



Data Protection Notice for HaDEA Staff Committee elections

The European Health and Digital Executive Agency (HaDEA) processes your personal data¹ in line with [Regulation \(EU\) 2018/1725 of the European Parliament and of the Council of 23 October 2018](#)² on the protection of personal data by the European Union's institutions, bodies and agencies and on the free movement of such data.

What is the purpose(s) of this processing activity?

The purpose is to organise the Staff Committee elections. The processing covers setting up of the electoral committee, extracting from Sysper and publishing the electoral roll (names), checking the eligibility of applications and publishing the list of candidates, organizing and supervising the voting process, setting up of the staff committee members list and dealing with potential complaints.

Who is the data controller?

The data controller of the processing operation is the Head of Unit C3 of the European Health and Digital Executive Agency (HaDEA).

Which personal data is collected?

The following of your personal data are collected:

- For the members of the Election Committee and of the appointed Staff Committee:
 - First name (mandatory);
 - Last name (mandatory);
 - Type of contract [Temporary Agents (TA), Contracts Agents (CA)] (mandatory);
 - Role in the respective committee (e.g. chairperson, member) (mandatory).
- Data processed for all Agency staff participating in the elections for a Staff Committee, who meet the conditions to stand for these elections (candidates and alternate candidates):
 - First name (mandatory);
 - Last name (mandatory);
 - Type of contract [Temporary Agents (TA), Contracts Agents (CA)] (mandatory);
 - Nationality;
 - Seniority in the Agency and age in case of candidates with the same number of votes;

¹ **Personal data** shall mean any information relating to an identified or identifiable natural person ('data subject'). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an 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.

² 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 (OJ L295/39 of 21.11.2018).

- Grade (in case of Seconded Officials);
- Motivation and priorities to address as a candidate (mandatory).
 - To facilitate their campaign, candidates may provide (on their own initiative) information on the following:
 - Photo (not mandatory);
 - Unit (not mandatory);
 - Function (not mandatory);
 - Background or profile (not mandatory);
 - Any other information that candidates may share.
 - Data processed³ only for the staff members that meet the conditions to vote for a Staff Committee:
- First name (mandatory);
- Last name (mandatory);
- Type of contract [Temporary Agents (TA), Contracts Agents (CA)] (mandatory);
- EU LOGIN user name;
- E-mail address.

Who has access to the personal data of data subjects and to whom can they be disclosed?

The recipients of the personal data will be:

- For the elections campaign: HaDEA's staff

The electoral roll, announcements, data concerning the appointment of the Staff Committee and the lists of eligible candidates will be published on the Intranet and thus available to all staff of the Agency and to other European Institutions and bodies having access to this Intranet. Also leaflets/brochures that could be placed (during the elections period) in public areas of the HaDEA building will be disclosed to staff and visitors having access to HaDEA building.

- For the voting process: the Elections' Committee and C3 staff managing the elections process from HR and Workplace Sectors

Candidates' data, as listed above, are processed by HaDEA's Election Committee in order to establish a list containing all eligible candidatures. Data may be processed by the Director of the Agency (outcome of the election, etc.), the agency HR and Workplace Sectors (i.e. administrative and technical support, etc.).

- For the establishment of the Staff committee: HaDEA's staff

The results of the elections will be published on the HaDEA Intranet thus they will be available to all staff of EU Institutions and bodies that have access to HaDEA's Intranet.

- In addition, in case of control or dispute, personal data can be shared with and

³ The data will be stored on the Commission server (via EU login) on the e-voting tool.

processed by the bodies charged with a monitoring or inspection task in application of Union law in compliance with the applicable data protection rules and within the scope of their tasks entrusted by the relevant legislation. This includes, in particular, the following recipients:

- Bodies in charge of a monitoring or an inspection task in application of Union law (e.g. internal audit, IAS, Court of Auditors, etc.);
- The European Court of Justice or a national judge as well as the lawyers and the agents of the parties in case of a legal procedure;
- OLAF in case of an investigation conducted in application of Regulation (EC) No 1073/1999;
- The European Ombudsman within the scope of the tasks entrusted to it by Article 228 of the Treaty on the Functioning of the European Union;
- The European Data Protection Supervisor in accordance with Article 58 of Regulation (EC) 2018/1725;
- The European Public Prosecutor's Office within the scope of Article 4 of Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office.

Your personal data will not be transferred to third countries or international organisations.

The processing of your personal data will not include automated decision-making (such as profiling).

Which is the legal basis for processing your personal data?

The legal basis for the processing activities are:

- Article 5(1)(a) of Regulation EU 2018/1725 because 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)⁴;
- Article 5(1)(b) because processing is necessary for compliance with a legal obligation to which the controller is subject⁵.

To the extent that processing of personal data is based on your consent, such processing is lawful also under Article 5(1)(d) of Regulation 2018/1725.

⁴ [Commission Implementing Decision](#) (EU) 2021/173 of 12 February 2021 establishing the European Climate, Infrastructure and Environment Executive Agency, the European Health and Digital Executive Agency, the European Research Executive Agency, the European Innovation Council and SMEs Executive Agency, the European Research Council Executive Agency, and the European Education and Culture Executive Agency and repealing Implementing Decisions 2013/801/EU, 2013/771/EU, 2013/778/EU, 2013/779/EU, 2013/776/EU and 2013/770/EU.

Council Regulation (EC) No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes.

⁵ Article 9 and Article 1 of Annex II of the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community.
Decision of the HaDEA Steering Committee on setting up the HaDEA Staff Committee, SC05(2021)34.

How long do we keep your personal data?

HaDEA applies the principles and retention periods indicated in Common Retention List of the Commission by analogy⁶.

Personal data are kept for the time necessary to fulfil the purpose of collection or further processing.

Documents in electronic format related to the HaDEA Staff Committee Elections will be retained for six months after the results of the elections are confirmed by the Director.

The election results will also be available under the HaDEA Intranet for a period of six months after the end of the elections.

Data under the voting tool is kept for 4 months after the voting.

What are your rights regarding your personal data?

You have the right to access your personal data and to request your personal data to be rectified, if the data is inaccurate or incomplete; where applicable, you have the right to request restriction or to object to processing, to request a copy or erasure of your personal data held by the data controller. If processing is based on your consent, you have the right to withdraw your consent at any time, without affecting the lawfulness of the processing based on your consent before its withdrawal.

Your request to exercise one of the above rights will be dealt with without undue delay and within **one month**.

If you have **any queries** concerning the processing of your personal data or wish to exercise any of the rights described above, you can contact the Head of Unit C3 (entity acting as data controller) via: hadea-people@ec.europa.eu and HaDEA's DPO HADEA-DPO@ec.europa.eu

You shall have right of recourse at any time to the European Data Protection Supervisor at EDPS@edps.europa.eu.

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⁶ Common Retention List - SEC (2019) 900/2 - ARES(2019)4374520 – 09/07/2019

