

Privacy statement regarding the payroll data processing at the European Institute of the Innovation and Technology

This privacy statement provides information on the management of payroll within the European Institute of Innovation and Technology (EIT) and explains how the personal data of EIT staff members is processed.

The processing of personal data of the data subjects follows the provisions 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/EC¹ (hereinafter “the Data Protection Regulation of the European institutions”).

What is personal data and what is a personal data processing operation?

Personal data shall mean any information relating to an identified or identifiable natural person (“data subject”). An identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, and identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Processing means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automatic means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Who is the Data Controller?

The data controller is the **Head of Administration Unit**.

What is the purpose of the personal data processing?

The purpose of the personal data processing is to ensure the correct and accurate payment of the data subject’s remuneration in accordance with the provisions of the Staff Regulations, CEOS and GB decision(s).

Who are the data subjects?

EIT staff (temporary agents and contract agents).

What types of personal data are processed?

- surname, first name;
- date of birth;
- grade/step;

¹ OJ L 295, 21.11.2018, p. 39-98



- NUP;
- salary amount, starting/ending date of remuneration;
- data related to changes to salary amount (e.g. sickness insurance, parental leave, allowances);
- data related to data subject's family (e.g. dependent children, number and their age);
- data related to recruitment (e.g. grade) and contracts (partially);
- data related to leaves and absences;
- data related to Social Security and Pension schemes.

Who has access to the personal data (data recipients)?

Within the EIT:

The personal data of the data subjects may be processed by the authorised EIT Finance and Procurement section staff, authorized EIT HR Section staff, the Head of Administrative Unit and EIT Director acting as OIA/FIA², OVA/FVA³, RAO.

Access to the personal data may be given to the Internal Control Coordinator of the EIT by request of the EIT Director if necessary for the performance of the duties of the Internal Control.

Within the Commission and EU institutions and bodies:

Paymaster Office is a European Commission department responsible for the financial entitlements of EU institutions staff (under the PMO EIT Service Level Agreement, PMO acts as processor of the personal data of staff members and former staff members of the EIT; data shall be processed only by the authorized units and for the purpose of the execution, management, and follow-up of the SLA).

The access to personal data may be granted to the Court of Auditors, the Internal Audit Service of the Commission, the Legal Service of the Commission, OLAF upon request and only if necessary in the context of official investigations or for audit purposes.

For the purpose of handling review procedures and litigation, access to the personal data may be granted to the European Ombudsman, the European Data Protection Supervisor, the General Court and the European Court of Justice upon request and to the extent necessary for handling the review procedure and litigation.

Data recipients, third parties subject to the GDPR⁴ and third parties not subject to the GDPR:

We commit not to disclose or share any data with third parties, in accordance with the principles outlined in the Data Protection Regulation of the European institutions.

Exceptionally, and if necessary, personal data related to payroll (e.g. in case of complaints management or court disputes) may be disclosed to law firms. The respective data recipient will handle your personal data in accordance with the instructions of the Data Controller (EIT). The agreement between the parties will include relevant provisions regarding data protection.

² FIA has no access to the supporting documents which serves the basis of the establishment of personal data (grade, step, family composition, etc) therefore verification related to personal data cannot be performed.

³ FVA has no access to personal data (grade, step, family composition, etc) therefore financial verification related to personal data can't be performed.

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)

Data processors who process your data on behalf of the EIT:

- The Office for Administration and Payment of Individual Entitlements (the PMO).⁵
- DG BUDG manages ABAC (Accrual Based Accounting), which is the financial and accounting application set up by the Commission⁶
- The European Research Council Executive Agency (ERCEA) which manages Speedwell⁷.

What are the rights of the data subjects?

In accordance with Articles 15, 17, 18, 19 of the Data Protection Regulation of European Institutions the data subjects have the **right for information**, the **right of access**, the **right of rectification** in case their personal data is not complete or not accurate and the **right to erasure** ("right to be forgotten").

