



Schola Europaea

Office of the Secretary-General
Human Resources Unit

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Privacy Statement for the Administrative and Ancillary Staff (AAS) of the Office of the Secretary general

**Office of the Secretary general
Privacy Statement for the AAS**

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Effective from May 25, 2018

The Office of the Secretary general (hereinafter, the “OSG”) is committed to respecting your privacy and to complying with the requirements of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016, on the protection of natural persons with regard to the processing of personal data on the free movement of such data (hereinafter, “the GDPR”).

‘Personal data’ means any information related to an identified or identifiable natural person. At the OSG the ‘data subjects’ are in particular the Administrative and Ancillary Staff (“AAS”), Seconded Staff, temporary staff and trainees.

As defined by Article 4 (7) of the GDPR, the ‘controller’ is the natural or legal person, public authority, agency or other body which alone or jointly with others, determines the purposes and means of the processing of personal. The Secretary general¹ is considered to be the ‘controller’.

This Privacy Statement informs you about how the OSG processes information it collects about you during the selection and recruitment process, as well as during your contractual relationship with the OSG. It sets out what kind of personal data it may collect about you, how it processes them, and what are your rights in relation to such collection.

¹ Contact details: OSG-SECRETARY-GENERAL@eursc.eu

1. What are the categories of personal data collected by the OSG?

The categories of personal data that are typically collected and processed are the following:

- Contact details: name and surname, address, telephone number and email address,
- Recruitment information: competences, skills, experience and education (e.g. your updated CV (Euro pass format)), previous employments, educational details, diplomas and qualifications, third party references and criminal convictions and offences.

No original certificate of criminal convictions and offences will be archived as such in the AAS's individual file. Instead, a Statement signed by the HR Head of Unit, acknowledging that the certificate was read, will be archived in the individual file.

- HR information:
 - Attendance information;
 - Performance ;
 - Training ;
 - Disputes and discipline management;
 - Employment, pay, pensions and allowances;
 - Health and Welfare;
 - Security (personal badges);
 - Restructuring and Redeployment.
- Special categories of personal data such as biometric data: pursuant to the General Working Conditions² of the Internal Rules, the AAS shall record their arrival and departure time at the OSG, as well as during the lunch break. The staff members do so by using the fingerprint time clock terminal³ located at the entrances of the OSG⁴.

2. What are the purposes for which personal data are collected?

The OSG will collect, use, store and process your personal data for the execution of your contract, as well as to enable us to comply with our legal obligations.

Therefore, the OSG will process your personal data for the following purposes:

- Communicating with you, in the context of recruitment activities, as defined by the Privacy Statement for the Recruitment and Appointment Procedures of AAS;
- Determining the terms on which you work for us and general administration of your contract;
- Paying you, making decisions about salary reviews and compensation;

² set forth in the articles 19 to 23 of the Internal Rules («Règlement d'Ordre Intérieur »)

³ Such time clock terminal will be replaced by the end of the year 2019, by a system that does no longer collect fingerprints.

⁴ Such system was subject to a consultation process from October 2012 (See Minutes of the General Assembly (2012-09-D-22-fr-1) and implemented in December 2012. All the OSG's employees also participated to a satisfaction survey in 2014.

- Execution of the contractual relationship; making decisions about your continued employment;
- Managing performance and determining performance requirements; conducting performance reviews, assessing qualifications for a particular position or task, including decisions about promotions;
- Offering and providing training;
- Ascertaining your fitness to work, managing sickness absence;
- Dealing with legal disputes involving you, or other employees and contractors, including accidents at work, and setting up conciliation hearings;
- Gathering evidence and any other steps relating to possible disciplinary matters and proceedings, as well as conciliation proceedings;
- Liaising with your pension provider, providing information about changes to your employment such as promotions, changing in working hours;
- Making arrangements for the termination of your contract;
- Complying with health, security and safety obligations;
- Preventing fraud;
- Monitoring your activity when using the IT tools and applications provided by the ICT Unit;
- Providing references to third parties, with your prior consent;
- Complying with legal obligations, including creditor deductions from salary;
- Complying with legal and regulatory compliance, including obtaining and releasing personal data as required by law or judicial organizations.

3. What is the legal basis for the processing of personal data?

a) Contractual necessity

The legal basis for the processing of your personal data as employee relies on Article 6, paragraph 1, numeral (b) of the GDPR: contractual necessity, pursuant to the Service Regulations for the Administrative and Ancillary Staff (AAS) of the European Schools.

