



EUROPEAN COMMISSION

European Climate, Infrastructure and Environment Executive Agency (CINEA)

**RECORD OF PERSONAL DATA PROCESSING ACTIVITY**

In accordance with Article 31 of the [Data Protection Regulation for EUIs](#)<sup>1</sup> (hereinafter referred to as the Regulation), individuals whose personal data are processed by the European Climate, Infrastructure and Environment Executive Agency (hereinafter referred to as CINEA or Agency) in any context whatsoever are to be protected with regard to the processing of personal data and the Agency has to keep records of their processing activities.

Record No: 2020-14/R4-HR-11  
Created on (date): 09/12/20  
Last update (date):16/10/2023

**NAME OF THE PROCESSING ACTIVITY**

*Processing of personal data for delivering Administrative Certificates*

**GROUND FOR THE RECORD:**

- Regularisation of a data processing activity already carried out  
*This record replaces notification n° HR-18 issued under the previous Data Protection Regulation*
- Record of a new data processing activity prior to its implementation
- Change of a data processing activity (e.g.: update of a record).

<sup>1</sup> Regulation (EU) 2018/1725 of 23 October 2018

## 1. MANDATORY RECORD UNDER ARTICLE 31 OF THE REGULATION

### 1.1. Name and contact details of controller(s).

- a. CINEA  
Chaussée de Wavre, 910  
W910, 03/004  
BE, 1049 Brussels
- b. Head of Unit (CINEA.A.4. – Human Resources, IT and Logistics)
- c. Email: [CINEA-HR-Staff-Administration@ec.europa.eu](mailto:CINEA-HR-Staff-Administration@ec.europa.eu) or [CINEA-HR-SALARIES@ec.europa.eu](mailto:CINEA-HR-SALARIES@ec.europa.eu).

and PMO acting as a separate controller under the Service Level Agreement signed on 26/09/2023 (Ref. Ares (2023 6519088) ; [PMO-DATA-PROTECTION@ec.europa.eu](mailto:PMO-DATA-PROTECTION@ec.europa.eu)).

### 1.2. Name and contact details of the Data Protection Officer (DPO)

CINEA DPO - [CINEA-DPO@ec.europa.eu](mailto:CINEA-DPO@ec.europa.eu)

### 1.3. Name and contact details of processor (where applicable)

DG HR - Service Level Agreement signed on 21/12/2017 [HR-MAIL-A3@ec.europa.eu](mailto:HR-MAIL-A3@ec.europa.eu)

### 1.4. Purpose of the processing

The purpose is to process & deliver administrative certificates directly from Sysper and ad hoc administrative certificates by CINEA Human Resources sector requested by staff members These can be certificates of service, career, tax exemption, residence and fiscal domicile, family composition, European school etc.

### 1.5. Legal basis for the processing

Lawfulness: Article 5.1 (a), (b) & (c) of the Regulation:

-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;

-processing is necessary for compliance with a legal obligation to which the controller is subject;

- processing is necessary for the performance of a contract to which the data subject is party;

Council Regulation (EC) No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes<sup>2</sup>;

Commission Implementing Decision (EU) 2021/173 of 12 February 2021 establishing the European Climate, Infrastructure and Environment Executive Agency, and repealing Implementing Decisions 2013/801/EU<sup>3</sup>;

Commission Decision C(2021)947 of 12 February 2021 delegating powers to the European Climate, Infrastructure and Environment Executive Agency with a view to the

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<sup>2</sup> OJ L11, 16.1.2003, p. 1

<sup>3</sup> OJ L 50, 15.2.2021, p. 9–28

performance of tasks linked to the implementation of Union programmes in the field of transport and energy infrastructure; climate, energy and mobility research and innovation; environment, nature and biodiversity; transition to low-carbon technologies; and maritime and fisheries;

Article 11 (b) of Protocol (N°7) on Privileges and Immunities of the European Union

see: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12012E/PRO/07&from=EN>

Steering Committee Decision SC(2015)004 laying down general implementing provisions on the procedure governing the engagement and use of temporary staff under Article 2(f) of the CEOS as regards executive agencies;

Steering Committee Decision SC(2017)015 - Conditions of Employment of Other Servants of the European Union, governing the conditions of employment of contract staff employed by the Commission under the terms of Articles 3a and 3b thereof;

## **1.6. Categories of data subjects**

Certificates can be requested by any staff member in active service at the Agency (temporary, contract agents) or by atypical trainees in the context of their traineeship.

Non-active staff can request the certificate to the Data Controller who will generate the certificate via the administrator's module and forward the certificate to the applicant.

Bluebook trainees should contact DG EAC.

Non-statutory external staff should contact the human resources department of their respective employer.

## **1.7. Categories of personal data**

Any relevant data from the personal file of each individual staff member. The data processed depends on the specific request of the staff member.

Personal data extracted from the PMO/HR databases as needed for the production of the certificate, depending on the type of document, can consist of:

Private details of staff member and, if applicable, their family members:

-full official name and first name

-civil status

-date and place of birth

-nationality/ies

-date of move

-full private home address

-fiscal address

-family composition

### **Career details of staff member:**

-administrative position(s)

-working place(s)

-status(es)

-grade(s)

All relevant personal data are provided by the applicant or contained in the Sysper database.

### **1.8. Retention time (time limit for keeping the personal data)**

*CINEA applies the principles and retention periods indicated in Common Retention List of the Commission<sup>4</sup> and PMO specific retention list<sup>5</sup> by analogy.*

[a) Retention period:

The generated certificates are kept for period up to 3 months in the applicant's Sysper or JSIS profiles after its creation, in order to allow the applicant a reasonable period of time to access it.

