RECORD OF PERSONAL DATA PROCESSING ACTIVITY according to Article 31 of Regulation (EU) 2018/1725

SYSPER Project

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General information

Introduction

EIOPA, as a European Authority, is committed to protect individuals with regard to the processing of their personal data in accordance with Regulation (EU) No 2018/1725 (further referred as the Regulation).\(^1\)

Contact Details of Data Controller(s)

Fausto Parente, Executive Director
Westhafenplatz 1, 60327 Frankfurt am Main, Germany
fausto.parente@eiopa.europa.eu

Contact Details of the Data Protection Officer

Eleni Karatza
Westhafenplatz 1, 60327 Frankfurt am Main, Germany
dpo@eiopa.europa.eu

Date of Consultation: 07/12/2023

Contact Details of Processor

EIOPA’s Team/Unit/Department responsible for the processing:
- HR Unit

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\(^1\) 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.
Description and Purpose of the Processing

**Description of Processing**

1. The processing covers the set-up for the roll-out and the implementation of Sysper. Sysper is the integrated information system for the management of human resources in the European Commission and other EU institutions, agencies and bodies including EIOPA. More precisely, Sysper is used to a series of horizontal, generic components, in order to support all business functions in a uniform and consistent manner. This is particularly important in key areas such as:
   - **security** (Sysper allows for the definition – and the enforcement – of a coherent, transparent and easy security policy via configuration)
   - **actors** (Sysper uses information in the organisational hierarchy and jobs defined therein, in order to automatically determine who needs to do what at each step of the administrative procedures)
   - **workflows and notifications** (Sysper uses common workflow and notification engines to define and execute the various workflow steps and to deliver required notifications, depending on configurable conditions).

2. Sysper is organised in different modules. EIOPA is currently using the following modules:
   - CAR (Career),
   - CCP Workflow,
   - DOC Engine (partially),
   - DOT (Dotation),
   - Flexitime,
   - ORG (organizational management),
   - PER & FAM (identity management),
   - Resignation,
   - Telework,
   - TIM (time management),
   - 65+,
   - HR Reporting.

Data is not used for any purposes other than the performance of the activities specified above.

**Purpose (s) of the processing**
Staff administration

Relations with external parties

Procurement and accounting

Administration of membership records

Auditing

Information administration

Other (please give details): ………………………………………………………………………………………………………

Lawfulness of Processing

- Legal Basis justifying the processing:
  - Art.26 (personal files), 35 (administrative status) and 36 (active employment) of the Staff Regulations and Articles 11 and 81 of the Conditions of Employment of Other Servants.
  - Service Level agreement (SLA) signed between the Commission (DG HR) and EIOPA.
  - Service Level agreement (SLA) signed between PMO and EIOPA

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

Data Subject’s Rights

Information on how to exercise data subject’s rights

Data subjects may exercise their data privacy rights provided in Articles 17 to 24 of the Regulation (EU) 1725/2018.

Data subjects have the right to:

- access their personal data, receive a copy of them in a structured and machine-readable format or have them directly transmitted to another controller, as well as request their rectification or update in case they are not accurate.
- request the erasure of their personal data, as well as object to or obtain the restriction of their processing.
- withdraw their consent to the processing of their personal data at any time in case such processing is based solely on their consent.
For the protection of the data subjects’ privacy and security, every reasonable step shall be taken to ensure that their identity is verified before granting access, or rectification, or deletion.

Should data subjects wish to access/rectify/delete their personal data, or receive a copy of them/have it transmitted to another controller, or object to/restrict their processing, please contact [ethicsofficer@eiopa.europa.eu] or [DPO@eiopa.europa.eu].

Complaint:
Any complaint concerning the processing of the data subjects’ personal data can be addressed to EIOPA’s Data Protection Officer (DPO@eiopa.europa.eu). Alternatively, data subjects can also have at any time recourse to the European Data Protection Supervisor (www.edps.europa.eu).

Restrictions (Note 8):
Without prejudice to the above, rights might be restricted in accordance with EIOPA's decision on the restriction of data subject’s rights (EIOPA-MB-19-056)

