

Record of Personal Data Protection of Personal Data Processing Activity, pursuant to Article 31 of Regulation (EU) 2018/1725¹

NAME OF PROCESSING OPERATION: Allegro HR Management System

I. GENERAL INFORMATION

1) Contact Details of Controller(s)

Name: The European Banking Authority, represented by the Executive Director
 Email Address: ExecutiveOffice@eba.europa.eu

2) Contact Details of Processor

Who is actually conducting the processing?

The data is processed by:

The EBA itself: The Human Resources Unit will be conducting the processing activity.

Email address: hrteam@eba.europa.eu

The external contractor, Adequasys, providing the Allegro system and carrying out its customisation for the EBA.

II. DESCRIPTION & PURPOSE OF PROCESSING

3) Description of Processing

To allow the sound management of staff data in relation to contracts, the EBA career, working conditions, leave and the appraisal.

4) Purpose of processing

Why are the personal data being processed?

¹ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC

Specify the rationale and underlying reason for the processing

Staff administration: The EBA processes the data to manage contracts, the administrative career, registration of expatriation allowance, working conditions: full-time or part-time, leave and absences, working time and the annual appraisal.

Relations with external parties

Procurement, finance and accounting

Administration of membership records

Auditing

Information administration

Other (please give details): The name, surname, date of birth, personnel number, contract dates and type of contract, email address, login name and mobile number provided by the staff member is extracted on a bi-monthly basis for the ECAS accounts (please refer to separate data processing)

5) Lawfulness of Processing

Article 5 of Regulation (EU) 2018/1725

A. Legal Basis justifying the processing:

Processing is based on Article 5 (a) of the Regulation (EU) No. 2018/1725 of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, providing that: (a) a task carried out in the public interest or in the exercise of official authority vested in the EBA (including management and functioning of the institution).

Processing is necessary for the performance of tasks carried out in the public interest on the basis of the Treaties establishing the European Communities (administrative management of personnel) and in particular:

- Regulation (EU) No 1093/2010 of the European Parliament and the Council of 24 November 2010 establishing the EBA;
- Regulation No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community, in particular Article 42a, 42b, 43, 44, 55, 55a, 57, 58, 59, 59a, 60, 61, 69 of the SR and Article 4 of Annex VII to the SR and Articles 14, 15, 16, 17, 20, 51, 52, 54 and 84, 85, 87, 89, 91, 92 of the Conditions of Employment of Other Servants (CEOS);

- - For data related to working time:
 - Decision EBA DC 114/2015 of the Management Board applying the Commission Decision C(2014)2502 on Working Time by analogy;
 - Decision EBA DC 229 of 26 June 2018 of the Management Board on the implementation of telework in the EBA;
 - Decision EBA DC 296 of 28 October 2019 of the Executive Director on working arrangements;
- For data related to leave:
- Decision EBA DC 088/2014 of 22 January 2014 of the Management Board applying by analogy:
 - Commission Decision C(2013) 9051 of 16.12.2013 on leave;
 - Decision EBA DC 008 of 28 April 2011 of the Management Board applying by analogy:
 - Commission Decision C(2004) 1597 of 28.04.2004 introducing provisions on absences as a result of sickness or accident;
- For data related to working conditions:
- Commission Decision C(2010) 7572 of 05.11.2020 concerning leave on parental grounds;
 - Commission Decision C(2010) 7494 of 05.11.2010 on Article 42b of the Staff Regulations concerning family leave;
 - Decision EBA DC 179 of 4 April 2017 of the Management Board applying by analogy:
 - Commission Decision C(2015 9720) Of 08.01.2016 on Article 55a of the Staff Regulations and Annex Iva thereto concerning part-time work;
 - Decision EBA/DC/2015/129 of 15 September 2015 of the Management Board on measures concerning unpaid leave for temporary and contract staff of the European Union;
 - For data related to the appraisal, please refer to the relevant data processing record.

Staff complete forms on taking up duties and during their career providing their personal data for the HR Unit to use.

Staff insert their leave requests in Allegro.

B. Processing is necessary:

- for the performance of a task carried out in the public interest
- for compliance with a legal obligation to which the Controller is subject
- for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract
- in order to protect the vital interests of the data subject or of another natural person

Or

- Data subject has given his/her unambiguous, free, specific and informed consent

III. CATEGORIES OF DATA SUBJECTS & PERSONAL DATA

6) Categories of Data Subjects

Please tick all that apply and give details where appropriate

- EBA Temporary Agents or Contract Agents:
- SNEs or trainees:
- Visitors to the EBA (BoS, MB, Working Groups, Sub-Groups, Seminars, Events, other)
If yes, please specify:
- Providers of good or services
- Complainants, correspondents and enquirers
- Relatives and associates of data subjects
- Other (please specify):

7) Categories of personal data

Please tick all that apply and give details where appropriate

(a) General personal data:

The personal data contains:

