



European Labour Authority

DATA PROTECTION OFFICER

RECORD OF PROCESSING OPERATIONS ON PERSONAL DATA

DPR-ELA-2022-0007 Social services for ELA staff & family members

1 PART 1: PUBLIC - RECORD (ARTICLE 31¹)**1.1 GENERAL INFORMATION**

Record reference	DPR-ELA-2022-0007
Title of the processing operation	Social services for ELA staff & family members
Controller entity	European Labour Authority, Resources Unit
Joint controllers	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> YES, fill in details below
Processor(s)	<input type="checkbox"/> N/A <input checked="" type="checkbox"/> YES, fill in details below
Internal organisation(s)/entity(ies) Names and contact details	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> YES
External organisation(s)/entity(ies) Names and contact details	<input type="checkbox"/> N/A <input checked="" type="checkbox"/> YES <u>For the Pre-school and school costs for children of ELA staff process:</u> Private international kindergartens/schools located in Bratislava or Vienna selected by the parents. ELA has so far concluded Service Level Agreements (SLAs) with the following schools: British International School in Bratislava, Cambridge International School in Bratislava, Funiversity Cambridge Kindergarten, American International School in Vienna, Lycee Francais Vienna, Primary School Benovskeho, QSI International School Bratislava and Montessori Kindergarten. The list will be updated for ELA colleagues in the internal Sharepoint. <u>For the process health services:</u> St Michal's Hospital in Bratislava or any other suitable medical facility selected by ELA staff. <u>For the management of the ELA servers:</u> Microsoft Ireland South County Business Park, One Microsoft Place, Carmanhall and Leopardstown, Dublin, D18 P521, Ireland. The European Labour Authority's contractors are bound by a specific contractual clause for any processing operations of personal data on behalf of the European Labour Authority, and by the confidentiality obligations deriving from the General Data Protection Regulation.
Data Protection Officer Name and contact details	Laura NUNEZ BAREZ Landererova 12, 811 09 Bratislava I Slovakia Email: data-protection@ela.europa.eu
Language of the record	English

¹ Pursuant to **article 31** of the new data protection regulation for EU institutions and bodies (**Regulation (EU) 2018/1725**) each controller and processor have to maintain a **record of processing activities** under its responsibility that contains at least the information listed under that article.

1.2 PURPOSE AND DESCRIPTION OF THE PROCESSING

1.2.1 Purpose

The social services at the European Labour Authority (ELA) include the following processes:

1) Pre-school and school costs for children of ELA staff

According to the **Decision No 1/2020** of 19 February of the Management Board on pre-school facilities costs for children of European Labour Authority staff and **Decision No2/2020** of 19 February 2020 of the Management Board on education costs for children of European Labour Authority staff, ELA staff with a contract duration of at least one year, with the place of employment in Bratislava, shall have access to this special measure, with regard to their dependent children.

The costs covered by the Authority shall be:

- a) the registration and attendance fees at international schools
- b) the transport cost

2) Health care services

According to the **Decision of the Executive Director 27/2022** of 16 December 2022 amending the decision 2021/17 on special support measures on access to health care for staff of the European Labour Authority and their family members, ELA concluded service level agreements with a suitable medical facility (St Michal's Hospital) in Bratislava to secure and facilitate access of staff and their family members to an English speaking health care provider and cover the resulting administrative and registration fees. The staff is free to choose any other hospital/medical institution in Bratislava giving access to health care according to their needs and preferences. In this case, the Authority shall reimburse the staff member and their family members for incurring registrations and administrative fees.

3) Social matters: to support the integration of staff and families regarding Slovak administration issues, accommodation, housing, health, cultural, sport and leisure activities, education, etc.

According to the **Decision of the Executive Director 25/2022** of 16 December 2022 on integration support for family members of staff ELA, ELA may support language training courses undertaken by staff members' partners/spouses.

According to the same Decision, ELA may grant exceptional education support to staff member's child(ren).

