

PRIVACY NOTICE-

Management of the staff files including termination of employment

The European Institute for Gender Equality (EIGE) informs you about processing your personal data in compliance with Regulation 2018/1725 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.

Purpose of processing of personal data

The purpose of this processing operation is the management of staff files in EIGE, including (as applicable) termination of employment.

Legal basis

I. Regulation EU 2018/1725, in particular Article 5(a)(b)(c);

II. Establishment Regulation of EIGE (EC) No 1922/2006;

III. 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 and the applicable Implementing Rules for Temporary Agents and Contract Agents, in particular Article 26 for the management of the personal files and Articles 47 – 54 for termination of service;

IV. The Conditions of Employment of Other Servants of the EU, in particular Article 11 for the management of the personal file and Articles 47-50 and Article 119 for termination of service;

V. General provisions for implementing Article 79(2) of the conditions of employment of other servants of the European Union, governing the conditions of employment of contract staff employed under the terms of Article 3a thereof, adopted by EIGE's Management Board (Decision No MB/2020/002 of 14 March 2020);

VI. Commission Decision C(2013) 9039 final of 16.12.2013 repealing Commission Decision of 28.4.2004 adopting General implementing provisions on the early retirement of officials and temporary agents without reduction of pension rights (C(2004) 1588 final/5).

Lawfulness of processing

We process your personal data based on 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. The following information is provided as established in Articles 15 and 16 of Regulation (EU) 2018/1725.

Data categories

I. Personal data collected and further processed are, in particular:

- Information relating to the data **subject's career** (e.g. application form, proof of professional experience, contracts, appointment decisions, amendments to and extensions of contracts, probation/extension reports, establishment decisions, reinstatement following invalidity)
- Information relating to career development (e.g. promotions, advancements to next step in grade, decisions on taking up appointment/transfers, changes of category and regrading decisions, attestation/certification, secondments, changes of place of employment, leave on personal grounds, termination of employment)
- Information relating to work patterns (e.g. parental leave, family leave, special leave, part-time schedules, special leave, telework, leave for military/civil service)
- Information relating to ethics and complaints (e.g. additional work, external work and gifts, complaints regarding administrative or personal matters)
- Information relating to staff reports (e.g. appraisal/career development reports, incompetence, disciplinary matters, restrictions on recruitment)
- Information relating to entitlements (e.g. allowances linked to the position, rights relating to personal/family situation, determination of place of origin, rights relating to entry into service/transfer, rights relating to termination of service, rights relating to personal and family situation)
- Information relating to personal and family information (e.g. birth certificates, nationality and name change documents, civil status, contact person, private address)
- Information relating to termination of service (e.g. control documents relating to end of service/transfer, pension rights)
- Termination of contract declarations (e.g. declaration of outside activities including identification data of the former staff member and data concerning the new activity).

II. These are mandatory data for the purpose(s) outline below.

Data Controller

EIGE is the legal entity responsible for the processing of your personal data and determines the objective of this processing activity. The Data Controller is primarily the Human Resources Officer, supervised by the Head of Administration. Joint controllers are PMO and DG DIGIT that manages the Sysper IT tool.

Access and storage of the data

Recipients of the data are the designated appointing authority, staff members to whom the appointing authority has delegated responsibility, and authorised staff members of EIGE and the PMO who have access to parts of your file on a need to-know basis.

Officials of OLAF, IAS and the Court of Auditors can be recipients of data upon request and limited to what is necessary for official investigations or for audit purposes. The Agency has several security controls in place to protect personal data from unauthorised access, use or disclosure. EIGE keeps the data stored on computer

systems with limited access to a specified audience only. EIGE does not intend to share data to Third Countries/International Organisations.

Date when processing starts

Date of the opening of the personal file of the specific staff member.

Retention policy

For a maximum of 10 years from the termination of the employment.

The data subject has specific rights as a 'data subject' under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725

Right to access data – data subjects have the right to access data at any time by sending an email request to EIGE.HR@eige.europa.eu.

Right to rectify – data subjects have the right to rectify their data without delay of inaccurate or incomplete personal data.

Right to restrict – data subjects have the right to restrict the processing at any moment by sending an email request to EIGE.HR@eige.europa.eu; and the right to be informed before personal data are disclosed for the first time to third parties or before they are used on their behalf for the purposes of direct marketing.

Right to erasure – data subjects have the right to obtain from the controller the erasure of data if their processing is unlawful by sending an e-mail to EIGE.HR@eige.europa.eu.

If the data subjects have any queries concerning the processing of their personal data, they may address them to the Data Protection Officer or to the Data Controller of EIGE by contacting information at dpo@eige.europa.eu.

Other rights – Where applicable, you also have the right to object to the processing or the right to data portability. You have the right to object to the processing of your personal data, which is lawfully carried out pursuant to Article 5 (1)(a) on legitimate compelling grounds by sending an e-mail to dpo@eige.europa.eu .

Data subjects are also entitled to have recourse at any time to the European Data Protection Supervisor:

Website: <http://www.edps.europa.eu>

Email: edps@edps.europa.eu

Data subjects' rights can be restricted only in the cases foreseen in Article 25 of Regulation (EU) 2018/1725.

Contact information

EIGE's Data Protection Officer, e-mail dpo@eige.europa.eu

EIGE HR, e-mail EIGE.HR@eige.europa.eu