



European Labour Authority

DATA PROTECTION OFFICER

RECORD OF PROCESSING OPERATIONS ON PERSONAL DATA

DPR-ELA-2023-0024 ELA staff statistics

1 PART 1: PUBLIC - RECORD (ARTICLE 31¹)**1.1 GENERAL INFORMATION**

Record reference	DPR-ELA-2023-0024
Title of the processing operation	ELA staff statistics
Controller entity	The European Labour Authority, Resources Unit, HR Sector
Joint controllers	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> YES, fill in details below
Processor(s)	<input type="checkbox"/> N/A <input checked="" type="checkbox"/> YES, fill in details below
Internal organisation(s)/entity(ies) Names and contact details	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> YES
External organisation(s)/entity(ies) Names and contact details	<input type="checkbox"/> N/A <input checked="" type="checkbox"/> YES <p>Unisystems S.M.S.A 19-23 Pantou Alexandrou Street, 176 71 Kallithea Attica Greece</p> <p>Microsoft Ireland South County Business Park, One Microsoft Place, Carmanhall and Leopardstown, Dublin, D18 P521, Ireland.</p> <p>The European Labour Authority's contractors are bound by a specific contractual clause for any processing operations of personal data on behalf of the European Labour Authority, and by the confidentiality obligations deriving from the General Data Protection Regulation (EU) 2016/679.</p>
Data Protection Officer Name and contact details	Laura NUNEZ BAREZ European Labour Authority Landererova 12, 811 09 Bratislava I Slovakia Email: data-protection@ela.europa.eu
Corporate Record	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Language of the record	English
Record Model	<input checked="" type="checkbox"/> N/A
The data subjects that the record concerns	1. <input type="checkbox"/> Beneficiaries 2. <input type="checkbox"/> Citizens 3. <input type="checkbox"/> Contractors 4. <input type="checkbox"/> Journalists 5. <input type="checkbox"/> Local agents 6. <input type="checkbox"/> National detached experts 7. <input type="checkbox"/> Independent experts/academics 8. <input checked="" type="checkbox"/> Members of ELA 9. <input type="checkbox"/> Officials of other EU Institutions, agencies and bodies

¹ Pursuant to **article 31** of the new data protection regulation for EU institutions and bodies (**Regulation (EU) 2018/1725**) each controller and processor have to maintain a **record of processing activities** under its responsibility that contains at least the information listed under that article.

	<ul style="list-style-type: none">10. <input type="checkbox"/> Detached officials11. <input type="checkbox"/> Officials of national authorities12. <input type="checkbox"/> Retired officials and agents13. <input type="checkbox"/> Special advisers14. <input checked="" type="checkbox"/> Temporary agents15. <input type="checkbox"/> Auxiliary agents16. <input checked="" type="checkbox"/> Contractual agents17. <input checked="" type="checkbox"/> Trainees
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1.2 PURPOSE AND DESCRIPTION OF THE PROCESSING

1.2.1 Purpose

The European Labour Authority, HR Sector collects and uses personal data to make reports and visualisations of the ELA's past and present staff situation. These reports are mainly focused on aggregated anonymous HR data on workforce, for example overview of posts, filled in posts, vacant posts, type of contract, staff demographics, e.g. distribution of gender and gender ratio, age and average age, and nationality and distribution of staff per geographical area.

The European Labour Authority, HR Sector collects and uses personal data to generate reports and visualisations of aggregated and anonymous data of the ELA's past and present staff situation. These reports encompass a broad spectrum, ranging from an overview of occupied and vacant positions, recruitment procedures, types of contracts, to staff and applicants' demographics such as gender distribution, gender ratio, age distribution, average age, nationality and distribution of HRstaff per geographical area. Additionally, the data facilitates insights into e.g. staff's average training days, average days of sick leave, number of administrative enquiries, or number of approved teleworking requests.

HR Sector are also produced specific statistics, per request of relevant actors, and for different purposes such as budgetary, organisational or management reasons. For example at request of the European Parliament for the annual budget discharge, the Management Board for the Annual activity reports or Single Programming Document.

1.2.2 Processing for further purposes

- Archiving in the public interest
- Scientific or historical research purposes
- Statistical purposes

Safeguards in place to ensure data minimisation

- Pseudonymisation
- Any other, specify

1.2.3 Modes of processing

1. Automated processing (Article 24)
 - a. Computer/machine
 - i. automated individual decision-making , including profiling
 - ii. Online form/feedback
 - iii. Any other, specify
2. Manual processing
 - a. Word documents
 - b. Excel sheet
 - c. Any other, specify

1.2.4 Storage medium

1. Paper
2. Electronic
 - a. Digital (MS documents (Word, excel, Powerpoint), Adobe pdf, Audiovisual/multimedia assets, Image files (.JPEG, .PNG, etc.))
 - b. Databases
 - c. Servers
 - d. Cloud
3. External contractor premises
4. Others, specify

1.2.5 Comments on the processing of the data

Pseudonymised data will be shared on the relevant intranet of the Authority (HR SharePoint).

1.3 DATA SUBJECTS AND DATA CATEGORIES

1.3.1 Data subjects' categories

1. Internal to organisation	ELA Staff
2. External to organisation	External applicants

1.3.2 Data categories/fields

Name, Surname, types of contract (Temporary Agent, Contract Agent, SNE, NLO, TR or Interimaires), gender and distribution of gender per type of contract, age and age distribution by type of contract, nationality and distribution of staff per geographical area.

