



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 Innovation and Networks 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: 2020-008/R4-HR06  
Created on (date): 23/08/19  
Last update (date): 16/10/2023

**NAME OF THE PROCESSING ACTIVITY**

Time management (Working Time, Leaves and Absences, Work Time Patterns and Flexible Work Arrangements).

**GROUND FOR THE RECORD:**

- Regularisation of a data processing activity already carried out  
*This record replaces notifications n° HR 8, HR 9 , HR 10 & 34 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)  
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 the processor (where applicable)

DG HR - Service Level Agreement with signed on 08/01/2018, [HR-BXL-HEALTH-CONTRACTS@ec.europa.eu](mailto:HR-BXL-HEALTH-CONTRACTS@ec.europa.eu)

For the bluebook trainees: DG EAC – SLA signed in 08/11/2018, Traineeship's Office, J-70 3/020, EAC Bureau des Stages: [eac-stages@ec.europa.eu](mailto:eac-stages@ec.europa.eu)

For the interim staff: Randstad Interim Agency – Framework Contract HR/R3/PR/2014/078 – Rue des Princes 8-10, 1000 Bruxelles, [inhouse\\_1230@randstad.be](mailto:inhouse_1230@randstad.be).

### 1.4. Purpose of the processing

Processing of personal data for the management of CINEA staff members' working time (flexitime), leaves and absences, work patterns and flexible work arrangements.

### 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>;

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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

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 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;

Steering Committee Decision SC (2016)010 of 25/02/2016 adopting by analogy Commission Decision of 16th December 2013 on leave (Document C(2013)9051 final)

Steering Committee Decision SC (2016)010 of 25/02/2016 adopting by analogy the Commission Decision of 28th April 2004 introducing implementing provisions on absences as a result of sickness or accident (Document C(2004) 1597/11)

Steering Committee Decision SC (2016)010 of 25/02/2016 adopting by analogy the Commission Decision of 5th November 2010 introducing implementing provisions concerning parental leave (Document C(2010) 7572 final)

Steering Committee Decision SC (2016)010 of 25/02/2016 adopting by analogy the Commission Decision of 5th November 2010 on family leave (Document C(2010) 7494 final)

Steering Committee Decision SC (2016)010 of 25/02/2016 adopting by analogy the Commission Decision of 15th May 2014 on working time (Document C(2014) 2502 final)

Steering Committee Decision SC (2016)010 of 25/02/2016 adopting by analogy the Commission Decision of 8<sup>th</sup> January 2016 on part time work (Document C(2015) 9720 final)

Steering Committee Decision SC (2016)010 of 25/02/2016 adopting by analogy the Commission Decision of 17<sup>th</sup> December 2015 on the implementation of teleworking in Commission Departments (Document C(2015)9151 final)

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

Temporary agents, Contract agents, trainees and interim staff in active employment.

In connection to special categories of leave or work patterns (part-time, parental leave) relating to CINEA staff, spouses, relatives in the ascending and descending lines, brother or sister.

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

- Daily presence times registered by each staff member (working hours), mission days, place of working (in or outside the workplace) and flexitime days;
- Personal data related to dates of annual leave, special leaves, flexitime days and other absences;
- Personal data related to dates of absences linked to sickness (with or without medical certificate) or long-term sickness.
- Personal data related to serious illness or disability of spouses, relatives in the ascending and descending lines, brother or sister including identification data;
- Personal data related to dependent children (mainly name & age);
- Data concerning request for work-time patterns and justification documents as appropriate;

- Justification documents for various categories of special leaves concerning job holder including birth declarations, , adoption certificates, marriage or registered partnership certificates death declarations, proof of election for public office, proof of attendance to election outside the place of work, proof of participation in external training, proof of participation in EPSO or other community institutions competitions, proof of removal at place of employment, medical declaration on serious illness, proof of membership to a trade union, proof of external activity, etc;
- Name, personnel number, gender, years of service, unique payroll number (NUP), address, telephone number, CINEA department to which the jobholder is assigned, category, grade, status, date of birth, identity and date of birth of dependent children and date of adoption if relevant, place of origin, activity rates, data on contribution to pension scheme (part-time working in preparation for retirement), and information on absences: sick leave (with or without a medical certificate), special leave, annual leave, parental and family leave, and the results of calculations, particularly regarding the balance of entitlements (balance of absences, leave, parental and family leave entitlement, time credits purchased).
- For interim staff: Timesheet with the name/surname of the data subject, the unit where they work and the billing category to which they belong as well as the hours effectively worked each month.

