

01 - Name of processing	Certification of 3rd EU language working knowledge
02 - Reference	2
03 - Submission Date	11-09-09
04 - Last update	30-06-20
05a - Controller	RICOTTA Salvatore
05b - Unit-Sector	Human Resources
05c - Controller's email	HoUResourcesandSupport@era.europa.eu
06 - DPO	DataProtectionOfficer@era.europa.eu 120 Rue Marc Lefrancq, 59300 Valenciennes, France Tel.+33 (0) 32 70 96 500
07 - Name and contact details of joint controller (where applicable)	
08a - Who is actually conducting the processing? (Article 31.1(a))	The data is processed by ERA (responsible unit) itself
08b - Name and contact details of processor (where applicable)	N/A
09 - Purpose of processing	The purpose of the processing of the data of ERA statutory staff members is the assessment in accordance with CEOS -Staff Regulations of the third Community language knowledge prior to the first reclassification for TAs and the indefinite renewal of CoE for CAs (as stipulated in article 45(2) of Staff Regulations and articles 10 and 85(3) of CEOS).
10a - Data Subjects	Statutory staff members of the ERA (Temporary Agents) who have not been reclassified since their engagement + Contract Agents FG IV before the 2nd renewal of their CoE.

10b - Personal data	<p>The ERA HR designated actor collects personal data (name, surname, function group, grade, nationality, mother tongue, 2nd language, 3rd language + date of certificate, language diplomas/certificates, applications for language courses (first name + surname staff member, email address, placement tests for defining the level of knowledge) from the “data subjects”.</p> <p>The ERA HR designated actor forwards these data to the contractor in charge of the language courses as well as of the organisation of language tests leading to the acquisition of the relevant certificates serving as recognised proof of knowledge of the relevant language.</p> <p>The ERA HR actor receives from the contractor lists of presences/absences as feedback for the language courses (as supporting document for invoices + monitoring absences) and a certification for successful results of the examinations/tests for B2-level tests conducted by the contractor.</p>
11 - Time limit for keeping the data	<p>Reclassification decisions are entered in personal files and retained ten years from the date of the last payment including a pension payment.</p>
12 - Recipients of the data	<p>The recipients of the data are: the ERA AACC, the designated HR staff, the contractor in charge of the language courses and any of the supervisory instances of the ERA (i.e. European Court of Auditors, Internal Audit Service, and in case of dispute, the Civil Service Tribunal, the European Ombudsman).</p>
13 - Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?	<p>N/A</p>

14 - How is data stored? What are the security measures implemented?

Hard copies of the data are stored in fire proof code protected safes in the HR team's premises, accessible only by designated HR staff and the individual staff members (the latter have access to their own personnel file, as provided for in the Staff Regulations). Designated HR staff also have access to the e-data (excel tables) stored in the HR Sharepoint area; the copies of the certificates are scanned and saved in the T-drive + a hard copy of the original certificate is stored in the relevant personnel file. The original certificate is handed over to the staff member.

15 - For more information, including how to exercise your rights to access, rectification, object and data portability (where applicable) see the data protection notice

a) Data subjects are informed about their rights through the relevant "privacy statement". It should be noted that according to the ERA's Director Decision No 149/09.2008, staff members may choose to follow language courses / or sit tests provided by another entity or language institution. Thus the decision of staff members to enroll to courses provided by the ERA contractor is strictly voluntary (and free of charge).

b) Once in duty, staff members are informed by the data protection officer during one of the induction sessions about allowed access to their data in order to check/verify/consult its contents or to take copies of documents. It is also explained that any amendment/alteration/modification/correction/deletion to the personal data file must be -duly justified- introduced by the staff (via the Data Controller for corrections and deletions) and executed by the designated actors in the HR sector. The Controller rectifies without delay any inaccurate or incomplete personal data. A staff member also has the right to require the Controller to erase data if the processing is unlawful. For this, he/she need to contact the Controller by email (put in copy the designated HR staff). The Controller shall deal with the request for rectification of data within one month from the introduction of the request. As far as requests for blocking and erasure, the Controller disposes of three calendar months to give follow up to the request from the moment of its reception.

The data subjects are also entitled to seek advice/ask an opinion from the ERA data protection officer or the EDPS.

15a - Data subject rights	Right to have access; Right to rectify; Right to erase ("right to be forgotten)
16 - Legal Basis	Amendment to the Agency's Founding Regulation; Decision 130/06.2008; Decision no. 149/09.2008 of the Executive Director ; Staff Regulations and CEOS and implementing Rules
17 - Lawfulness of processing	Article 5 b) of Regulation (EU) 2018/1725CEOS -Staff Regulations, article 45(2): recognition of third Community language knowledge prior to the first reclassification for TAs CEOS -Staff Regulations, articles 10 and 85(3):recognition of third Community language knowledge prior to the indefinite renewal of CoE for CAs
18 - Data minimisation	- the data are needed to provide the language provider contractor all elements registering and enrolling the staff for the language courses. - the data are needed to ensure compliance with the legal bases for the first reclassification for TAs and the indefinite renewal of CoE for CAs (as stipulated in article 45(2) of Staff Regulations and articles 10 and 85(3) of CEOS). The information on the state of play of the B2-certification with regards to the 3rd language is stored in Sharepoint.
19 - Accuracy	The 3rd language certification is endorsed by the designated HR actor in line with EPSO standards / criteria for EU officially recognised diplomas/certificates.
20 - Access and other rights of persons whose data is processed	NA
21 - Special category data	NA (link to Threshold Assessment - Risks does not work). Idem for no. 23)
22 - DPIA	NA
23 - Link to the Threshold assessment-Risks	
24 - Other related documents	The Privacy Statement will be automatically generated from the notification. The relevant IT actor has been requested to delete all current Privacy Statements.