

PRIVACY STATEMENT

for processing of personal data in the context of leave and absence management

The Agency for Support for BEREC (BEREC Office) processes the personal data of a natural person 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.

This privacy notice explains BEREC Office policies and practices regarding its collection and use of your personal data, and sets forth your privacy rights. The BEREC Office recognises that the information privacy is an ongoing responsibility and will update this notice where necessary.

1. What is the purpose and legal basis for processing your personal data?

The purpose of the processing is to manage the entitlements for annual leave, special leave, and sick leave and all the related working conditions of BEREC Office staff (Temporary Agents, Contract Agents, Seconded National Experts and Trainees).

The BEREC Office manages leaves and absence of staff using EC SYSPER 2 “Time Management” module that processes all personal data related to requests for leave rights and absences (part-time work, annual leave, parental and family leave, other special leaves). The privacy statement for the BEREC Office’s general processing in SYSPER2 can be found here: https://berec.europa.eu/files/document_register_store/2020/9/Privacy%20Statement_Sysper2.pdf.

The lawfulness for the processing is Article 5(a) of Regulation 2018/1725.

The legal bases for the collection of data are:

- Articles 57, 58 and 61 of the Staff Regulations and Annex V thereto, and Articles 16 and 91 of the CEOS;
- Decision No MC/2014/2 of the Management Committee of the BEREC Office on the Adoption of the European Commission’s Decision on implementing provisions on leave (C(2013)9051) of 16.12.2013.

2. What personal data is collected and processed?

The categories of data that are processed are:

- Main employment and career data (start of employment date, category of staff, end of employment date, place of origin, age);
- Documents containing personal data, such as justification documents for various categories of special leave as laid out in the Decision on the implementing provisions on Leave;
- Data on the family situation;
- Health-related data (health-related data are only processed by the European Commission's Medical Service, and not by the BEREC Office);
- Information on carry-over or untaken annual leave of the previous year;
- Information on political appointment and participation in elections of the staff member.

3. Who has access to your personal data and to whom is it disclosed?

The data are accessible to:

- BEREC Office staff in charge of HR (GECO);
- European Commission's DG HR via SYSPER2 and/or the EC's Medical Service for certain categories of special leave and sick leave;
- The data subject's leave validator and intermediate leave validator (if applicable);
- The Authority Authorised to Conclude Contracts of Employment (AACC);

Authorised staff of the following institutions may have access to relevant personal data for audit, control or investigation purposes:

- European Anti-Fraud Office (OLAF);
- Court of Auditors;
- Internal Audit Service of the European Commission;
- European Data Protection Supervisor (EDPS).

4. How long are your personal data kept?

Retention periods of data stored in the system maintained by the European Commission (Sysper2) are defined by its system owner, as can be found in the relevant data protection policy, available here: [SYSPER2 - Time Management: Time Recording, Absence Management and teleworking](#).

Documents supporting special leave are stored for 4 years (in accordance with the European Commission Retention List).

5. What are your rights?

You have the right to request from the controller access to and rectification or erasure of your personal data or restriction of processing.

The controller shall provide information on action taken on a request within one month of receipt of the request. That period may be extended by two further months where necessary, taking into account the complexity and number of the requests.

6. Who is the data controller and how to exercise your rights?

The BEREC Office shall exercise the tasks of the data controller for the purpose of these processing operations.

To exercise the mentioned rights, you can contact the controller by sending an email to: special-leaves@berec.europa.eu.

If you consider your data protection rights have been breached, you can always lodge a complaint with the BEREC Office's Data Protection Officer (dpo@berec.europa.eu) or with the European Data Protection Supervisor: edps@edps.europa.eu