### **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> by analogy.

a) Retention period:

For statutory staff: Time management data is retained in Sysper as long as the jobholder has an employment link with the CINEA or the European Commission. In case of termination of service with the, the data will be destroyed 6 months after any of the following events: 1) End of contract (for non-permanent staff) 2) Transfer to another institution 3) Resignation 4) Compulsory resignation 5) Retirement in the interests of the service 6) Dismissal for incompetence 7) Removal from post 8) Retirement 9) Death.

Files on special leave for family reasons (illness of children, ascendants, parents-in-law) are kept for 7 years.

Data relating to sick leave can be kept for at least three years pursuant to Article 59(4) of the Staff Regulations, but this time period is extended to five years in order to cover legal disputes. If a jobholder is transferred to another institution, only the data concerning sick leave in the previous five years are communicated.

For interim staff: The processing starts upon reception of the CV from the interim agency, and the data contained in the CV is kept for a period of one year after the interim agent leaves the service. Personal data contained in the timesheets compiled by the interim agent is kept for four years year after the last payment. Invoices are kept by the finance department for a period of 10 years after payment, in conformity with the Common Retention List of the Commission.

For Trainees: In the case of candidates not recruited as trainees, no personal data are kept by the Agency. In the case of candidates recruited as trainees, no personal data are kept by the Agency after the termination of the internship. However, certain personal

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

data may be kept by the Traineeship Office. For further information how long these data are kept, please refer to the Traineeships Office's Privacy statement:

[https://ec.europa.eu/stages/traineeship-specific-privacy-statement\\_en](https://ec.europa.eu/stages/traineeship-specific-privacy-statement_en).

b) Storage period:

CINEA applies the principles and retention periods indicated in Common Retention List of the Commission<sup>5</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 envisaged, which would go beyond the normal retention period ? *No*

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

There are strict rules to limit access to personal data by anyone other than the concerned staff member (data subject).

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. Access is not granted to individual members of staff but associated with the appropriate administrative posts. It is limited to the staff member, his or her immediate hierarchical superior, the human resources sector, including the appointing authority, DG HR, PMO, the Medical Service of the Commission, and the members of the Joint Committee on Part-Time Work, which can only access files explicitly referred to it. In case of audits or proceedings, etc., entities such as the CINEA's Internal Controller, the Legal Team & the Staff Committee may have access to the relevant data.

All those having access may delegate their access rights to a representative on a need-to-know basis only. This delegation is transparent and reversible; the person delegating those rights remains fully responsible. As with the access rights themselves, delegation is associated with an administrative post and is withdrawn if the individual is assigned to a different post. The only data that individuals can view, print, save, etc. are the data to which they have been granted access on a need-to-know basis.

The data entered in the Time Management module (TIM) in Sysper is also used by other applications, such as New Application for Payment (NAP) on a need-to-know basis, which is used for calculating salaries.

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

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- 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**

CINEA uses the IT tool provided by the Commission for time management of **statutory staff** and trainees, namely SYSPER. SYSPER uses a relational database on a central server with individualised access rights via an internet browser for the identification of the Commission's staff members. A secured reference data base (ComRef) is federating the information generated and stored in human resource management systems.

The 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 as provided for by Commission Decision 2017/46 of 10/1/17 on the security of communications & information systems in the EC.

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.

The responsible human resource managers in CINEA 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.

Data provided by staff members in the context of the special leaves are stored in [CINEA-HR-STAFF-ADMINISTRATION@ec.europa.eu](mailto:CINEA-HR-STAFF-ADMINISTRATION@ec.europa.eu) mailbox and paper copies in secured

archives. Both have limited access granted only to the relevant HR staff on a need to know basis.

For interim staff only (managed outside SYSPER):

Data of employed interim staff are kept in (reduced) personal files in a locked cupboard.

The originals of the timesheets of interim staff are sent to the interim agency by the data subject. Copies of those documents are kept in a locked cupboard. Only one key is available to the HR staff in charge of recruitment and services.

Invoices are treated and checked only by the HR officer in charge of managing interim agents and handed to the financial sector. The financial sector keeps the documents in a locked cupboard, accessible only to the financial officers responsible for administrative expenses.

Statistical data on working time provided to line managers only concerns the staff under their control and is transmitted via secured email (SECEM).

Questions on time management may be submitted by the relevant staff member via the e-ticketing system to the CINEA HR Section, which abides by the same security & confidentiality as described above.

#### **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> and on the SYSPER entry page.