DATA PROTECTION NOTICE regarding the use of SYSPER by Eurojust

1. Context and Controller

As Eurojust collects and further processes personal data in the context of management of personal data of Eurojust staff (Temporary Agents, Contract Agents), SNEs and Trainees in SYSPER, it is subject to Regulation (EU) 2018/1725 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.

Collection and processing of personal data in SYSPER are under the responsibility of the Controller, who is the Head of Human Resources at Eurojust and can be contacted at hohrconfidential@eurojust.europa.eu.

2. What personal information do we collect, for what purpose, under which legal bases and through which technical means?

Legal basis of the processing

The legal bases for the processing activities are:

- Article 5(1)(b) of Regulation EU 2018/1725: processing is necessary for compliance with a legal obligation to which the controller is subject;
- Staff Regulations and CEOS as regards the management and processing of personnel data, and associated implementing rules;
- College Decision 2021-11 laying down rules on the secondment of national experts to Eurojust;
- SLA with DG HR for the use of SYSPER services; and,
- AD decision 2022-24 adopting the Eurojust traineeship policy.

Purpose of the processing

Data is processed with the purpose of electronically managing the administrative data of Eurojust staff and their relatives, Seconded National Experts (SNEs) and Trainees, thus ensuring the effective and efficient management of HR related daily information processing and compliance with the Staff Regulations, CEOS and implementing rules.

SYSPER is the Commission's human resources management system, in use at Eurojust. Data is processed in SYSPER for the following purposes, summarised by module:

1. Organisation chart (ORG) – Management of the organisational structure and management functions for Eurojust.
2. Job quotas (DOT) – Management and accounting of the job quotas, e.g. the jobs defined in the budget's establishment plan
3. Career and Mobility (CAR) – Covers the basic procedures for career management of various types of staff, from the entry into service and the probation period, contract, grade and step, to mobility and interruption of service, until the processes associated to the end of a career.
For SNEs and Trainees only basic career data are processed: type of career, start and end dates.

4. Personal Data Management (PER) – Management of personal identification data of Eurojust staff, address declaration and associated validation workflows. For SNEs and Trainees, only the minimum data necessary to create an EU Login account is processed in this module (name, gender, date of birth, nationality and Eurojust email address). A mobile phone number is required for second factor authentication purposes.

5. Family composition (FAM) – Management of Eurojust staff’ dependents and family members’ data, necessary for the processing of rights and entitlements.

6. Time Management – Management of working time and working formulas of Eurojust staff, SNEs and Trainees, including:
   a. Presences, including the monthly settlement within the framework of the flexible working hours;
   b. Absences and leaves, leave rights;
   c. Work patterns (part-time, parental and family leave, special leave and medical leave – No medical data is kept in SYSPER, only the dates recorded as sick leave);
   d. Teleworking;
   e. Overtime, standby duty and shift work – ATS sub-module.

7. Document Management (DOC) – Generation and management of documents (certificates) and templates creation;

8. Job Information System (JIS) – Management of job descriptions: job title, purpose, function, requirements etc.


11. HR Reporting – Data from the above-mentioned modules organised in a structured format, which can be filtered, sorted, etc.

12. Personal file – Personal file data, coming from the NDP system, available for each staff member and SNE to consult (own data only).

SYSPER does not cover recruitment processes, since the Commission’s recruitment is performed by EPSO. Therefore, Eurojust will continue to use eRecruitment to manage its recruitment procedures. eRecruitment is a stand-alone system that has no direct connection with SYSPER. Data gathered in eRecruitment is manually input in SYSPER, once a successful applicant becomes a Staff member or an SNE or Trainee join Eurojust.

**Technical means**

The data are stored at the Commission’s Computing Centre in Luxembourg and are therefore protected by the numerous defence measures implemented by the Directorate-General for Informatics to protect the integrity and confidentiality of the Institution's electronic assets. The European Commission's datacentre compliance includes the following certifications: ISO 14001, ISO 22301, ISO 27001, ISO 50001, ISO 9001, PCI DSS, PFS, Tier Rating Compliant: Tier IV, Uptime Institute rating: Tier IV.
All processing operations are carried out pursuant to existing policies describing access control to different Eurojust applications. Limited amount of staff with a legitimate 'need to know' for the purposes of this processing operation have access to your personal data.

**Types of personal data**

Data subjects are Temporary Agents (TA), Contract Agents (CA), SNEs and Trainees working at Eurojust.

Data categories include personal data, such as personal identification data, administrative career data, contract data, organisational assignments, appraisal and reclassification, job titles and job descriptions, working conditions and associated requests, time management, stand-by and overtime declarations, entitlements, family information, addresses and work certificates.

3. **To whom is your personal data disclosed?**

The Eurojust staff in the Human Resources unit (accesses are granted to each module, based on task distribution within the HR Unit):

- **HR Administration staff**, as the main data processors, have access to the following modules, fulfilling the purposes stated in chapter 7, for each module:
  - Career and Mobility (CAR);
  - Personal Data Management (PER); Family Composition (FAM);
  - Time Management (TIM);
  - Document Management (DOC);
  - Job Information System (JIS) – read only;
  - Reporting – access to reports concerning the data from the modules listed above.

