



## EUROPEAN COMMISSION

Innovation and Networks Executive Agency

**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 INEA 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: 2020-019/R4-HR-17

Created on (date): 11.05.20

Last update (date): 09.07.20 ref no: inea.r.r04.r41(2020)4086947

**NAME OF THE PROCESSING ACTIVITY**

Processing of personal data relating to reimbursement and payment of staff costs (public transport, OIB Early Childhood Centre and scholars bus transport to European Schools)

**GROUND FOR THE RECORD:**

- Regularisation of a data processing activity already carried out  
*This record replaces notifications HR 26, HR 27 & 28 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

- a. INEA  
Chaussée de Wavre 910  
W910 04/136  
BE – 1049 Brussels
- b. Head of Unit R4.
- c. Email: [INEA-HR-INFO@ec.europa.eu](mailto:INEA-HR-INFO@ec.europa.eu)

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

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

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

Not applicable

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

Service Level agreement with the OIB Ref. Ares(2011)902149 24/08/2011, as amended by Ares(2012)1355110 - 16/11/2012 and Ares(2015)201150 - 19/01/2015  
[OIB-DATA-PROTECTION@ec.europa.eu](mailto:OIB-DATA-PROTECTION@ec.europa.eu)

### 1.5. Purpose of the processing

The purpose is to process personal data necessary to secure that the staff has access to the measures of social nature adopted by the EU Institutions as provided for by Article 1 (e) of the Staff Regulations, notably the reimbursement of part of their public transport costs and part of the costs related to their dependent child/ren (childcare, transport, schooling and services offered by the OIB Early childhood centres).

### 1.6. Legal basis for the processing

Lawfulness: Article 5 . 1 (a) & (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 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

Commission Decision 2013/801/EU of 23 December 2013 establishing the Innovation and Networks Executive Agency and repealing Decision 2007/60/EC as amended by Decision 2008/593/EC

Commission Decision C(2013)9235 of 23 December 2013 delegating powers to INEA with a view to the performance of tasks linked to implementation of the Union programmes in the field of transport, energy, telecommunications infrastructure and in the field of transport and energy research and innovation, comprising in particular implementation of appropriations entered in the general budget of the Union;

Staff Regulations in particular article 1(e) and Conditions of Employment of Other Servants of the European Communities;

Commission Decision C(2013) 4886 final of 1 August 2013 on the putting into effect of the EU contribution paid on a pro-rata basis to schools accredited by the Board of Governors of the European Schools according to the number of children of EU staff enrolled, replacing Commission Decision C(2009) 7719 of 14 October 2009 as amended by Commission Decision C(2010) 7993 of 8 December 2010;

Règlements du CPE de l'OIB Ref. Ares(2014)2196266 - 02/07/2014 & ARES(Ares(2014)1955573 - 16/06/2014

Service Level agreement with the OIB Ref. Ares(2011)902149 24/08/2011, as amended by Ares(2012)1355110 - 16/11/2012 and Ares(2015)201150 - 19/01/2015

Communication to the Commission on the Mobility plan for Commission Staff in Brussels SEC(2011)989 of 12/08/2011

General conditions of enrolment to the public transportation contribution scheme - <https://myintracomm.ec.europa.eu/staff/Documents/buildings-transport/mobility/brussels/contribution-scheme-guidelines-en.pdf>

Rules governing public transport contribution in TEN-T EA issued via a note from the Director to all staff on 9/11/2010.

Protocole d'accord relatif à la procédure d'appel d'offres interinstitutionnel OIB/2019/NP/0045 "préstations de services de transport en commun de personnes à Bruxelles" – Ref. ARES(2019)55230 29 – 02/09/2019

## 1.7. Categories of data subjects

All statutory staff members of INEA (temporary and contract agents), spouses and dependent children.

Other categories of staff (trainees, interim staff and intra-muros consultants) are not included.

## 1.8. Categories of personal data

All data determining the rights and entitlements is coming from the personal file of each individual statutory staff member and the information available and declared by the staff member in SYSPER, Kiddyweb and Mobilitynet. These interact with NAP database for the necessary payments to staff. The agency only collects the data necessary, which is provided directly from the staff member concerned to verify and process the payment of its part. All data related to the children, notably health condition, vaccination, etc. is not collected for the purpose of this processing.

For the OIB Early childhood centres - data about the paying parent and spouse – personnel number, NUP, employer, statutory link, gender, family situation, nationality, private and office address, name of the children, birth date, mother tongue, sex, indication of childcare centre, enrolment and attendance data.

For the European School bus - data about the paying parent and spouse – personnel number, NUP, employer, statutory link, sex, family situation, nationality, private and

office address, name of the children, birth date, sex, European school name, enrolment and use of the bus transport.

For the public transport reimbursement - staff members' name, personal number, type of season ticket, period covered by the season ticket, place of departure, station of departure (only for train/SNCB), price, distance and type of ticket.

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

INEA applies the principles and retention periods indicated in Common Retention List of the Commission<sup>2</sup> by analogy and PMO specific retention list<sup>3</sup>.

#### a) Retention period:

Files on day-to-day HR management are kept for a period of 4 years.

Files related to payments are kept for a period of 10 years.

Specific information on the retention period for each type of payment operation processed via staff member's salary is detailed in the PMO specific retention list<sup>4</sup>.

All other files will be deleted when no longer needed for the purpose of the processing.

#### b) Storage period:

INEA 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

### 1.10. Recipients of the data

Within the Agency only the staff members dealing with services and staff administration in the HR unit will have access to personal data. On a need to know basis, the staff in charge of financial management of the files and the accounting team may have access to the data. The parties in the workflow of approval of financial expenses, including, the Accountant of the Agency, the Head of Unit HR, Head of Department R and the Director of the Agency (AIPN) have access to this data.

The relevant services of OIB and the Parents Association of the accredited European Schools are also recipients of the data.

In case of audits or proceedings, etc., INEA's Internal Controller, Legal Team, DPO, Staff Committee, etc

In addition, data may be disclosed to public authorities, which are not regarded as recipient in accordance with Union and Member State law. The processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purpose of the processing:

- 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;

<sup>2</sup> SEC (2019) 900/2 - ARES(2019)4374520 – 09/07/2019

<sup>3</sup> ARES(2016)6048949 - 21/10/2016

<sup>4</sup> Elimination 8 years after the extinction of all rights of the person concerned and his beneficiaries, and at least 120 years after birth of the person concerned.

<sup>5</sup> SEC (2019) 900/2 - ARES(2019)4374520 – 09/07/2019

- The competent Appointing Authority in case of a request or a complaint lodged under Articles 90 of the Staff Regulations;
- 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;
- 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;
- 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.

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

Not applicable

#### **1.12. Description of security measures**

Personal data is stored electronically and in paper and accessible only by the authorised personnel for the purposes of the processing on a need to know 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 INEA's Human Resources restricted INEA Shared Drive and Functional mailbox and only accessible by designated staff members.

The requests from staff concerning this topic are processed via the HR ticketing system and 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.

SYSPER, Kiddyweb, Mobilitynet 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.

The responsible human resource managers in INEA 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.

INEA is bound by Commission Decision 2017/46 of 10/1/17 on the security of communications & information systems in the EC.

### **1.13. Data Protection Notice**

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