The data subjects have the right to obtain the **erasure** of their personal data in accordance with Article 19 of the Regulation and in particular in the cases when the personal data are no longer necessary in relation to the purposes for which they were collected, if the data subject withdraws its consent, or in case of unlawful processing.

Data subjects have also the **right to restriction** of processing of personal data in accordance with Article 20 of the Regulation, and the **right to object** on grounds listed in Article 23 of the Regulation.

The rights can be only exercised by sending a request in a written form to the either2@eit.europa.eu (the Data Controller representative). As a general rule, the requests for information, access, rectification, erasure restriction are handled without undue delay and in any event within one month of receipt of the request; this period may be extended by further two months where necessary, taking into account the complexity and number of requests. In case the data subject contests the accuracy of the data, upon request, the data is restricted immediately for the period of verification of the accuracy of the data, not exceeding one month.

Restrictions to the rights of data subjects may be applied by the EIT, in accordance with Article 25 of the Data Protection Regulation of the European institutions and the EIT internal rules on restrictions⁸.

Who should be contacted in case of queries or complaints?

The data subjects have the right of recourse at any time to the Data Protection Officer of the EIT (EIT-DPO@eit.europa.eu) and to the European Data Protection Supervisor (EDPS@edps.europa.eu) for matters relating to the processing of their personal data.

For how long the data is retained?

The EIT only keeps your personal data contained in the files related to payroll administration (reports, monthly file note, payroll simulation and inter-agency balances) for the time necessary to fulfil the purpose of collection or further processing, namely for 7 years.

⁵ SLA – ARES (2018)5881327 – 16/11/2018

⁶ SLA Appendix 5a – Ares(2020)1332073- 03/03/2020

⁷ SLA – Ares(2022)1738813 – 09/03/2022

⁸ <https://eit.europa.eu/who-we-are/legal-framework/data-protection>



However, personal data is also kept until the end of a possible audit if it started before the end of the above-mentioned period.

For the data stored in ABAC please see the corresponding data protection record (section retention period): <https://ec.europa.eu/dpo-register/detail/DPR-EC-00301.3>.

Speedwell: all supporting documents uploaded in Speedwell either by the financial actors or automatically from ABAC are merged in a single document which is attached for justification purposes in ABAC at the end of the transaction. The few documents directly attached into Speedwell (emails, notes to the file) and not marked as 'confidential' are also kept in the system for five years.

What is the legal basis of the processing?

General legal basis:

- Staff Regulations of Officials of the European Communities and the Conditions of Employment of Other Servants of the European Communities laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68, amended by Regulation (EU, Euratom) No 1023/2013 of the European Parliament and of the Council, and in particular Articles 9, 10a and 110(2) thereof, Article 1 of Annex II to the Staff Regulations and Article 7 of the CEOS⁹, hereafter referred to as the “Staff Regulations” and “CEOS”
- Regulation (EU) 2021/819 of the European Parliament and of the Council of 20 May 2021 on the European Institute of Innovation and Technology (recast) (“EIT Regulation”)¹⁰
- Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council of 23 September 2024 on the financial rules applicable to the general budget of the Union (recast)¹¹

Specific EIT legal basis:

- Service Level Agreement between the Services of the European Commission and the European Institute of Innovation and Technology¹²
- EIT Financial Regulation - Decision 21/2019 of the Governing Board of the EIT of 25 September 2019 on the Financial Regulation of the European Institute of Innovation and Technology¹³
- EIT Standard Operating Procedure: Salary payment workflow¹⁴

Grounds for lawfulness:

In line with Article 5. 1) (a) of the Data Protection Regulation of the European institutions, the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body.

⁹ OJ L 56, 4.3.1968, p. 1, last amended by Regulation (EU, Euratom) No 1023/2013 of the European Parliament and of the Council of 22 October 2013, OJ L 287, 29.10.2013, p.15.

¹⁰ OJ L 170, 12.5.2021, p. 1.

¹¹ OJ L, 2024/2509, 26.9.2024

¹² Ares(2018)5881327 – 16/11/2018

¹³ (Ares(2019)6810859)

¹⁴ Ares(2021)7116451-19/11/2021