respect the principles of the Charter of Fundamental Rights of the European Union, and in particular Article 8 on data protection. Your personal data are processed in accordance with Regulation (EU) 2018/1725 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, aligned with Regulation (EU) 2016/679, the General Data Protection Regulation. In this privacy statement you find information about how the EEAS and EU Delegations process your personal data and what rights you have as a data subject.

2. PURPOSE OF DATA PROCESSING: Why do we process your data?

The purpose of the present processing activity is to manage the definition, attribution and payment of entitlements and allowances under Annex X to the Staff Regulations.

Description:

The e-Rights system manages movement and rotation files and the following allowances:

- Taking-up-duty/end-of-duty travel allowances
- Installation allowances
- Removal allowances
- Resettlement allowances
- Accommodation allowances
- Annual travel allowances
- Rest leave allowances
- Education allowances
- Country Evacuation allowances
- Medical Evacuation allowances
- Weighing factors and exchange rates to local currencies

Data are received from EEASREFN, Sentry, SYSPER, Immogest and HR-Delegation at recruitment and at every change of status or place of service. Allowances are re-calculated at change of status or location and when an allowance or rest leave is due.

Data about allowance or leave rights will then be sent to ABAC and SYSPER.

The e-Rights system also provides dashboards and reports.

3. DATA PROCESSED: What data do we process?

The data, including personal data, which may be processed for that purpose are the following:

I. Personal data processed of staff and family members:

- Surname, first name
- Staff number
- Place of Origin
- Private Addresses
- Family composition
- Family allowances-related data
- Fiscal residence

- Data of residence (including data in supporting documents (e.g. utility invoices, rental or purchase contracts))
- Data of car plate change (if applicable)
- Career data (including job title, grade, step, organisational entity and career history)
- Name and address of family members
- Schooling and revenue data of family members
- Allowances and entitlements
- Payment data
- Data of rotation, removal and their authorisation (old and new post, location, data of removal services etc.)
- Travel data (time and place of mission, costs etc.)

II. Personal data processed of system users:

- Name and forename
- Service/function
- User ID, e-mail

Special categories of data are only processed to the extent they are necessary to define entitlements. No specific sickness or health condition data are processed.

Users access the system through EULogin. Data Controllers only receive information from EULogin about your identity that is necessary to confirm user access to the portal.

More information can be found in the EULogin Privacy Statement referred to in point 8.

4. DATA CONTROLLER: Who is entrusted with processing your data?

The data controller determining the purpose and the means of the processing activity is the European External Action Service (EEAS). The EEAS Division entrusted with managing the personal data processing under the supervision of the Head of Division is the following organisational entity:

BA.HR.3 Rights, Obligations and Medical Cell

5. RECIPIENTS OF THE PERSONAL DATA: Who has access to your data?

The recipients of your data may be:

In EU Delegations:

- Head of Delegation or delegate (i.e. Deputy Head of Delegation);
- Head of Administration;
- Head of Section;
- Other EU Delegation staff members involved in the management of entitlements and allowances.

In HQ:

- EEAS HR Directorate and Commission services dealing with entitlements and allowances;
- EEAS and Commission Appointing Authority/Authority Authorized to Conclude Contracts;
- EEAS and Commission staff dealing with payments;
- EEAS and Commission assigned staff executing control and audit activities.

Personal data is not intended to be transferred to a third country or an international organisation, except where necessary for providing access to recipients as described above. In case of international transfers appropriate safeguards are ensured in accordance with Chapter V of Regulation (EU) 2018/1725. The given information will not be communicated to third parties, except where necessary for the purposes outlined above.

