



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](#)¹ (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.

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NAME OF THE PROCESSING ACTIVITY

Processing of personal data in the context of a pandemic situation in view of the protection of work conditions and health of staff

GROUND FOR THE RECORD:

- Regularisation of a data processing activity already carried out
- Record of a new data processing activity prior to its implementation
- Change of a data processing activity (e.g.: update of a record).

¹ 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 R04 – Human Resources, IT and Logistics
Chaussée de Wavre 910
W910 04/136
BE – 1049 Brussels
- b. Head of Unit R04
- c. Email: INEA-HR-Staff-Administration@ec.europa.eu
INEA-BCP@ec.europa.eu

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

INEA DPO
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)

Not applicable

1.5. Purpose of the processing

The purpose of this processing operation is to record personal data considered necessary to ensure the working conditions and health of staff in a pandemic situation, such as the COVID-19 circumstances.

This applies, notably to the identification of participants for all meetings organised by INEA, including internal meetings, meetings with external participants, stakeholders' meetings, conferences, etc. taking place in INEA or Commission premises as well as on external venues. The aim is to centrally register participants to meetings, to identify them in case an infection among meeting participants occurs so as to take all necessary measures to protect the health of staff.

This also applies to the collection of any lists with the name of staff members and all information deemed necessary aiming at ensuring and regulating the presence of staff in INEA premises before, during and after a pandemic situation. This includes lists of staff presence or lists organization of staff shifts to ensure working conditions and health of staff when resuming normal work after a pandemic situation.

This applies also to identify critical staff for any relevant measures (e.g. such as to be authorized to come to the office during a quarantine period, etc.).

It aims also to inform the relevant staff members (AHCC /AIPN, i.e.: Director), HR, relevant managers, etc) of staff suffering from a pandemic situation in order to take any appropriate measures to protect other staff members.

Finally, it aims at taking any relevant decision which may be needed during a pandemic situation.

1.6. Legal basis for the processing

Lawfulness: Article 5.1 (a), (a2), (b) & (e) of the Regulation:

(a) 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,

(a2) including processing of personal data necessary for the management and functioning of the Union Institutions or bodies [Recital (22) of the new Regulation]

(b) processing is necessary for compliance with a legal obligation to which the controller is subject;

(e) processing is necessary in order to protect the vital interests of the data subject or of another natural person.

The legal basis references which apply to the probation period report are contained in:

- 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 of officials and the Conditions of Employment of other servants of the European Union - Article 1e(2) of the Staff Regulations related to working conditions and health of the EU staff.
- Commission Decision C(2006)1623 - Harmonised policy for health and safety at work

1.7. Categories of data subjects

Statutory and non-statutory staff members, experts, contractors and visitors.

In the context of the collection of information concerning the participation in meeting, all participants in meetings organised by INEA, including internal meetings, meetings with external participants or stakeholders, as well as larger conferences and events taking place on the premises of the Agency and in external venues..

1.8. Categories of personal data

Identification(name, surname, unit if applicable), office address, telephone numbers and communications (including professional or personal e-mail address), data concerning missions of staff, data concerning meetings in which the data subjects participated, data concerning presence in the office and organisation of work shifts or other arrangements at ensuring the presence in INEA premises.

INEA will not collected any specific health data from the data subjects as this will be handled by the Medical Service but may collect data on the pandemic situation faced by its staff (e.g. is the staff member suffering from COVID 19 or not). The collection of information related to absences of statutory staff due to illness will be processed normally (a specific record covers the time management and absences of staff)

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 Commission² by analogy.

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

[a) Retention period:

The Data Controller only keeps the necessary data for as long as the pandemic situation justifies it and for the purposes clearly defined to protect the work environment and the health of staff. All personal data will be (1) deleted when no longer needed for the purposes of the processing or, as soon as the pandemic situation is over, or (2) archived, if need be, in respect and according the Commission archiving policies and retention times.

The personal data related to participation in meeting, or lists of staff aimed at controlling presences in the office or organization of specific work arrangements will be kept for a maximum period of two months from the date of the meeting as declared in the registry or the end of the specific working arrangements. Personal data will be deleted at the end of this period.

b) Storage period:

INEA applies the principles and retention periods indicated in Common Retention List of the Commission³ 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*

1.10. Recipients of the data

Restricted recipients on a need to know basis, as follows:

INEA Director, Heads of Department, Heads of Unit, Unit Secretariats, the Business Continuity Team, designated persons from Human Resources unit, meeting organisers, authorised personnel dealing with the obligatory records of meeting participants.

Authorised staff of the Commission services concerned (i.e. SG, DG HR)

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

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;*
- *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*
- *OLAF in case of an investigation conducted in application of Regulation (EC) No*

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

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*

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

Not applicable

1.12. Description of security measures

Paper files are stored in locked cupboards that are accessible to authorised staff members only.

All data in electronic format (e-mails, uploaded batches of data, etc.) are stored either on the servers of the INEA or the European Commission.

It is recommended to all the internal stakeholders involved in this processing to exclusively use the encrypted (S/MIME aka SECEM) security email system.

Access to data is safeguarded by the internal European Commission IT systems, which protect against external users accessing the data. Access to electronic files is protected via the Commission security measures (use of password & ECAS authentication system, etc).

In order to protect the personal data, INEA has put in place a number of technical and organisational measures. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.

INEA is also 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/data-protection-0>