

01 - Name of processing	Management of Individual Rights
02 - Reference	17
03 - Submission Date	06-02-12
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)	N/A
09 - Purpose of processing	The purpose of the processing activity is to determine eligibility for individual entitlements/allowances (from taking up duty till termination of service), to determine the admissibility of applications and to allow the payment authorisation of allowances.
10a - Data Subjects	ERA Statutory Staff (Temporary Agents / Contract agents) & SNEs.

10b - Personal data

I. I. Household allowance

1. In the case of a marriage (divorce) or (separation) civil partnership:

- **Date of the marriage (divorce)/ civil partnership (separation);**
- Type of relationship: marriage/civil partnership;
- Country where the ceremony took place;
- In the case of a civil partnership: declaration of whether a marriage between two partners is authorised in the country of partnership;
- Information concerning the partner (full name, surname at birth, date, place and country of birth, sex, type of occupation if employed or unemployed, gross annual income and address for tax purposes);
- Any changes to the surname or nationality of one of the partners;
- Designation of contact person;
- If both partners are EU employees: grade/step.

2. If there are one or more dependents (the information concerning dependent children is set out in the "dependent child allowance" process below):

- Marital status (widowed/divorced/separated/single);
- In the case of divorce or separation:
 - type (separation or divorce)
 - Date of divorce/separation;
 - Place and country of divorce/separation;
 - Any changes to surname;
 - Data concerning financial support for the child: breakdown of responsibility for lodging, maintenance and education.
- In the case of a person treated as a dependent child (does not concern adopted or natural children):
 - Address of the person;
 - Relationship to the assignee ;
 - Age of the person;
 - If aged between 18 and 26: occupation (studying or job-seeker);
 - Medical condition in the case of a non-autonomous person.
- The declaration for a dependent includes the following:

§ Information concerning the payee:

- Date of document certifying responsibility for the dependent person;
- Type of obligation and percentage (guardianship, maintenance or educational responsibility).

- Compulsory information concerning the beneficiary:

- Full name;
- Date of birth;
- Address and country of residence;
- Activity: educational or professional (details are given in the "education allowance" process);
- The amount of similar allowances paid from sources other than the European institutions, agencies/bodies/Joint Undertakings.

Supporting documents:

In the case of a marriage or civil partnership: a certified copy of the certificate of marriage or civil partnership.
In the case of divorce or separation: a certified copy of the divorce or separation judgment or a letter signed by both parties concerning child custody if no judgment has been handed down.

In the case of a dependent:

- o birth certificate;
- o Where the dependent is a child of a previous marriage:
 - proof of financial support (divorce certificate and agreements and certificate for the second marriage).
- o If the person does not live under the same roof as the payee:
 - proof of financial support
 - o Proof that the dependent has not income or low income.

II. Birth grant

- Amount of birth grants from sources other than the EU institutions/agencies/bodies/Joint Undertakings;
- Child's full name, sex, date, place and country of birth and parents' identity (social security number).

Supporting documents:

Birth certificate, supporting documents in the case of adoption, "declaration of birth" form, certificate in the case of a stillbirth.

III. Education allowances

- Full name of the child;
- Period of education;
- Level of education (pre-school, primary school, secondary school, university, higher education, apprenticeship, compulsory work experience, distance learning or sabbatical year);
- Establishment: name, address, country and type of establishment;
- Title of level;
- Academic year;
- Title of curriculum for obtaining a diploma;
- Number of tuition hours per week;
- Type of education (residential, non-residential or unregistered student);
- Type of course (day, evening or correspondence course);
- Distance between the school and the assignee's place of employment;
- Distance between the school and the address of residence;
- Monthly enrolment fee;
- Total enrolment fee.
- If using transport:
 - o Type of transport (train, bus, etc.) and description (public, private or European school bus);
 - o Length of journey;
 - o Monthly / annual transport costs;
- Distance between the school and the address of residence;
- If the child lodges alone (information not required for university and higher education):
 - o Type of lodging: residential or private;
 - o Address of lodging: address, town and country;
 - o Monthly rent.
- If education allowances are paid by sources other than ERA:
 - o Type of education allowance;
 - o Period covered;
 - F Frequency of payment (annua, monthly,...)
 - o Source;
 - o Amount.

- Where income linked to studies is received (information not required for pre-school and primary education and sabbatical years)
 - o Amount of income.
- Where income is received from an extra-curricular professional activity:
 - o Period of activity;
 - o Status: employed, self-employed, job-seeker
 - o If in employment:
 - . The employer's name or indication if self-employed;
 - . Description of work;
 - . Type of contract;
 - . Gross annual salary;
 - . Date of expiry of the contract;
 - . Description of function;
 - . Activity sector;
 - o If seeking employment:
 - . Country in which unemployment benefit is paid.
- If the allowances are to be paid directly to the child:
 - . Number of the child's bank account
 - . Percentage of the allowance to be paid to the child
- Child's identity profile: Address, date of birth
- Description of the establishment:
 - o Address, language of communication;
 - o Information concerning financial responsibility:
 - . Date of the judgment (including divorce);
 - . Percentage for custody;
 - . Maintenance and educational allowance.

