



Record ¹ of processing activities		
Regarding dealing with complaints under Article 90(2) of the Staff Regulations against decisions of the EIT Director by the Appeals Committee		
Nr	Item	Description
1	Reference number	DPO-54
2	Name of the data controller, the data protection officer and processor ² , if applicable and contact details	<p>The data controller is the Appeals Committee of the EIT.</p> <p>Contact e-mail: AppealsCommittee@eit.europa.eu</p> <p>Contact e-mail of the Data Protection Officer: EIT-DPO@eit.europa.eu</p>
3	Purposes of the processing	<p>The purpose of processing personal data is to adopt decisions by the Appeals Committee on behalf of the Governing Board of the EIT against complaints lodged under Article 90(2) of the Staff Regulations when the contested decision was taken at the level of the Director of the EIT³.</p> <p>The data processing operations include the collection, recording, organisation, storage, consultation, use, disclosure by transmission, erasure, and destruction of personal data. In particular, the personal information of the candidates contained in their application are accessed, evaluated, stored and eventually destroyed.</p>

¹ In line with article 31 of Regulation (EU) 2018/1725 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL 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

² For more information, please see below (categories of data recipients).

³ Where decisions are taken by a lower hierarchical level than the Director by virtue of a sub-delegation decision, a complaint under Article 90(2) SR against those decisions shall be decided by the Director. The processing of personal data contained in such complaints is not covered by this Privacy Statement.



4	Categories of data subjects	The data subjects are EIT staff members or other persons to whom the Staff Regulations apply such as former EIT staff members or candidates for a vacant position published by the EIT who filed a complaint to the Appeals Committee of the EIT against a decision or against a failure to adopt a measure prescribed by the Staff Regulations for which the EIT Director is responsible.
5	Categories of the personal data processed	<p>The following types of personal data may be processed for the above-mentioned purposes in accordance with the Regulation:</p> <ul style="list-style-type: none"> • Full name of complainant; • Personal number of the complainant; • Grade, function, and category of the complainant; • Data related to the personal file of the complainant: <ul style="list-style-type: none"> - Recruitment (including the criminal record for Temporary and Contract staff, Seconded National Experts); - Contractual matters (including transfers); - Job description, objectives, training maps, language certificates; - Evaluation data (e.g. probationary report, appraisal reports); - Administrative career (e.g. documents relating to reclassification); - Entitlements and individual rights; - Social security and pension; - Diplomatic matters; - Termination of service; - Other relevant data (e.g. employment certificates, disciplinary matters, harassment procedures etc.). • Unit of the complainant; name of Line manager; • Contact information of the complainant (email address; office address & private address if retired); • Subject of the complaint, the grounds and arguments on which the complaint is based, information regarding the career, allegations, declarations, etc; • Sensitive data (such as data concerning health, e-mails exchanged by the affected individuals with trade unions or with the EU Sickness insurance scheme) if necessary.



6	Categories of data recipients	<p>Within the EIT:</p> <p>The personal data of the data subjects are processed by the Members of the Appeals Committee and the EIT authorised staff entrusted with the task of providing support to the Appeals Committee when handling Article 90(2) complaints: assigned Legal Officer(s) within the EIT’s Legal Section, Head of Administration Unit and Head of the Human Resources Section.</p> <p>The personal data may be disclosed to the responsible Head of Unit and any other staff responsible for the subject matter on a case-by-case basis.</p> <p>Also, access to the functional mailbox AppealsCommittee@eit.europa.eu. may be granted to other EIT staff on a need-to-know basis and upon agreement of the Chair of the Appeals Committee.</p> <p>Access will be given to the Internal Auditor of the EIT by request if necessary for the performance of the duties of the Internal Auditor.</p> <p>Within the Commission and other EU institutions/bodies/agencies:</p> <p>The authorized staff that may have access to relevant personal data for audit control or investigation purposes: Court of Auditors, Internal Audit Service of the European Commission, European Anti-Fraud Office (OLAF).</p> <p>Access to the personal data may be granted also to the European Ombudsman and the European Data Protection Supervisor upon request, the General Court and the European Court of Justice to the extent necessary for handling the review procedure and litigation.</p> <p>Third parties subject to the GDPR⁴ and third parties not subject to the GDPR:</p> <p>Exceptionally and if necessary, personal data concerning the complaint lodged under article 90(2) of the Staff Regulations may be disclosed to an external legal services provider if the Appeals Committee considers it necessary to consult an external lawyer to advise on the complaint and/or to prepare a reply.</p>
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⁴ 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 and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation, OJ L 119, 4.5.2016, p. 1–88)



7	Time limit storage	The EIT only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing, namely for 5 years after the closure of the case ⁵ .
8	If applicable, transfers of personal data to a third country or to international organization (if yes, the identification of that third country or international organization and the documentation of suitable safeguards)	No
9	General description of the technical and organisational security measures	<p>Technical and organisational measures:</p> <ul style="list-style-type: none"> - Specific rules for data storage have been established to ensure a restricted circle of data recipients, limiting access to authorized personnel only. This involves using a specific folder on SharePoint with restricted access and marking email exchanges with the notice 'Strictly confidential.'
10	For more information, including how to exercise rights to access, rectification, object and data portability (where applicable), see the privacy statement:	<p>Please see the privacy statement annexed to the record.</p> <p>Please consult the Data Protection page on the EIT's website: https://eit.europa.eu/who-we-are/legal-framework/data-protection</p>

Signature of the data controller

Annex: Privacy statement

⁵ Pursuant to point EIT. 3.1.1 of the Specific Retention List annexed (annex III) to EIT Decision No 35/2021 on the document management implementing rules at the EIT