



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](#)¹ (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 2019-003/R4-HR-01
 Created on (date): 15-7-2019
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NAME OF THE PROCESSING ACTIVITY

Processing of personal data in the context of the CINEA Social Policy: Financial Assistance for Disabled persons

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. CINEA.A4
Chaussée de Wavre 910
W910 03/004
BE – 1049 Brussels
- b. Head of Unit CINEA.A4
- c. Email: CINEA-HR-Staff-Administration@ec.europa.eu

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

CINEA DPO
CINEA-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 with signed on 08/01/2018, HR-BXL-HEALTH-CONTRACTS@ec.europa.eu

PMO - Service Level Agreement with signed on 05/11/2018; PMO-DATA-PROTECTION@ec.europa.eu

1.5. Purpose of the processing

Treatment of individual requests for social financial assistance for disabled person, establishment of entitlement and processing of the payment.

1.6. Legal basis for the processing

Lawfulness: Article 5.1 (a) and (b) 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;

The legal basis references which apply 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 programmes²;

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/EU³;

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

² OJ L11, 16.1.2003, p. 1

³ 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;

Staff Regulations of officials (Article 72 & Article 2 of Annex VII) and the related rules in the Conditions of Employment of other servants of the European Union (CEOS) Articles 30 & 98

Provision guidelines for implementation of the budget heading “supplementary aid or disabled” concerning welfare appropriation for sables persons – Administrative Notice 69/2004

General implementing provisions concerning persons to be treated as dependent children” published in Administrative Notice No 50/2004 of 28 May 2004.

Social Policy: Financial Assistance for Disabled persons - ARES(2018)6160706 of 30/11/2018

1.7. Categories of data subjects

- (a) CINEA Temporary agents and Contractual agents in active employment;
- (b) Spouses of the persons specified in section (a), provided that they are not in gainful employment or in receipt of income or pensions deriving from an earlier occupation;
- (c) Children in respect of whom the dependent child allowance is payable under the conditions set out in Article 2(2), (3), and (5) of Annex VII of the Staff Regulations;
- (d) Children aged over 23 no longer eligible for the dependent child allowance referred to above, but in respect of whom tax is deductible under Regulation (EEC, Euratom, ESC) No 260/68 laying down the conditions and procedure for applying the tax for the benefit of the European Communities;
- (e) Orphans who have lost both parents in receipt of an orphan's pension within the meaning of Article 21 of Annex VIII to the Staff Regulations.
- (f) To guarantee continuity of benefits, a pensioner or person in receipt of a termination of service allowance or an invalidity allowance who, when in active employment, received supplementary aid for the disabled in his/her own right or in respect of his/her spouse and was reimbursed accordingly for expenses incurred in the two years preceding his/her retirement or termination of his/her service shall continue to receive that aid from the Agency under the conditions set out in these guidelines.
- (g) The aid shall be granted to a pensioner's spouse provided that s/he is not in gainful employment or in receipt of income or pensions deriving from an earlier occupation.

1.8. Categories of personal data

The file contains personal, medical, financial and social data on the beneficiary and his/her family.

- **Personal data:** name, staff number, address (private and professional, mail and electronic, link to staff member (if application concerns a family members) ;
- **Financial data:**
 - Recent medical/psychological report;

- Copy of the current income of the partner or solemn declaration of no income (tax certificate, salary slips);
 - Copy of last payslip;
 - Where appropriate, copy of national allowances (linked to disability) or details of any reimbursement costs and/or aid obtained from other sources under any other legal disposition whether national or international (national sickness insurance, grants, etc.)
 - Period for which the assistance is sought;
 - Details related to education costs (name of institution, enrolment fees and tuition fees);
 - Specific training cost(s) deemed necessary to offset the effects of the disability (number of sessions requested and price per session);
 - Travel/transport related expenses;
 - Equipment costs;
 - Other non-medical costs
- **Medical data:** Medical reports/opinions of medical officer (G.P., Medical Service or J.S.I.S. doctor, etc.)
 - Main diagnosis in support of the application, including origin, duration and medical, surgical, gynaecological/obstetric history with consequences for the present impairment;
 - Description of the diseases, functional disturbances or anatomical disorders;
 - Consequences in terms of activities and participation;
 - Assessment of the disability, including percentage of disability as assessed by the person's doctor or the doctor submitting the application and assessment of Commission Medical Officer.
 - **Social data:** family composition and changes in family circumstances, social workers reports.

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

a) Retention period:

CINEA applies the principles and retention periods indicated in Common Retention List of the Commission⁴ by analogy.

From the collection date, data is conserved up to and for a maximum of 3 years after the death of the person concerned (person eligible to receive financial aid).

b) Storage period: same as above (see 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

⁴ SEC (2019) 900/2 - ARES(2019)4374520 – 09/07/2019

1.10. Recipients of the data

Access to the data 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 on a need to know basis. There are strict rules to limit access to personal data. HR staff dealing with the data is bound by confidentiality.

Access to the personal data is provided to the authorised CINEA staff in the HR unit, to the relevant officers of the Commission's medical service for a medical opinion and to the AIPN. Financial officers in charge of processing the payment will receive the necessary information to process the financial transactions.

When further information is required or there is a need for verification of data provided (income, etc.) data can be transmitted to the settlements office of the Pay Master Office (PMO): in such cases, only the details that are strictly necessary for the consultation are transmitted.

In case of audits or proceedings, etc., CINEA's Internal Controller, Legal Sector, Staff Committee, 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 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.

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

Not applicable

1.12. Description of security measures

The paper files are stored in secured archives with limited access to authorised HR staff. Circulation of paper information is done, only when necessary, via sealed enveloped among authorised persons only.

All data in electronic format (e-mails, documents, ..) is stored on a secured HR drive with restricted access to authorise staff. Access is restricted and given on a need to know basis to the relevant HR officers in CINEA, who are bound by confidentiality rules.

The opinions of the Commission's medical service are stored in Ares with restricted access (level sensitivity: handling restriction – marking: staff matter) and filed in the personal file of the relevant staff member with the same secured & restricted access.

These data resides on the servers of the European Commission, which abide by strict security measures to protect the security and integrity of electronic assets (through User-ID and password, etc). 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. 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..

CINEA 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 CINEA Intranet <https://cineanet.cinea.cec.eu.int/services/human-resources/legal-issues/data-protection>