4) Usage of Green transportation by staff of the European Labour Authority

According to the **Decision of the Executive Director 23/2022** on the usage of green transportation of ELA staff, ELA shall contribute to the expenses incurred by its staff as from the entry into force of this decision for the usage of green modes of sustainable transport.

5) Meal support

According to the **Decision of the Executive Director 22/2022** of 16 December 2022 on meal support of staff of the ELA, ELA will support Staff members with a lump sum payment as meal vouchers.

6) Sport activities

According to the **Decision of the Executive Director 26/2022** of 16 December 2022 on support for sport activities of Staff of the ELA, ELA will support Staff members on different sport activities.

7) Home office

According to **Decision of the Executive Director 24/2022** of 16 December 2022 on support for home office during teleworking for the staff of ELA. ELA will support Staff members with a lump sum payment for support accommodating working conditions at home during teleworking.

8) Special identity cards/vehicle plates: registration of persons and vehicles

The ELA Resources Unit will support ELA staff to fulfil their legal obligation following national legislation to register themselves and their family members after their arrival to Slovakia.

Note Verbale - Ares(2021)6120580 ELA - Note Verbale on Registration of ELA Staff by the Ministry of Foreign and European Affairs of the Slovak Republic.

1.2.2 Processing for further purposes

- Archiving in the public interest
 - Scientific or historical research purposes
 - Statistical purposes
- Safeguards in place to ensure data minimisation
- Pseudonymisation

1.2.3 Modes of processing

1. Automated processing (Article 24)
 - a. Computer/machine
 - i. automated individual decision-making, including profiling
 - ii. Online form/feedback
2. Manual processing
 - a. Word documents
 - b. Excel sheet

Description

Simple payment procedure: The staff member claiming reimbursement creates an e-mail and sends it to relevant functional mailboxes (restricted to specific users).

1.2.4 Storage medium

1. Paper
2. Electronic
 - a. Digital (MS documents (Word, Excel, Powerpoint), Adobe pdf, Audiovisual/multimedia assets, Image files (.JPEG, PNG, etc.))
 - b. Databases
 - c. Servers
 - d. Cloud
3. External contractor premises

1.2.5 Comments on the processing of the data

Manual processing of the data and use of excel tables to monitor and follow up the request.

ELA staff are provided with the MS O365 Office products to be able to access work documents from different devices and locations, and to carry out ELA's tasks.

1.3 DATA SUBJECTS AND DATA CATEGORIES**1.3.1 Data subjects' categories**

1. Internal to organisation	ELA Staff
2. External to organisation	Family members of ELA staff (children, spouse/partner) External counterparts on the different processes

1.3.2 Data categories/fields

Pre-school and school costs for children of ELA staff

identification data:

Name and Surname of the child, Date of birth of the child, Language of education, Selected educational institution and starting data at the educational institution, Name and Surname of father/mother (ELA Staff), and self-declaration on rights and duties dated and signed.

Private international kindergartens/schools related information

Invoices of tuition fees, registration fees, and bus transport.

This process operation refers to personal data of minors.

Health care services

Name and Surname of ELA staff and family members/beneficiary, name of the service provider, invoice (practitioner, date of the event...) request claim/self/declaration form dated and signed.

(Original documentation shall be kept by the staff member)

This processing operation refers to special categories of data: health personal data.

Social matters: to support the integration of staff and families regarding Slovak administration issues, accommodation, housing, health, cultural, sport and leisure activities, education, etc.

ELA staff will be advised on accommodation:

- contact establishment with real state agencies
- consultation on your considered location

ELA staff will be also advised on job search for family members:

- introduction to personal agencies (PA)
- arranging the first meeting with the PA
- advice on location of the prospective employer/job

ELA staff and their partners will have access to SLK language courses. In order to set up the procedure of the reimbursement, the ELA Resources Unit will need to have access to the following personal data: Name and Surname of ELA staff, Date of entry into service and Date of end of contract/secondment, Name and Surname of the spouse/partner, Current address, Bank account, Training details (*Language (EN, SK or DE), Date of enrolment, Currency, Amount of hours (max. 40 hours) Total amount*), request claim form, Date of the declaration and signature, Supporting documents for the language training, e.g. scans/photos of the invoices, receipts, bank/credit card statements.