Processing of personal data relating to criminal convictions and offences is authorised by the Belgian law⁵.

⁵ Article 595 of the Code of Criminal Procedure

b) Compliance with a legal obligation to which the OSG is subject

Where processing of personal data is necessary to comply with a legal obligation to which the OSG is subject, information will be shared with National Authorities (i.e., tax, pension or social security obligations).

c) Consent

Consent will be requested from the AAS, where processing of personal data is necessary to provide a potential or future employer with a reference.

4. Who has access to the personal data and whom do we share them with?

The OSG's staff members having a legitimate interest to access such information will process your personal data.

To facilitate the management of the OSG's activities, the staff members will use some service providers' software and IT solutions (i.e.; PERSEE, O365, SAP). Contractual agreements are in place to ensure that these service providers are fully compliant with the GDPR's provisions and act only in accordance with the OSG's specific directions.

Your personal data will also be shared with:

a. Within the European Schools system

- The European Schools, for administrative purposes⁶,
- The Members of the different boards and working groups of the European Schools, where the staff member is part of any of those, to ensure the proper functioning of these boards and working groups,

b. Third parties

We will eventually have to share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where prior consent has been obtained.

In consequence, your personal data may be shared with:

- The European Commission, to issue a badge to access the canteen and where necessary for communication purposes;
- The Court of Auditors, where necessary for audit purposes;
- The public health insurance (Partena), in order to calculate your salary;
- The external services of protection and prevention at work;

⁶ Participation in trainings, meetings

- The security company of the building, for security purposes such as access to the OSG;
- Third parties such as a potential or future employer, only where prior consent has been provided by the AAS.

We require these third parties to respect the integrity and confidentiality of your personal data and to treat them in accordance with the GDPR's requirements and applicable national data privacy law. We do not allow third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data under our instructions and for specified purposes.

5. How long do we keep your personal data?

Staff files, both paper and/or electronic versions, are kept for the duration of the AAS's career and thirty years after the finalization of the contract of employment, in accordance with Annex VI of the Service Regulations for the AAS.

Reference to any disciplinary measures and the documents pertaining to the disciplinary procedure will be removed within the time period laid down in the special provisions of the Service Regulations for AAS⁷. The period referred to begins on 31 December of the calendar year during which the disciplinary measure was adopted.

When an appeal has been lodged or legal proceedings have been initiated by the staff member against the OSG, or by a third party in connection with actions attributed to the staff member or where the latter is involved, even incidentally, or by the School or the Office of the Secretary-General against the staff member, the above-mentioned period will be suspended until the court's final ruling has been handed down.

6. What steps are taken to safeguard your personal data?

Data protection and security are key considerations for the OSG. We have assigned specific responsibilities to address privacy and security related matters. We take appropriate measures to address online security, physical security, risk of data loss, alteration or unauthorized access taking into consideration the risk represented by the processing and the nature of the data being protected.

Also, we limit access to the databases containing personal data to authorized persons having a legitimate interest to access such information, pursuant to the purposes described above.

The OSG will not disclose your personal data outside of the European Union.

⁷ Article 32 (6) of the Service Regulations for the AAS :

"All reference in the personal file to disciplinary measures taken in the case of minor misconduct shall be deleted after a period of three years. All reference in the personal file to disciplinary measures taken in the case of serious misconduct may be deleted after a period of six years".

7. What are your rights?

With respect to the processing of your personal data, you have the right to be informed and have access to your personal data, as well as the right to rectification, erasure and to object to the processing.

To facilitate the exercise of your rights, you can present your request at OSG-DATA-PROTECTION-OFFICER@eursc.eu

The OSG will respond to these requests without undue delay and within one month at the latest. Should the OSG decline to comply with a request, you will be informed of the reasons for such a decision.

Please be informed that in case you object to certain processing activities or request that we delete your information, the OSG may be unable to continue the working relationship with you.

8. Whom to contact?

You can contact the HR Unit at OSG-HR-SECRETARIAT@eursc.eu should you need any further information regarding the processing of your personal data.

You also have the possibility to contact the [Data Protection Authority](#), if you consider that your rights under the GDPR have been infringed as the result of the processing of your personal data by OSG.

9. Changes to this Privacy Statement

We reserve the right to update this Privacy Statement at any time, and we will provide you with a new Privacy Statement when we make substantial changes.