6. ACCESS, RECTIFICATION AND ERASURE OF DATA: What rights do you have?

You have the right of access to your personal data and the right to correct your inaccurate, or incomplete personal data taking into account the purpose of the processing. The right of rectification can only apply to factual data processed. Under certain conditions, you have the right to ask the deletion of your personal data or restrict their use as well as to object at any time to the processing of your personal data on grounds relating to your particular situation. We will consider your request, take a decision and communicate it to you without undue delay and in any event within one month of receipt of the request. That period may be extended by two further months where necessary. For more detailed legal references, you can find information in Articles 14 to 21, 23 and 24 of Regulation (EU) 2018/1725. In specific cases, restrictions under Article 25 of the Regulation may apply. If you wish to exercise your rights or have questions concerning the processing of your personal data, you may address them to the Data Controller via the functional mailbox:

RIGHTS-AND-OBLIGATIONS@EEAS.EUROPA.EU

7. LEGAL BASIS: On what grounds we collect your data?

Processing is necessary for the functioning and management of the EEAS (Article 5.1(a) of Regulation (EU) 2018/1725) and for the performance of the contract of contract agents (Article 5.1(c) of Regulation (EU) 2018/1725).

Legal references:

- Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Union, in particular Titles V, VIIIa and VIIIb and Annex X thereof
- Good administrative practices in the framework of the Treaty of Lisbon and the Council Decision of 26 July 2010 establishing the organisation and functioning of the European External Action Service (2010/427/EU) available on http://www.eeas.europa.eu/background/docs/eeas_decision_en.pdf, in particular Article 6 thereof
- Decision of the Chief Operating Officer of the PROC HR(2011) 002 of 29 November 2011 "To extend the application of certain Commission rules developing the provisions of the Staff Regulations and the Conditions of Employment of Other Servants, to the EEAS and its modifying decision EEAS DEC(2014) 032
- Service Level Agreement (SLA) between the EEAS and the PMO (Pay Master Office) of 27/04/2021 (replacing the SLA of 22/12/2010)
- ADMIN (2015)14 Decision of the Chief Operating Officer ad interim of the European External Action Service of 01/04/2015 on the organisation of an annual internal mobility exercise of staff in the AD and AST function groups at the EEAS Headquarters (subsequent to Decision of the Chief Operating Officer of 14/3/2013)
- Council Decision of 26 July 2010 establishing the organisation and functioning of the EEAS (2010/427/EU) – OJ L 201, 3/8/2010, p. 30.

8. TIME LIMIT FOR DATA STORED & SECURITY MEASURES: For what period and how we process your data?

Personal data is kept for a maximum period of:

- For human resources data the retention period is set for 10 years as of the termination of employment.
- Personal data of recruited candidates in Sysper are stored according to the retention policy of Sysper.
- Payment related financial documents linked to reimbursement of expenses are kept for up to 5 years from the date on which the European Parliament grants discharge for the budgetary year to which the data relates, i.e. standard retention is 5+2 years.
- When appropriate, personal data contained in *supporting documents* should be deleted where possible where these data are not necessary for *further purposes*, e.g. control, inspection and audit.

Security of data:

Appropriate organisational and technical measures are ensured according to Article 33 of Reg. (EU) 2018/1725. The collected personal data are stored on servers that abide by pertinent security rules. Data is processed by assigned staff members. Access to specific files requires authorisation. Measures are provided to prevent unauthorised entities from access, alteration, deletion, disclosure of data. General access to personal data is only possible to recipients with a UserID/Password. Only the Division 'Rights and Obligation' has the access right to change data. Physical copies containing personal data are stored in a properly secured manner.

Access to the system is via EULogin. EULogin is the European Commission Authentication Service that requires a UserID/password and, when connecting from outside of the network of the EEAS or the Commission, two-factor authentication.

The EULogin privacy statement is available here: <https://ecas.ec.europa.eu/cas/privacyStatement.html>

9. EEAS DATA PROTECTION OFFICER: Any questions to the DPO?

If you have enquiries you can also contact the EEAS Data Protection Officer at data-protection@eeas.europa.eu.

10. RECOURSE

You have, at any time, the right to have recourse to the European Data Protection Supervisor at edps@edps.europa.eu.