(Original paper proof of purchase documentation shall be kept by the staff member (in case further requested in audits).

Exceptional education support

Name and Surname of the child, Date of birth of the child, Language of education, Selected educational institution and starting data at the educational institution, Name and Surname of father/mother (ELA Staff), and self-declaration on rights and duties dated and signed.

School decision, relevant medical certificate (if needed for justification of the reimbursement)

(Original paper proof of purchase documentation shall be kept by the staff member).

This process operation refers to personal data of minors and refers to special categories of data: health personal data.

Usage of Green transportation by staff of the European Labour Authority

Name and Surname of ELA staff, Date of entry into service and Date of end of contract/secondment, Bank account.

Contribution to meal support

Name and Surname of ELA staff, Date of entry into service and Date of end of contract/secondment, Bank account.

Contribution to sport activities

Name and Surname of ELA staff, invoice(s)/fees for the specific sport activity: gym, sport, wellness facilities and/or sport programmes, request claim form, Date of the declaration and signature, Supporting documents for all the purchased items, e.g. scans/photos of the invoices, receipts, bank/credit card statements and delivery notes

Contribution to home office equipment during teleworking

Name and Surname of ELA staff, Date of entry into service and Date of end of contract/secondment, Bank account.

Special ID card/vehicle plates

ELA staff and family members:

Name and Surname, date and place of birth, photograph, citizenship, civil status, type of contract (function/role, start date and end date of contract), job position, passport details (number, date of issues, expiry date, issuing authority), address of residence in the Slovak Republic, address in the country of permanent residence, date of arrival in Slovakia, Children related information (name, date of birth), registration form dated and signed.

Double-sided Copy of your ID or Passport.

This process operation refers to personal data of minors.

Car registration:

Vehicle owner's details (Name and Surname, personal number, date and place of birth, number of Special ID), Authority and street of the Authority, Vehicle details (type, category, brand, color, number of engine), address in Bratislava, mobile phone number, registration form dated and signed.

1.3.2.1 Special categories of personal data

Indicate if the processing operation concerns any 'special categories of data' which fall(s) under Article 10(1), which shall be prohibited unless any of the reasons under article 10(2) applies:

Yes, the processing concerns the following special category(ies):

Data revealing

- racial or ethnic origin,
- political opinions,
- religious or philosophical beliefs,
- trade union membership,

Or/and,

- Genetic data, biometric data for the purpose of uniquely identifying a natural person,
- Data concerning health,
- Data concerning a natural person's sex life or sexual orientation.

Description:

Data concerning health under the health care services' process and exceptional support for ELA child(ren).

If applicable, indicate the reasons under article 10(2) allowing the processing of the special categories of data:

- (a) The data subject has given explicit consent to the processing of those personal data for one or more specified purposes, [...].

Additional information

For the process of Health care services, special categories of data will be collected with the explicit consent of the data subject.

1.3.2.2 Data related to 'criminal convictions and offences'

The data being processed contain sensitive data which fall(s) under Article 11 'criminal convictions and offences'	N/A <input checked="" type="checkbox"/> Yes <input type="checkbox"/>
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1.4 RETENTION PERIOD

Indicate the administrative time limit(s) for keeping the personal data per data category, and if known, specify the start/end date, or describe the specific start/end moment of each time limit:

