

01 - Name of processing	Health data
02 - Reference	5
03 - Submission Date	18-11-09
04 - Last update	09-09-21
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)	Medical Service EC - Bruxelles, Luxembourg and Ispra
09 - Purpose of processing	<ul style="list-style-type: none"> - Pre-engagement visit:Ensuring that ERA engages staff physically fit to perform the tasks and duties assigned to them as set out in their job description; - Annual visit:Providing staff with preventive health care; - Sick leaves:Registering absences due to sick leave / special leave on medical grounds; - Producing anonymous statistical data regardingabsences / special leaves on medical grounds; - Producing nominative reports regarding absences /special leaves by authorized persons.
10a - Data Subjects	Statutory staff (TAs, CAs) and SNEs

10b - Personal data

Pre-engagement aptitude certificate: Surname, first names, date of birth, outcome medical check-up.

Regular report from the Medical Service of the EC for sick leaves: Surname, first names, personnel number, period of absence, confirmation of submission medical certificate, acceptance and/or comments from the Medical Service, type, level of incapacity.

11 - Time limit for keeping the data

All pre-engagement aptitude certificates are kept for two years after the end of the period during which a staff member is in active employment.

The pre-engagement medical certificates of candidates who have not been engaged, are to be destroyed after one year.

Where a negative medical opinion was given the file will be destroyed after five years, if no claim took place.

12 - Recipients of the data

- The doctors and medical officers at the Medical Service of the EC;
- The staff member concerned;
- The HR Sector receives medical certificates declaring the staff member physically fit/unfit for the performance of his/her duties.;
- If deemed necessary, the supervisory instances of ERA (i.e. European Court of Auditors, Internal Audit Service, and in case of controversy, the Civil Service Tribunal, the European Ombudsman, etc.);
- National authorities in the context of an investigation carried out by a national authority.

If you request to be recognised as suffering from an occupational disease, the data will be sent to the Accidents and Occupational Diseases Department of the Sickness Insurance Fund.

If ERA or the staff initiates the invalidity procedure, the data will be sent to the Invalidity Committee of the Medical Service.

13 - Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?

NA

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

The electronic version of data (LeaMa) is stored on the ERA's Server. A part of the operational system is installed in each PC with the purpose to enable the data subjects to process their requests for Annual Leave, Special Leave, etc. The data subject can see only his personal data. The data subject can request the correction of non-accurate data by using the tool "Report incorrect data".

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

1- Pre-engagement medical check-up: *procedure initiated by HR.*

Statutory staff members are invited / informed in writing of the purpose and procedure of the pre-engagement medical visit. An appointment is scheduled for them with the Medical Service of the EC. The outcome of the pre-employment medical check up is sent to the future staff member concerned and the confirmation the future staff member is fit to take up duty (or not) is sent to the relevant actor in the HR sector.

2- Annual medical check-up: *procedure initiated by HR .*

The annual medical check-up is a service provided to staff. Staff need to specifically consent to the organisation of the medical check-up, therefore, they opt in expressively.

The outcome of the annual medical check-up is sent only to the staff member concerned.

It has to be noted that staff members who do not want to use the facilities of the Medical Service of the EC are entitled to choose a practitioner of his/her choice who will in turn -if applicable and when relevant- forward the results of the medical tests to the Medical Service of the EC.

3-Absences / special leaves on medical grounds:

A work instruction on what to do when absent for medical reasons is published on the ERA intranet. Information sessions for the new procedure are organised + new staff members & SNEs are briefed during the induction sessions.

Staff are informed (via the privacy statement) that all aptitude certificates of both pre-engagement and (non-compulsory) annual medical check-ups are accessible in the personnel file in conformity with Art. 13 of the SR.

Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of individuals 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 safeguards the data subjects' right to access of their data and to require the Controller to rectify without delay any inaccurate or incomplete personal data. Data subjects also have the rights to supplement their medical file by adding second opinions of other doctors.

Any blockage or deletion of health data must be -duly justified- introduced by the staff (via the Data Controller) and executed by the designated actors in the HR sector.

15a - Data subject rights

Right to have access; Right to rectify; Right to object; Right to obtain notifications to 3rd parties; Right to have recourse

16 - Legal Basis

Amendment to the Agency's Founding Regulation; ERA-ED-DEC-730-2013 ; #Implementing rules; SR (art. 12 (d), 13 (2) and CEOS (83 (2)) ; SR (art. 28,33,59). Annex VIII (art 1); Staff Regulations and CEOS and implementing Rules;

17 - Lawfulness of processing	Article 5 b) of Regulation (EU) 2018/1725 The processing is lawful and necessary in compliance with Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of individuals 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
18 - Data minimisation	<ul style="list-style-type: none"> - Ensuring that ERA engages staff physically fit to perform the tasks and duties assigned to them as set out in their job description; - Providing staff with preventive health care; - Registering absences due to sick leave / special leave on medical grounds. - Producing anonymous statistical data regarding absences / special leaves on medical grounds; - Producing nominative reports regarding absences /special leaves by authorized persons.
19 - Accuracy	Medical data are provided by medical professionals.
20 - Threshold assessment, fill in the specific Threshold assessment-Risks entry in sharepoint.	NA
21 - Special category data	The link to threshold assessment and risks does not work.
22 - DPIA	
23 - Link to the Threshold assessment-Risks	
24 - Other related documents	