

## **PROTECTION OF YOUR PERSONAL DATA**

**This privacy statement provides information about the processing and the protection of your personal data.**

**Processing operation:** 360° Feedback Programme for managers in the European Labour Authority

**Data Controller:** The European Labour Authority, Resources Unit, Human Resources Sector (ELA HR Sector)

**Record reference:** DPR-ELA-2023-0016

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## **1. Introduction**

The European Labour Authority (hereafter 'ELA') is committed to protect your personal data and to respect your privacy. ELA collects and further processes personal data pursuant to [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 (repealing Regulation (EC) No 45/2001).

This privacy statement explains the reason for the processing of your personal data, the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you have in relation to your personal data. It also specifies the contact details of the responsible Data Controller with whom you may exercise your rights, the Data Protection Officer and the European Data Protection Supervisor.

The information in relation to processing operation '*360° Feedback Programme for managers in the European Labour Authority*' undertaken by the ELA HR Sector is presented below.

## **2. Why and how do we process your personal data?**

Purpose of the processing operation: The ELA HR Sector collects and uses your personal information to develop a **360° Feedback Programme** to provide managers with a rounded view of their leadership capabilities to better understand their strengths, to provide insights into areas of their work and skills that need development and to bring new awareness of their leadership style and of how their behaviour impacts others and drives performance.

To allow participants and respondents to reply to an online survey and to compile the results in one single report, the European Labour Authority (ELA) has to:

- a) identify the potential participants and respondents and
- b) transmit this information to an external service provider who will conduct the survey on a dedicated external website and compile the information in a report.

Your personal data will not be used for an automated decision-making including profiling.

## **3. On what legal ground(s) do we process your personal data**

We process your personal data, because, according to Article 5(1) of Regulation (EU)2018/1725:

(a) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body;

(b) processing is necessary for compliance with a legal obligation to which the controller is subject;

(c) processing is necessary 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.

### **Legal basis:**

- Regulation (EU) 2019/1149 of the European Parliament and of the Council of 20 June 2019 establishing the European Labour Authority
- Staff Regulations of Officials of the European Union ('Staff Regulations') and the Conditions of Employment of Other Servants of the European Union ('CEOS'),

laid down originally by Council Regulation (EEC, Euratom, ECSC) No 259/681, and in particular Article 24a and 57 of the Staff Regulations and Articles 11, 16, 81 and 91 of the CEOS

- Decision No 22/2022 of 24 November 2022 of the Management Board on the Framework for Learning and Development.

We do not process **special categories of personal data**, therefore Article 10 of the Regulation does not apply.

#### **4. Which personal data do we collect and further process?**

In order to carry out this processing operation, the ELA HR Sector collects the following categories of personal data:

- a) **Data relating to the participating manager:** Name, role and email.
- b) **Data relating to respondents:** Name, role and email.

Respondents are selected by the participating manager.

Respondents evaluate the participating manager on the competencies set out in the competency profile through around thirty closed questions and a limited number of open ones. All competencies are surveyed with three statements highlighting different aspects of each competency. Respondents rate the performance of each participating manager against each statement and indicate to which extent they consider the competency relevant and important. Finally, respondents reply to open questions relating to the participating manager's management style and other related aspects. As part of the process, the participating manager is asked to complete his/her self-evaluation against the same set of statements as the ones presented to the respondents.

The provision of personal data is mandatory to meet a statutory requirement: **Article 24a of the Staff Regulations:** *"The Union shall facilitate such further training and instruction for officials as is compatible with the proper functioning of the service and is in accordance with its own interests"*. If you do not provide your personal data, we will not be able to fulfil our responsibilities.

#### **5. How long do we keep your personal data?**

The ELA HR Sector only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing, namely for 1 year from the reply to the survey.

For all justified legitimate requests received by the controller, a response will be given within 15 working days from the day HR Sector received the correspondence.

#### **6. How do we protect and safeguard your personal data?**

All personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored either on the servers of the European Labour Authority or of its contractors.

ELA's contractors are bound by a specific contractual clause for any processing operations of your data on behalf of ELA, and by the confidentiality obligations deriving directly from the General Data Protection Regulation in the EU Member States ('GDPR' [Regulation \(EU\) 2016/679](#).)

In order to protect your personal data, ELA has put in place a number of technical and organisational measures in place. Technical measures include appropriate actions to address

online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.

#### **7. Who has access to your personal data and to whom is it disclosed?**

Access to your personal data is provided to ELA staff responsible for carrying out this processing operation and to authorised staff according to the “need to know” principle. Such staff abide by statutory, and when required, additional confidentiality agreements.

The ELA HR Sector in Resources Unit will have access to:

- Name, role and e-mail of participating managers;
- Name, role and e-mail of list of potential respondents.

The external contractor will have access to:

- Name, role and e-mail of participating manager;
- Name, role and e-mail of respondents

For each manager a coach is selected and the full report will be shared with him/her to discuss with the assigned manager.

Participating manager will have access to:

- Full report with:
  - \* the anonymous aggregated results per competency cluster, per competency and per respondent group, including a graph with the overall score per competency;
  - \* all answers to the open questions, reproduced verbatim;
  - \* an overview of three competencies which would most benefit from further development

**Note:** The full report and detailed findings are discussed between the external consultant and the participant alone.

The report is not shared with the hierarchical superior of the participating manager nor is it shared with ELA HR Sector. The report belongs exclusively to the participant and is shared with the coach from the external contractor assigned to him/her. In addition, the participant can decide to share it with others.

The information we collect will not be given to any third party, except to the extent and for the purpose we may be required to do so by law.

#### **8. What are your rights and how can you exercise them?**

You have specific rights as a ‘data subject’ under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725, in particular the right to access, your personal data and to rectify them in case your personal data are inaccurate or incomplete. Where applicable, you have the right to erase your personal data, to restrict the processing of your personal data, to object to the processing, and 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 grounds relating to your particular situation.

You can exercise your rights by contacting the Data Controller, or in case of conflict the Data Protection Officer. If necessary, you can also address the European Data Protection Supervisor. Their contact information is given under Heading 9 below.

Where you wish to exercise your rights in the context of one or several specific processing operations, please provide their description (i.e. their Record reference(s) as specified under Heading 10 below) in your request.

## **9. Contact information**

### **- The Data Controller**

If you would like to exercise your rights under Regulation (EU) 2018/1725, or if you have comments, questions or concerns, or if you would like to submit a complaint regarding the collection and use of your personal data, please feel free to contact the Data Controller:

[learning@ela.europa.eu](mailto:learning@ela.europa.eu)

### **- The Data Protection Officer (DPO) of ELA**

You may contact the Data Protection Officer ([data-protection@ela.europa.eu](mailto:data-protection@ela.europa.eu)) with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725.

### **- The European Data Protection Supervisor (EDPS)**

You have the right to have recourse (i.e. you can lodge a complaint) to the European Data Protection Supervisor ([edps@edps.europa.eu](mailto:edps@edps.europa.eu)) if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Data Controller.

## **10. Where to find more detailed information?**

ELA Data Protection Officer (DPO) publishes the register of all processing operations on personal data by ELA, which have been documented and notified to him. You may access the register via the following link: <https://www.ela.europa.eu/en/privacy-policy>.

This specific processing operation has been included in the DPO's public register with the following Record reference: DPR-ELA-2023-0016 360° Feedback Programme for managers in the European Labour Authority.