1.3.2.1 Special categories of personal data

Indicate if the processing operation concerns any 'special categories of data' which fall(s) under Article 10(1), which shall be prohibited unless any of the reasons under article 10(2) applies:

Yes , the processing concerns the following special category(ies):

Data revealing

- racial or ethnic origin
- political opinions,
- religious or philosophical beliefs,
- trade union membership,

Or/and,

- Genetic data, biometric data for the purpose of uniquely identifying a natural person,
- Data concerning health,
- Data concerning a natural person's sex life or sexual orientation.

N/A

From nationalities it may be inferred individual's ethnicity/religion with varying degrees of certainty. However, it is inappropriate to treat all nationalities as special category of data in every instance, as this would mean ELA will need a special category condition just to hold such nationalities. In order to consider nationality as a special category of data in this sense is when the controller collects/uses these inferences linked to the special categories of data to influence his/her activities in any way.

In summary, while nationalities can provide insights into ethnicity or religion, they should not automatically be treated as special category data unless their use directly impacts decision-making or activities governed by data protection rules.

1.3.2.2 Data related to 'criminal convictions and offences'

The data being processed contain sensitive data which fall(s) under Article 11 'criminal convictions and offences'	N/A <input checked="" type="checkbox"/> Yes <input type="checkbox"/>
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1.4 RETENTION PERIOD

Indicate the administrative time limit(s) for keeping the personal data per data category, and if known, specify the start/end date, or describe the specific start/end moment of each time limit:

Data category	Retention period
Raw data	Specific retention period apply to different type of files.
Pseudonymised data	Specific retention period apply to different type of files.
Anonymised data	Anonymised report will be kept for statistical and archival purposes.

According to **ELA Filing Plan> 6. Human resources management** the following retention periods apply:

6.3: Selection and recruitment:

- contract staff, temporary staff and seconded national experts: 10 years
- interim staff: 5 years
- trainees: 10 years
- candidate files (reserve list candidates : for the validity of the list, eliminated candidates: 2 years)

6.4 Unsolicited applications: 2 years

6.5 Performance and career development

- personnel files: 10 years
- trainee files: 50 years
- learning and development: 5 years
- recognition: 2 years
- professional conduct and discipline: Files that have not given rise to administrative investigations (2 years), Investigations without disciplinary consequences (5 years) and Investigations with disciplinary consequences and disciplinary procedures (20 years).

6.6 Article 90 and 24 complaints :5 years

6.7 Payroll :20 years

1.5 RECIPIENTS

Origin of the recipients of the data	
1. <input checked="" type="checkbox"/> Within the EU organization	ELA Staff
2. <input checked="" type="checkbox"/> Outside the EU organization	ELA Management Board European Parliament External auditors Any other EU institution or body/national authority with a specific legal basis to request relevant statistics

Categories of the data recipients	
1. <input checked="" type="checkbox"/> A natural or legal person	
2. <input checked="" type="checkbox"/> Public authority	
3. <input checked="" type="checkbox"/> Agency	
4. <input checked="" type="checkbox"/> Any other third party, specify	

Description

Recipients of raw data is limited to ELA HR Sector colleagues working on this specific process and the Head of Sector.

Recipients of aggregated/pseudonymised data (percentages) are all ELA Staff. In some specific cases due to the small size of the Agency, percentage can be directly assigned to one person (e.g. 1 Spanish contract agent).

Anonymised reports will be shared with the Management Board, the European Parliament or external auditors upon request.

Relevant anonymised statistics will be made publicly available through relevant reports.

1.6 INTERNATIONAL DATA TRANSFERS

Transfer to third countries or international organisations of personal data
<p>1. Transfer outside of the EU or EEA</p> <p><input checked="" type="checkbox"/> N/A, transfers do not occur and are not planned to occur</p> <p><input type="checkbox"/> YES,</p>
<p>2. Transfer to international organisation(s)</p> <p><input checked="" type="checkbox"/> N/A, transfers do not occur and are not planned to occur</p> <p><input type="checkbox"/> Yes, specify further details about the transfer below</p>

1.7 INFORMATION TO DATA SUBJECTS ON THEIR RIGHTS

Rights of the data subjects
<p><i>Article 17 – Right of access by the data subject</i></p> <p><i>Article 18 – Right to rectification</i></p> <p><i>Article 19 – Right to erasure (right to be forgotten)</i></p> <p><i>Article 20 – Right to restriction of processing</i></p> <p><i>Article 21 – Notification obligation regarding rectification or erasure of personal data or restriction of processing</i></p> <p><i>Article 22 – Right to data portability</i></p> <p><i>Article 23 – Right to object</i></p> <p><i>Article 24 – Rights related to Automated individual decision-making, including profiling</i></p>

1.7.1 Privacy statement

The data subjects are informed about their rights and how to exercise them in the form of the a privacy statement attached to this record.

Publication of the privacy statement

Published on website

Web location:

- ELA internal website (URL: Sharepoint on personal data protection)
- External website (URL: <https://www.ela.europa.eu/en/privacy-policy>)

Other form of publication, specify

Guidance for Data subjects which explains how and where to consult the privacy statement is available and will be provided at the beginning of the processing operation.

Guidance on data subjects' rights.

1.8 SECURITY MEASURES

Short summary of overall Technical and Organizational Measures implemented to ensure Information Security:

Description:

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

The European Labour Authority's contractors are bound by a specific contractual clause for any processing operations of personal data on behalf of the European Labour Authority, and by the confidentiality obligations deriving from the General Data Protection Regulation in the EU Member States ('GDPR' Regulation (EU) 2016/679).

In order to protect personal data, the European Labour Authority has put in place a number of technical and organisational measures. 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.