- Personal details (name, address etc.):
Staff member:
- Name, contact details, nationality, date of birth, place of birth, gender, address, marital status, date of marital status, place of recruitment, CV, passport, declaration on language skills, step by step document sent to PMO to establish the rights for the newcomer;
 - Emergency contact details: name, address, mobile number, email address
 - Spouse/recognised partner: name, nationality, age, gender (if inserted by the staff member);
 - Dependent child: name, nationality, age and gender (if inserted by the staff member).
- Education & Training details:
- Employment details:
- Job title, department, unit, personnel number, contract start and end date, term of contract (limited or unlimited), statutory link (Temporary agent, temporary agent on probation, contract agent, contract agent on probation, seconded national expert, trainee), date probation period completed, function group, grade,

step, additional consideration: middle manager, middle manager on probation, senior manager, senior manager on probation, reason (recruitment, change of category/function group, change of grade, change of statutory link, change of step, deferment of advancement to a higher step, internal competition, promotion, mobile number for ECAS account (please see separate data processing), direct superior for leave purposes;

- Information for the appraisal (please see separate data processing)

Financial details: Legal entity and bank account

Family, lifestyle and social circumstances

Other (please give details):

(b) Special categories of personal data:

The personal data reveals:

Racial or ethnic origin

Political opinions

Religious or philosophical beliefs

Trade union membership

Genetic or Biometric data

Data concerning health, sex life or sexual orientation:

Important Note

If you have ticked any of the sensitive data boxes contact the Data Protection Officer before processing the data further.

IV. CATEGORIES OF RECIPIENTS & DATA TRANSFERS

8) Recipient(s) of the data

To whom is the data disclosed?

Managers of data subjects: Line managers as they approve leave for their staff in Allegro and have an overview of the leave of their unit. They also have access to the staff members' appraisals.

Designated EBA staff members:

- Members of the HR Unit

Also, if appropriate, the HR Unit may provide exported data to the Legal Unit in the case of complaints pursuant to Article 90(2) of the Staff Regulations.

- Relatives or others associated with data subjects
- Current, past or prospective employers
- Healthcare practitioners
- Education/training establishments
- Financial organisations
- External contractor: Staff from the external contractor providing support in the functioning of Allegro.

If appropriate, access will be given to EU staff with the statutory right to access the data required by their function, i.e. the European Ombudsman, the Civil Service Tribunal, the Internal Audit Service, the European Court of Auditors, OLAF and the European Data Protection Supervisor.

9) Data transfer(s)

Is the data transferred outside the EBA?

- Within the EBA or to other EU Institutions/Agencies/Bodies

If yes, please specify: The HR Unit may be asked to export some data from Allegro in order to prepare statistical reports to provide to the line managers or the Executive Director, if necessary.

Also, if appropriate, data may be exported to provide to the Legal Unit in the case of Article 90 (2) complaints.

- To other recipients within the EU (e.g. NCAs): The external service provider, Adequasy, who is providing support in the functioning of Allegro. If appropriate, access will be given to EU staff with the statutory right to access the data required by their function, i.e. the European Ombudsman, the Civil Service Tribunal, the Internal Audit Service, the European Court of Auditors, OLAF and the European Data Protection Supervisor.

- To third countries N/A

If yes, please specify:

- a) the country:
- b) whether suitable safeguards have been adopted:

Adequacy Decision of the European Commission ²	<input type="checkbox"/>
Standard Contractual Clauses	<input type="checkbox"/>
Binding Corporate Rules	<input type="checkbox"/>
Administrative Arrangements between public Authorities	<input type="checkbox"/>

To international organisations N/A

If yes, please specify the organisation and whether suitable safeguards have been adopted:

Important Note
 If no safeguards have been put in place, please contact the DPO before processing the data further.

V. RETENTION PERIOD & SECURITY MEASURES

10) Retention period
<p>A. How long will the data be retained and what is the justification for the retention period?</p> <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <ul style="list-style-type: none"> The data relating to the contract, administrative career and working conditions will be retained for ten years as of the termination of employment or as of the last pension payment. <p>In the case of a formal appeal, all data held at the time of the formal appeal will be retained until the procedure is completed.</p> </div>

² Third countries for which the European Commission has issued adequacy decisions are the following: https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en

B. For further processing envisaged beyond the original retention period for historical, statistical or scientific purposes, please specify whether the personal data will be anonymised: N/A

No

Yes

11) Storage media & security of processing

A. Please indicate how and where the data processed are stored (e.g. Share Point / cloud):

Access to Allegro is limited to authorised actors with specific roles through user authentication: ID and password.

B. Technical & Organisational Security measures adopted:

Controlled access to ICT-system/controlled access codes

Restricted access to physical location where data is stored

Pseudonymisation and Encryption:

Back-up

Audit trails

Confidentiality agreement/clause: All members of the HR Unit sign a confidentiality agreement when they take up duties.

Test the effectiveness of security measures adopted

Training of staff

Other (please specify):

Consultation of the Data Protection Officer

Email Address: dpo@eba.europa.eu

Date of consultation: 07/12/2020

Date of approval of processing: 12/12/2020

Privacy statement available at: available internally

Date of insertion in Register: 15/12/2020