### Categories of Data Subjects & Personal Data

<table>
<thead>
<tr>
<th>Categories of Data Subjects</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ [ ] EIOPA permanent staff, Temporary or Contract Agents</td>
</tr>
<tr>
<td>□ [ ] SNEs or trainees</td>
</tr>
<tr>
<td>□ [ ] Visitors to EIOPA (BOS, MB, WG, Seminars, Events, other)</td>
</tr>
<tr>
<td>[ ] If selected, please specify: .............................................</td>
</tr>
<tr>
<td>□ [ ] Providers of good or services</td>
</tr>
<tr>
<td>□ [ ] Complainants, correspondents and enquirers</td>
</tr>
<tr>
<td>□ [ ] Relatives and associates of data subjects</td>
</tr>
<tr>
<td>□ [ ] Other (please specify): ..................................................</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Categories of personal data</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) <strong>General personal data:</strong></td>
</tr>
<tr>
<td>The personal data contains:</td>
</tr>
<tr>
<td>□ [ ] Personal details (name, address etc)</td>
</tr>
<tr>
<td>□ [ ] Education &amp; Training details</td>
</tr>
<tr>
<td>□ [ ] Employment details</td>
</tr>
<tr>
<td>□ [ ] Financial details</td>
</tr>
<tr>
<td>□ [ ] Family, lifestyle and social circumstances</td>
</tr>
<tr>
<td>□ [ ] Other (please give details): ........................................</td>
</tr>
</tbody>
</table>


(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

Categories of Recipients & Data Transfers

<table>
<thead>
<tr>
<th>Recipient(s) of the data</th>
</tr>
</thead>
<tbody>
<tr>
<td>☑ Managers of data subjects</td>
</tr>
<tr>
<td>☑ Designated EIOPA staff members</td>
</tr>
<tr>
<td>[ ] If selected, please specify:</td>
</tr>
<tr>
<td>[ ] HR Unit</td>
</tr>
<tr>
<td>[ ] Relatives or others associated with data subjects</td>
</tr>
<tr>
<td>[ ] Current, past or prospective employers</td>
</tr>
<tr>
<td>[ ] Healthcare practitioners</td>
</tr>
<tr>
<td>[ ] Education/training establishments</td>
</tr>
<tr>
<td>[ ] Financial organisations</td>
</tr>
<tr>
<td>☑ External contractor:</td>
</tr>
<tr>
<td>[ ] External contractors that may be working on the maintenance of the IT infrastructure linked to Sysper.</td>
</tr>
<tr>
<td>[ ] Designated operational services of DG HR of the European Commission and its administrative agency (PMO) have access to the specific data in order to fulfil their human resource management tasks;</td>
</tr>
<tr>
<td>[ ] Other (please specify):</td>
</tr>
<tr>
<td>[ ] Designated operational services of DG HR of the European Commission and its administrative agency (PMO) have access to the specific data in order to fulfil their human resource management tasks;</td>
</tr>
</tbody>
</table>
• Other persons designated via delegation by one of the users. Not all of the users have the same access rights to personal data. The profile of each user (function and responsibility) determines their need and entitlement to access specific sets of data in Sysper;

• Upon request and if relevant for the handling of files, the data can also be transferred to the European Court of Justice, European Ombudsman, EDPS, OLAF, Internal Audit service of the European Commission, European Court of Auditors and external advisors.

Data transfer(s)

☐ To other recipients within the EU (e.g. NCAs): Upon request, EIOPA may transfer to Member States certain personal data necessary to comply with Article 15 of the Protocol on Privileges and Immunities. The transfer of data to the Member States is accompanied by a legal clause excluding its use for other than the predefined purposes and also prohibiting the further transfer of data.

☐ To third countries
  If selected, please specify: ........................................................................................................
  Whether suitable safeguards have been adopted:
  ☐ Adequacy Decision of the European Commission²
  ☐ Standard Contractual Clauses (SCC)
  ☐ Binding Corporate Rules (BCR)
  ☐ Administrative Arrangements between public Authorities (AA)

☐ To international organisations
  If selected, please specify the organisation and whether suitable safeguards have been adopted: ........................................................................................................

Data subjects could obtain a copy of SCC, BCR or AA here:
........................................................................................................

Automated Decision Making

Automated Decision-making, including profiling

A decision is taken in the context of this processing operation solely on the basis of automated means or profiling:

☐ No

☐ Yes

In case of an automated decision-making or profiling, please explain:
........................................................................................................

² Third countries for which the European Commission has issued adequacy decisions are the following: Adequacy decisions (europa.eu)
# Retention Period & Security Measures

## Retention period

<table>
<thead>
<tr>
<th>How long will the data be retained?</th>
</tr>
</thead>
<tbody>
<tr>
<td>In general, personal data are stored in Sysper until the end of the staff member’s activities within an EU institutions, Agencies and Bodies. However, certain personal data need to be conserved for a longer period as they are related to subsisting rights and obligations, i.e. pension rights. More precisely, the retention duration of the personal data found in Sysper is administered by the owner of the system, namely DG HR.</td>
</tr>
</tbody>
</table>

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

- [ ] No
- [ ] Yes

## Technical & organisational security measures taken

Several technical and organisational measures have been adopted in order to ensure the optimum security of the documents and personal data collected in the context of the procedures described under section II a).