



Eurojust record of processing activity

Record of processing personal data activity, based on Article 31 of 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

Part I –Article 31 Record (this part is publicly available)

Nr.	Item	Description
Anti-harassment informal procedure		
The anti-harassment policy includes both a formal and an informal procedure. The scope of this record is limited to the informal procedure. Regarding the formal procedure, please refer to the record on administrative inquiries available at AD-02 (June 2020) .		
1.	Last update of this record	June 2020
2.	Reference number	HRU-09 (June 2020)
3.	Name and contact details of controller	Head of the HR Unit Headofhrconfidential@eurojust.europa.eu
4.	Name and contact details of DPO	dpo@eurojust.europa.eu
5.	Name and contact details of joint controller (where applicable)	n/a
6.	Name and contact details of processor (where applicable)	<p>The Eurojust employee relations officer informs the alleged victim about his rights, explains the procedure and directs the alleged victim towards a confidential counsellor.</p> <p>The Eurojust confidential counsellors recognise and alleviate the alleged victim's suffering by meeting and listening to him/her without preconceptions and without passing judgment. Their role is to:</p> <ul style="list-style-type: none"> inform the alleged victim of the existing procedure and of his rights; accompany and guide the alleged victim, examining with him the various options and structures which will assist in finding a satisfactory solution to the problem (directing him towards and placing him in contact with the Eurojust doctor, for instance)

Nr.	Item	Description
7.	Purpose of the processing	<p>To prevent and to deal effectively and efficiently with any actual or potential cases of psychological or sexual harassment at the workplace. The purpose of the processing of data of a personal nature is the implementation of procedures intended to combat and prevent psychological and sexual harassment at Eurojust pursuant to the Eurojust Harassment Policy.</p> <p>In accordance with the provisions of the Eurojust Harassment Policy, which sets out the obligation of Eurojust as an employer to provide a working environment free of any form of psychological or sexual harassment, data may be processed for the following purposes:</p> <ul style="list-style-type: none"> •To ensure the support and protection of alleged victims and to direct them in case of need towards the appropriate services; •To provide effective case management and to seek to resolve cases on the basis of information which is as comprehensive as possible; •To undertake conciliation initiatives; •To put in place preventive initiatives; •To monitor and evaluate implementation of the Eurojust Harassment Policy; •To analyse requests, to manage and to prevent psychosocial risks; •To identify persons involved in a recurrent or multiple cases and to advise the Administrative Director as appropriate; •To transmit appropriate information to the authorised parties (e.g. the Administrative Director) in the event of passage to the formal procedure; •To respond to questions from the Data Protection Officer, Legal Service, HR Unit, the European Ombudsman, or the national or EU judicial authorities. <p>Personal data which are collected may not subsequently be processed for purposes which are incompatible with those cited above.</p>
8.	Description of categories of persons whose data are processed and list of data categories	<p>The data processed relate to the statements of persons who consider that they have been harassed and approach the HR Unit or a confidential counsellor under the informal procedure. They appear on opening forms, closing forms and in files containing the documents relevant to the proper management of cases. The data also include details of alleged harassers and, potentially, of witnesses. Categories of processed personal data may include first names, last names, civil status, family situation, contractual situation (job title, grade, step and working conditions) and other personal data strictly relevant for the processing of the case including medical data if need be.</p> <p>There is no systematic rule regarding the types of data that may be collected. They may be of very different types; this depends largely on the case in question. Due to the very nature of the phenomenon of harassment, these data must be considered to be of a subjective nature, tainted by emotion and closely bound up with the viewpoint of the person providing the information.</p>

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9.	Time limit for keeping the data	<p>Confidential counsellors shall not store any data of a personal nature beyond the period necessary for a case to be dealt with. Under no circumstances may they keep personal data for more than three months after the date of closure of a case. Following this time period, all useful and relevant documents will be sent to the Employee Relations Officer after the alleged victim has been notified (with the exception of a situation where an alleged harasser has not been informed on the existence of an informal procedure concerning him/her). This timeframe will continue to run even where a confidential counsellor has been replaced as the manager of a case.</p> <p>The HR Unit has organisational responsibility for maintaining a historical record of cases dealt with under the informal procedure. In order to do so, it will keep in a central file stored in a designated safe the opening and closing forms, with any related documents annexed, for a maximum period of five years from the date of commencement of an informal procedure. It will not keep any record of the names of alleged harassers who have not been informed that there is an informal procedure concerning them. Their names will be removed from opening forms when cases are closed under the informal procedure.</p> <p>This five-year period is considered necessary for the HR Unit to fulfil its mandate in general as well as to monitor and evaluate the policy and to identify recurrent cases for the prevention of harassment in particular.</p> <p>Files will be retained beyond the timeframes indicated above only for as long as is necessary when a judicial or administrative procedure (such as requests from the European Ombudsman, an action before the Civil Service Tribunal, an action for damages, etc.) requiring their access remains pending at the date of expiry of these time periods.</p> <p>Data for statistical purposes will be kept for an unlimited term after being rendered anonymous, in accordance with Article 5(1)(e) of Regulation (EU) 2018/1725.</p>
10.	Recipients of the data	<p>Confidential counsellors are the recipients of the data. The data and information provided to confidential counsellors by the alleged harassed or alleged harasser are treated in the strictest confidence. This data can be provided to the competent authorities in the framework of informal procedures on harassment and with the consent of the person who forwarded them. Transmission can be made without consent only in cases when this is necessary to ensure the protection of those concerned. The confidential counsellor may be required to process a case under the informal procedure, to communicate certain information to others (medical service, security service, social workers and human resource managers) in the eventuality that the confidential counsellor believes the alleged harassed to be under harm and therefore to be in real danger. The information transmitted will be limited to what the other person needs to know to perform the duties.</p> <p>There are no other possible recipients of the data in the informal</p>

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		procedure.
11.	Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?	No
12.	General description of security measures, where possible.	<p>To ensure the security of data of a personal nature entrusted to them, the Employee Relations Officer and confidential counsellors adhere to the following minimum standards of protection:</p> <ul style="list-style-type: none"> • To guarantee the security of confidential data provided to confidential counsellors and the Employee Relations Officer, all written exchanges are in hard copy in sealed double envelopes marked “staff matters and confidential” and are personally delivered. • Any transmission of documents other than to the recipients and in the circumstances provided for in this manual is prohibited; • Notes taken during meetings and any documents collected on a case are kept in a secure place under lock and key. For this purpose, a safe or metal cupboard locked with a key will be used; • Where documents are stored on an electronic medium, data are encrypted (for example in compressed *.zip format with password), or stored on a specific encrypted disk which is not accessible to third parties; • The Employee Relations Officer keeps the files relating to cases handled in the designated safe. Data stored on an electronic medium are kept in an encrypted form, on a specific disk, which is not accessible to third parties; • The transmission of data between confidential counsellors and the Employee Relations Officer, particularly when forwarding files following closure of a case, is undertaken by delivering electronic documents on a disc, which is not accessible to third parties, or delivered personally or by letter with a sealed double envelope bearing the wording “staff matters and confidential”.
13.	For more information, including how to exercise your rights to access, rectification, object and data portability (where applicable), see the data protection notice:	Manual of procedures for the implementation of the Decision of Eurojust 31-01-2012 on the policy of Eurojust for protecting the dignity of the person and preventing psychological and sexual harassment