- **HR Planning and Reporting staff** have access to the Organisational Chart (ORG) and Job Quota (DOT) modules to manage the organisational structure, the management functions and the accounting of job quotas.

- **HR Development staff** have access to the following modules:
  - Career Management (CAR) module, to consult (read only) the staff career, from the entry into service and the probation period, contracts, grades and step, to mobility and interruption of service, until the processes associated to the end of a career. SNEs’ and trainees’ basic career data are also available for consultation.
  - Appraisal/Reclassification (EVAL/PROMO) – access to appraisal reports. Possibility to perform actions on behalf of each actor in the workflow.
  - Probation (STAGE) – access to probation reports.
  - Job Information System (JIS) – read/write access to job titles and job descriptions.
  - Reporting – access to reports concerning the data from the modules listed above.
• HR Recruitment staff have access to the Career Management (CAR) module, to consult (read only) the staff career, from the entry into service and the probation period, contracts, grades and step, to mobility and interruption of service, until the processes associated to the end of a career. SNEs' and trainees' basic career data are also available for consultation.

All staff, SNEs and trainees have access to the above mentioned modules, regarding their own personal data, were applicable (e.g. SNEs and trainees do not have data related to rights, address or relatives in SYSPER). This provision includes access to own personal files for the SNEs.

Eurojust staff who perform line management duties, such as reviewing and approving/rejecting work pattern changes or annual leave and telework requests have access to the Time Management (TIM) of their respective staff.

Eurojust staff who perform Reporting Officer or Reporting Officer by Delegation Roles have access to the Appraisal/Reclassification (EVAL/PROMO) and Probation (STAGE) of their respective staff.

Dedicated staff in DG HR and DIGIT providing troubleshooting support, upon demand from Eurojust.

Dedicated staff in the Paymaster's Office processing Staff members' salaries and producing the Payslips.

4. How can you verify, modify or delete your information?

You have the right of access to your personal data and to relevant information concerning how we use it. You have the right to rectify your personal data. Under certain conditions, you have the right to ask that we delete your personal data or restrict their use. You have the right to object to our processing of your personal data, on grounds relating to your particular situation, at any time. We will consider your request, take a decision and communicate it to you. For more information, please see Articles 14 to 21, 23 and 24 of Regulation (EU) 2018/1725. Please note that in some cases restrictions under Article 25 of Regulation (EU) 2018/1725 may apply.

If you wish to exercise your data subject rights, any such request should be directed to the Head of Human Resources at Eurojust at hohrconfidential@eurojust.europa.eu.

You may also contact the Data Protection Officer at Eurojust at dpo@eurojust.europa.eu.

5. How long do we keep your personal data?

Personal data are kept for 8 years after the extinction of all rights of the person concerned and of any dependents, and for at least 100 years after the recruitment of the person.

Data related with Time Management are kept, in general, for 5 years (more in the event of an appeal) except where a different time limit is specified below.

The retention of data on sick leave for at least 3 years is justified by the implementation of Article 59 (4) of the Staff Regulations, but is extended to 5 years in order to cover possible disputes. Where an employee moves to another institution, only data concerning sick leave over the previous 5 years are passed on.

The retention of data on days of annual leave may be justified in the case of carry-over from one year to the next but should not exceed the following year and will therefore be limited to 2 years (at the beginning of the calendar year “n” the data for year “n-3” is no longer accessible).
Data on part-time work, parental and family leave are, as a general rule, kept at least until employment at the EU Institutions has ceased and even beyond that (as they relate to a continuing entitlement and the possibility of an appeal remains). Data for cases of serious hardship are kept for 3 years.

Flexitime data are kept up to a maximum of 4 years to allow for an analysis on the evolution of the individual workload and the distribution of the workload based on a sufficiently long period.

Appraisal reports and promotion and reclassification files are kept in SYSPER until the person or his legal successors have exhausted the means of recourse, after the definitive termination of their duties, within the meaning of Article 47 of the Staff Regulations and Articles 119 and 47 to 50 of the RAA.

6. Contact information

You have the right to access, rectify or erase or restrict the processing of your personal data or, where applicable, the right to object to processing or the right to data portability in line with Regulation (EU) 2018/1725.

Any such request should be directed to the Controller, by using the following email address: hohrconfidential@eurojust.europa.eu, and by explicitly specifying your request.

You may also contact the Data Protection Office of the Eurojust (dpo@eurojust.europa.eu).

7. Recourse

You have the right to lodge a complaint to the European Data Protection Supervisor (https://edps.europa.eu/data-protection/our-role-supervisor/complaints_en) if you consider that your rights under the Eurojust Regulation and/or Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data or seek a judicial remedy before the Court of Justice.