Data category	Retention period	Optional	
		Start date/moment	End date/moment
Pre-school and school costs for children of ELA staff	For a period of five (5) years after the end of the school year N/N+1 (article 10 of the Decision C(2013) 4886 of 1 August 2013) Requests for locking or erasing in case of illicit or incorrect data will be dealt with within 10 working days, in case the request is considered well-founded by the data controller.	20/02/2020	
Health care services	7 years as per the Financial Regulation. Date of payment + 7 years	25/11/2021	Deadline to claim by 15/11/2023
Special ID card/vehicle plate registration	Until the staff finish his/her contract with ELA. Staff will need to return the special ID card at the end of their contract.		
Language training	7 years as per the Financial Regulation. Date of payment + 7 years	12/11/2021	Deadline to claim by 01/10/2023
Exceptional support for child(ren)	7 years as per the Financial Regulation. Date of payment + 7 years	01/01/2023	
Usage of Green transportation	7 years as per the Financial Regulation. Date of payment + 7 years	04/11/2021	Deadline to claim by 01/10/2023

Meal support	7 years as per the Financial Regulation. Date of payment + 7 years	01/01/2023	
Sport activities	7 years as per the Financial Regulation. Date of payment + 7 years	01/01/2023	Deadline to claim by 01/10/2023
Contribution to home office equipment during teleworking	7 years as per the Financial Regulation. Date of payment + 7 years	01/01/2022	Deadline to claim by 01/11/2022

1.5 RECIPIENTS

Origin of the recipients of the data	
1. <input checked="" type="checkbox"/> Within the EU organization	ELA HR Sector ELA Finance Team ELA Head of Resources Unit
2. <input checked="" type="checkbox"/> Outside the EU organization	External recipients in some of the processing operations. Specified below.

Categories of the data recipients
1. <input checked="" type="checkbox"/> A natural or legal person 2. <input checked="" type="checkbox"/> Public authority 3. <input type="checkbox"/> Agency 4. <input type="checkbox"/> Any other third party, specify Specify who has access to which parts of the data: Please see under Description below

Description

Pre-school and school costs for children of ELA staff

All data categories will be accessible for ELA HR Sector and ELA Finance on a “need to know basis” and by the relevant staff in the private international kindergartens/schools chosen by the parents. They will be ELA processors and will be bound by General Data Protection Regulation.

Health care services

All data categories will be accessible for ELA HR Sector and Finance on a “need to know basis” and by the relevant staff in the chosen hospital. They will be ELA processors and will be bound by professional secrecy and by General Data Protection Regulation.

Language training.

All data categories will be accessible for ELA HR Sector and Finance on a “need to know basis”. No external recipients in this specific process

Exceptional support for child(ren)

All data categories will be accessible for ELA HR Sector and Finance on a “need to know basis”.
No external recipients in this specific process

Usage of Green transportation

All data categories will be accessible for ELA HR Sector and Finance on a “need to know basis”.
No external recipients in this specific process

Meal vouchers

All data categories will be accessible for ELA HR Sector and Finance on a “need to know basis”.
No external recipients in this specific process

Sport activities

All data categories will be accessible for ELA HR Sector and Finance on a “need to know basis”.
No external recipients in this specific process

Contribution to home office equipment during teleworking

All data categories will be accessible for ELA HR Sector on a “need to know basis”.
No external recipients in this specific process

Special ID cards/vehicle plates

All data categories will be accessible to ELA HR Sector and staff assigned to this process in the Resources Unit on a “need to know basis” and to the Ministry of Foreign and European Affairs of the Slovak Republic. The Head of Resources Unit will confirm the information provided by the concerned staff before sending it to the Ministry.

