

PRIVACY STATEMENT

for processing of personal data in the context of the use of SYSPER2 for the management of the BEREC Office staff

The Agency for Support for the Body of European Regulators for Electronic Communications (BEREC Office, Agency) 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 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?

This privacy statement covers the use of the information management system SYSPER2 for the management of human resources (HR) at the BEREC Office. SYSPER2 is the European Commission (EC) HR information management system and it is used by the EC and other EU Agencies and Bodies, including the BEREC Office, for HR management.

The purpose of this processing operation is:

- to identify staff members in the Agency as jobholders;
- to support various HR management procedures, such as recruitment, career management, job assignments, working time and leave management, probation period, declarations or requests for authorization as specified by Staff Regulations (incl. conflict of interest), etc.;
- to ensure correct establishment of individual rights and salary payments;
- to ensure organisation management through an organisational chart, allocation of job quotas for establishment plan posts and external staff assignments;
- to support the management of job descriptions;
- to manage the personal files in a paperless environment;
- to generate electronic certificates.

Whereas for some of the processes above, there are specific privacy statements, this privacy statement covers the general processing operations covered in the following modules:

- (a) Organisation chart (ORG)**
- (b) Job quotas (DOT)**
- (c) Job Information System (JIS)**
- (d) Personal Data Management (PER)**
- (e) Career and Mobility (CAR)**
- (f) Document Management (DOC)**
- (g) CCP Workflow (CCPw)**
- (h) Ethics (ETH)**
- (i) Probation (STAGE)**
- (j) Objectives (OBJ)**
- (k) Flexitime (FLX)**
- (l) Teleworking (TLWK)**
- (m) Personnel files (NDP)**
- (n) HR Reporting and Analytical services**

In addition to the modules above, the RIGHTS module extends the HR system to the management of your allowances and individual rights by means of declarations, processed by the EC Office for the Administration and Payment of Individual Entitlements (PMO). The purpose of this module is to cover the HR processes end-to-end inside one integrated system, from declarations submitted by you to the decisions of the Appointing Authority / Authority authorised to conclude contracts of employment (AACC) and accordingly to make payments of your salary and allowances.

The processing operations performed in the time management module (TIM), namely registration of working time including work patterns, daily presence, leave and absence management, are covered in separate privacy statements.

The processing of your personal data is lawful according to Article 5(a) and (b) of Regulation (EU) 2018/1725.

The legal basis for the processing of your personal data are:

- The Staff Regulations of Officials of the European Communities (SR), and the Conditions of Employment of other servants of the European Communities (CEOS);
- The rules and provisions in force at the BEREC Office implementing the SR and CEOS;
- Regulation (EU) 2018/1971 of the European Parliament and of the Council of 11 December 2018 establishing the Body of European Regulators for Electronic Communications (BEREC) and the BEREC Office;
- Service Level Agreement (SLA) between the BEREC Office and DG HR: Appendix A, SYSPER2 and related services, Appendix E2, NDP - personal files, Reference No. BEREC/17/105;

- SLA between the BEREC Office and the PMO, Reference No. BEREC/23/103.

2. What personal data is collected and processed?

SYSPER2 processes personal data of the BEREC Office Temporary and Contract Agents and persons related to them, as well as Seconded National Experts and trainees. In limited, duly justified case, for the purpose of identity management, the personal data of interim workers and representative of external service providers (intra- or extra-muros) may also be managed in SYSPER2.

Within SYSPER2's modules, except for the TIM module, as laid out in paragraph Nr 1, the following types of personal data are processed for the purposes mentioned above:

- Identification data, such as: surname, first name, personnel identification number, BEREC Office personnel number, NUP, nationalities, gender, address, telephone number, institutional email address, place of origin, date of birth;
- Data related to family composition: marital status/recognized partnership, identity and date of birth of spouse/partner, identity and date of birth of dependent children, and date of adoption (if applicable);
- Career and organisational data, such as: Unit to which the job holder is assigned, category of staff, grade, administrative status, contract duration, years of service, probationary period, job description and job number;
- Other data provided in declarations or requests for authorisation as specified by Staff Regulations necessary for assessment of conflict of interest or other potential adverse impact on the service.

Data related to medical and disciplinary files are not processed.

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

Access to your personal data is provided to BEREC Office staff responsible for carrying out the processing operations and to authorised staff in accordance with the "need to know" principle. Not all the users of SYSPER2 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 SYSPER2.

More specifically, your personal data are accessible to the following persons and entities:

Within the BEREC Office:

- The Agency's staff in charge of HR having the relevant user roles in SYSPER2;
- The Head of Administration and Finance;
- The data subject's line manager for limited identification data and data related to the career development (incl. objectives, probationary period, end date of employment

contract), organisational data and declarations and other cases, which require the opinion of the line manager ;

- The Director (AACC);
- All users limited to a minimal set of data (organisational and minimal identification data).

Outside of the BEREC Office:

- DG HR, PMO and DG DIGIT in relation to their specific area of competence;
- Any other EU bodies, agencies or institutions in the remit of a transfer of a statutory staff member from or to the BEREC Office.

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?

The retention period of your data in SYSPER2 is in line with the retention periods established by the European Commission as system owner.

Your personal data is stored for the time necessary to fulfil the purpose of collection or further processing. Your data in SYSPER2 are stored until the end of your activity for the Agency.

Certain data need to be stored for a longer period if they are related to subsisting rights and obligations, i.e. pension rights.

Specific retention periods for certain data can be found in the corresponding records (e.g. on time management, teleworking, leave and absences).

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.

You also have the right to object to processing of personal data.

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: personnel@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