The Agency does not keep copies of the produced certificated done at the request of the staff members.

b) Storage period:

CINEA applies the principles and retention periods indicated in Common Retention List of the Commission *and PMO specific retention list<sup>6</sup>* by analogy. The storage periods are the same as indicated for the retention period in point 1.9 a).

c) Is any further processing for historical, statistical or scientific purposes is envisaged, which would go beyond the normal retention period? *No*

### **1.9. Recipients of the data**

Recipients are on a need-to-know basis only.

Within the Agency only the CINEA staff members dealing with payroll and staff administration have access to the personal data processed.

As appropriate, and in line with the Service Level Agreements in place only the necessary information is transferred to services of the European Commission. In case of audits or proceedings, CINEA's Internal Controller, Legal Sector, DPO, Staff Committee, etc.

Competent national authorities or private entities from the EU Member States, which are requiring such a certificate, as appropriate (e.g. national banks (certificate for opening a bank account), national taxation authorities (revenue declarations), national police or authorities in the context of controls during pandemic, etc.)

In addition, data may be disclosed public authorities, which are not regarded as recipient but may receive personal data in the frame of a particular inquiry in accordance with Union and Member State law, namely:

- The European Court of Justice or a national judge as well as the lawyers and the agents of the parties in case of a legal procedure;
- The competent Appointing Authority in case of a request or a complaint lodged under Articles 90 of the Staff Regulations;
- IDOC in line with Commission Decision of 12 June 2019 laying down general implementing provisions on the conduct of administrative inquiries and disciplinary proceedings – C (2019)4231 and Commission Decision (EU) 2019/165 of 1 February 2019 Internal rules concerning the provision of information to data subjects and the restriction of certain of their data

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<sup>4</sup> SEC(2022)(400) - Ares(2022)8801492 - 19/12/2022

<sup>5</sup> ARES(2016)6048949 - 21/10/2016

<sup>6</sup> ARES(2016)6048949 - 21/10/2016

protections rights in the context of administrative inquiries, pre-disciplinary, disciplinary and suspension proceedings;

- OLAF in case of an investigation conducted in application of Regulation (EC) No 1073/1999;
- The Internal Audit Service of the Commission within the scope of the tasks entrusted by article 118 of the Financial Regulation and by article 49 of the Regulation (EC) No 1653/2004;
- The Court of Auditors within the tasks entrusted to it by Article 287 of the Treaty on the Functioning of the European Union of the EC Treaty and Article 20, paragraph 5 of Regulation (EC) No 58/2003;
- The European Ombudsman within the scope of the tasks entrusted to it by Article 228 of the Treaty on the Functioning of the European Union;
- The European Data Protection supervisor in accordance with Article 58 of the Regulation (EC) 2018/1725;
- The European Public Prosecutor's Office within the scope of Article 4 of Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office;

The transmission will be restricted to the information necessary for the competent entity to carry out its task.

#### **1.10. Transfers of personal data to third countries or international organisations**

Not applicable

#### **1.11. Description of security measures**

Personal data is stored electronically and in paper and accessible only by the authorized personnel for the purposes of the processing on a need to know and need to do basis. Access is granted only if there is a clearly specified administrative purpose, and only to those whose role and level of responsibility require them to have access. HR staff having access to the data is bound by confidentiality.

Electronic archives are kept in CINEA's Human Resources restricted CINEA Shared Drive and Functional mailbox and only accessible by designated staff members.

The requests from staff concerning this topic processed via the HR ticketing system are subject to security measures that limit the access to information to the HR staff member(s) in charge and to the Head of Sector and her/his backup. The protection and confidentiality granted to personal data submitted in the ticketing system is the same level of protection and confidentiality granted to secured HR folders. The ticketing system has an additional level of encryption of files attached to tickets that adds up to the file system access control rights. The text of a ticket is contained in a database which has an additional level of authentication that adds up to the file system authentication.

Individual personal files are created and stored in secure archives that are accessible only to authorised personnel. An electronic version of the personal data is stored by the Unit A4 – HR Service and kept confidential with restricted access rights.

Most of the standard administrative certificates can be downloaded directly by the staff member from its own SYSPER account and does not require any intervention from the HR sector. SYSPER and NAP datasets are safeguarded in the Data Center of the Commission, and therefore covered by the numerous defensive measures

implemented by DG DIGIT to protect the integrity and confidentiality of the electronic assets of the Institution.

The access to the personal data is protected by the management of the access rights which are strictly limited to specific user groups. The entitlement is distributed according to the principle of 'the need to know' taking into consideration the function, the job and responsibilities of the applicant for an access right. Consequently, the access rights are continuously updated in accordance with the changes in the assignments of the jobholders.

The login and the passwords are managed by the common certification service of the European Commission (ECAS-authentication system). CINEA is also bound by Commission Decision 2017/46 of 10/1/17 on the security of communications & information systems in the EC.

A limited use of paper files is done and only if necessary: such files are stored in locked cupboard with restricted access.

The responsible human resources staff in CINEA, in DG HR and its administrative agencies (PMO, OIB) have access to the specific data they need to fulfil their management tasks. All further access to other persons must be communicated to the jobholder.

#### **1.12. Data Protection Notice**

A Data Protection Notice (DPN) relevant to this data processing activity is available on the CINEA Intranet <https://cineanet.cinea.cec.eu.int/services/human-resources/legal-issues/data-protection>.