1.6 INTERNATIONAL DATA TRANSFERS

Transfer to third countries or international organisations of personal data
<p>1. Transfer outside of the EU or EEA</p> <p><input checked="" type="checkbox"/> N/A, transfers do not occur and are not planned to occur</p> <p><input type="checkbox"/> YES,</p>
<p>2. Transfer to international organisation(s)</p> <p><input checked="" type="checkbox"/> N/A, transfers do not occur and are not planned to occur</p> <p><input type="checkbox"/> Yes, specify further details about the transfer below</p>
<p>3. Legal base for the data transfer</p> <p><input type="checkbox"/> Transfer on the basis of the European Commission's adequacy decision (<i>Article 47</i>)</p> <p><input type="checkbox"/> Transfer subject to appropriate safeguards (<i>Article 48.2 and .3</i>), specify:</p> <p>2. (a) <input type="checkbox"/> A legally binding and enforceable instrument between public authorities or bodies.</p> <p>Standard data protection clauses, adopted by</p> <p>(b) <input type="checkbox"/> the Commission, or</p> <p>(c) <input type="checkbox"/> the European Data Protection Supervisor and approved by the Commission, pursuant to the examination procedure referred to in Article 96(2) .</p> <p>(d) <input type="checkbox"/> Binding corporate rules, <input type="checkbox"/> Codes of conduct , <input type="checkbox"/> Certification mechanism pursuant to points (b), (e) and (f) of Article 46(2) of Regulation (EU) 2016/679, where the processor is not a Union institution or body.</p> <p>3. Subject to the authorisation from the European Data Protection Supervisor:</p> <p><input type="checkbox"/> Contractual clauses between the controller or processor and the controller, processor or the recipient of the personal data in the third country or international organisation.</p>

<input type="checkbox"/> Administrative arrangements between public authorities or bodies which include enforceable and effective data subject rights. <input type="checkbox"/> Transfer based on an international agreement (Article 49), specify
4. Derogations for specific situations (Article 50.1 (a) –(g)) <input checked="" type="checkbox"/> N /A <input type="checkbox"/> Yes, derogation(s) for specific situations in accordance with article 50.1 (a) –(g) apply (ies).

1.7 INFORMATION TO DATA SUBJECTS ON THEIR RIGHTS

Rights of the data subjects
<i>Article 17 – Right of access by the data subject</i>
<i>Article 18 – Right to rectification</i>
<i>Article 19 – Right to erasure (right to be forgotten)</i>
<i>Article 20 – Right to restriction of processing</i>
<i>Article 21 – Notification obligation regarding rectification or erasure of personal data or restriction of processing</i>
<i>Article 22 – Right to data portability</i>
<i>Article 23 – Right to object</i>
<i>Article 24 – Rights related to Automated individual decision-making, including profiling</i>

1.7.1 Privacy statement

The data subjects are informed about their rights and how to exercise them in the form of a privacy statement attached to this record.

Publication of the privacy statement

Published on website

Web location:

- ELA internal website (URL: Sharepoint on Personal Data Protection and HR spaces)
- External website (URL: www.ela.europa.eu)

Other form of publication, specify

When a specific request arrive to ELA HR Sector and or Resources FMB will be addressed to the specific HR/Finance agent dealing with the specific request and will include in their first reply the relevant Privacy Statement.

Guidance for Data subjects which explains how and where to consult the privacy statement is available and will be provided at the beginning of the processing operation.

Description:

A specific Privacy Statement will be prepared for each processing operation. In particular linked to this Record:

- Pre-school and school costs for children of ELA staff Privacy Statement
- Health care services Privacy Statement
- Language training Privacy Statement
- Exceptional education needs Privacy Statement
- Usage of Green transportation Privacy Statement
- Special ID cards/vehicle plates Privacy Statement
- Sports activities Privacy Statement

1.8 SECURITY MEASURES

Short summary of overall Technical and Organizational Measures implemented to ensure Information Security:

Description:

All data in electronic format (e-mails, documents, uploaded batches of data etc.) are stored either on the servers of the European Labour Authority or of its contractors.

The European Labour Authority's contractors are bound by a specific contractual clause for any processing operations of personal data on behalf of the European Labour Authority, and by the confidentiality obligations deriving from the General Data Protection Regulation.

In order to protect personal data, the European Labour Authority has put in place a number of technical and organisational measures. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation