



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: 2020-15/R4-HR-12

Created on (date): 09/12/19

Last update (date): 04/06/20

### NAME OF THE PROCESSING ACTIVITY

Processing of personal data for Staff Learning & Development actions

### GROUND FOR THE RECORD:

- Regularisation of a data processing activity already carried out  
This record replaces notification n° HR-20 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 R.4
- c. Email: [INEA-HR-Career-Development@ec.europa.eu](mailto:INEA-HR-Career-Development@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)

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

### 1.5. Purpose of the processing

*The purpose is to organise and manage learning and development actions for the staff in place in the Agency.*

### 1.6. 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.*

*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.*

*Staff Regulations of Officials of the European Union (the "Staff Regulations") and the Conditions of Employment of Other Servants of the European Union (the "CEOS"), laid down by Council Regulation (EEC, Euratom, ECSC) No 259/681 1, and in particular Article 24 a of the Staff Regulations and Articles 11 and 81 of the CEOS*

*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*

*Steering Committee Decision SC (2017)12 Adopting by analogy Commission Decision C(2016)3828 on the implementation of the learning and development strategy, Commission Decision C(2016)3855 on training on the own initiative of the member of staff, Commission Decision C(2016)3827 repealing existing rules on learning and development.*

#### **1.7. Categories of data subjects**

*All statutory staff members of INEA (Temporary and Contract Agents), trainees, interim staff, intra-muros consultants and external contractors or EUI Staff providing training courses.*

#### **1.8. Categories of personal data**

*For staff members following the training: name, office address and affectation, gender, statutory link, languages, details of course enrolment, evaluation of the course and in some cases evaluation/grade awarded upon completion.*

*For training organised by the Agency: trainer name, the dates on which courses are planned/ given, contact details and outcome of the training evaluation .*

#### **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.*

*[a] Retention period:*

*a.1 For the staff receiving the training; personal data is stored until the end of activity in the Agency. Certain data need to be conserved for a longer period if they are related to on-going rights and obligations. If data needs to be placed in the personal file (e.g. certification, 3<sup>rd</sup> language, etc.) the relevant information is inserted in the personal file & thus the retention period is 8 years after the extinction of all rights of the person concerned and of any dependents, and for at least 100 years after the recruitment of the person.*

*Any document that is important for a staff member career (above all signed originals) must be placed in the relevant personal file.*

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

*All other files will be deleted when no longer needed for the purpose of the processing (after the training, etc).*

*a.2 for the trainers:*

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

*All other files will be deleted when no longer needed for the purpose of the processing (e.g. after the closure of the service contract with the external providers, etc).*

*b) Storage period:*

*INEA applies the principles and retention periods indicated in Common Retention List of the Commission<sup>3</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*

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

<sup>3</sup> SEC (2019) 900/2 - ARES(2019)4374520 – 09/07/2019

### **1.10. Recipients of the data**

*The access to data is limited to the staff member concerned, the responsible line managers, local training managers of the Agency and the Central Learning and Development Unit in DG HR, as well as DTS (Digit Training Services) and EUSA. The IT training providers and external training providers have access to the specific data required to fulfil their contractual responsibilities on request to the training organiser.*

*As appropriate, and in line with the Service Level Agreement with DG HR, training courses are managed via EU LEARN platform, which is managed by the European Commission services and to which the Agency has access.*

*In case of audits or proceedings, etc., INEA's Internal Controller, DPO, Legal Team, Staff Committee, etc may access the relevant data.*

*In addition, data may be disclosed to public authorities, which may not be 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;*
- *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 in HR 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.*

*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.*

*EU LEARN datasets are safeguarded in the Data Centre 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 access rights are protected by DG HR and are only granted after attending the specific related training. 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). INEA 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 (e.g. attendance lists to be signed) is done as necessary: those files are stored in locked cupboard with restricted access.*

*The responsible human resources staff in INEA and in DG HR have access to the specific data they need to fulfil their tasks linked to learning and development of staff. All further access to other persons must be communicated to the jobholder.*

### **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>*