Supporting documents:

- Document signed by the establishment confirming enrolment and attendance;
- Invoice and proof of payment of registration fees;
- Invoice and proof of payment for transport;
- Invoice and proof of payment for lodging outside the family home;
- Copy of proof of the contract or certificate in the case of work experience, training or a thesis.

IV. Allowance for a dependent child or a person treated as a dependent child

- In the case of a dependent child (concerns adopted and natural children):
 - o The child's profile as a natural person:
 - . Full name of the child;
 - . Sex;
 - . Date, place and country of birth;
 - . Telephone number and email address (optional);
 - . address of one of the parents.
 - o Social link with the declarant (payee);
 - o Share of the educational costs borne by each parent;
 - o The child's educational profile as described in the "dependent child allowance" notification.
 - In the case of a person treated as a dependent child (does not concern adopted or natural children)
 - o The date from which the person has been deemed to be dependent;
 - o Family or other relationship.
 - Type of obligations and respective percentages (responsibility for maintenance/education)
 - o The dependent's profile:
 - . Full name;
 - . Date, place and country of birth;
 - . Telephone number and email address (optional);
 - . Full address.
 - Educational profile as described in the "dependent child allowance" notification.
 - Professional details: period of activity, status (employee, self-employed, job-seeker):
 - o If in employment:
 - . Employer's name or indication if self-employed;
 - . Description of work;
 - . Type of contract;
 - . Gross annual salary;
 - . Date of expiry of contract;
 - . Description of function;
 - . Activity sector;
 - . Absences: type and period.
 - o If seeking employment:
 - . Country in which unemployment benefit is paid.
 - In the case of a child suffering from a serious disease or invalidity, medical details will first be checked.
- #### Supporting documents:
- In the case of a parent/child relationship: certificate of adoption or evidence of judgment or birth certificate;
 - Where there is no parent/child relationship:
 - o Composition of the family;
 - o Where the dependent is a child from a previous marriage: proof of financial support (divorce certificate and agreements and certificate for second marriage), judgment document;
 - o If the person does not live under the same roof as the payee: proof of financial support.

11 - Time limit for keeping the data

After consultation with the legal service of DG HR & Security on this subject, the ERA has been advised to retain all data related to pecuniary rights and entitlements in the personnel files as stipulated in Art. 5 of SEC(2007) 970 « LISTE COMMUNE DE CONSERVATION DES DOSSIERS AU NIVEAU DE LA COMMISSION EUROPEENNE » by analogy, i.e. (copy/paste) *“dossiers personnels : conservés jusqu’à 8 ans après l’extinction de tous les droits de l’intéressé et de ses ayants droit, mais au moins 120 ans après la date de naissance de l’intéressé ».*

12 - Recipients of the data

ERA HR staff after having established the entitlements/allowances (verified against the relevant supporting documents and acknowledged by the staff member). The ERA HR actor informs the designated PMO contact person (or his/her back up) for encoding the salary slips accordingly.
PMO does not receive the supporting documents, only the info for encoding.

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

N/A

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

a) paper based documents (e.g. marriage, birth ...certificates, etc.) are stored in the physical personnel files which are kept in fire-proof, code-protected safes in the designated HR area
b) e-copies of the documents are stored in the designated T-drive (until Sysper II is fully operational).

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

Information to data subjects is provided via the privacy statement. That statement contains information concerning the purpose of the processing, the categories of data processed, the recipients of the data, the existence of a right of access to and the right to rectify data and the procedure for servicing those rights, the data retention period, the identity of the controller and the right of recourse to the DPO and the EDPS.

Staff members are informed about their individual rights and entitlements/allowances and sign of the form establishing those rights and entitlements for agreement/acknowledgment. Staff members are also put in copy when the file is sent to PMO for encoding the salary slip. Staff members are also informed they are allowed access to their salary data (i.e. the establishment of the rights and entitlements form, the fiche de fixation de remuneration and the relevant supporting documents are inserted in their personnel files) in order to check/verify/consult its contents or to take copies of documents.

Staff members are informed they must notify the HR actor of any change of their personal situation immediately in order to check the data and process any modifications if applicable. It is also explained that under no circumstances they are entitled to add/remove documents from the personnel file.

The compulsory annual review and verification of the pecuniary rights and entitlements is executed via a dedicated paper form which staff members are requested to complete, date and sign. The supporting documents / forms are stored in the personnel file of the staff member concerned.

The data subject has the right to access data and to require the Controller to rectify without delay any inaccurate or incomplete personal data. The staff member has the right to require the Controller to erase data if the processing is unlawful. For this, he/she needs to contact the Controller by email (put in copy the designated HR staff). The Controller shall deal with your request for rectification of data within one month from the introduction of the request. As far as requests for blocking and erasure, the Controller disposes of three calendar months to give follow up to the request from the moment of its reception. The staff members is free to address the ERA Data Protection Officer at any time, using the following contact address: DataProtectionOfficer@era.europa.eu.

The data subjects are also entitled to seek advice/ask an opinion from the EDPS.

15a - Data subject rights	Right to have access; Right to object; Right to obtain notifications to 3rd parties
16 - Legal Basis	Staff Regulations and CEOS and implementing Rules;
17 - Lawfulness of processing	Article 5 b) of Regulation (EU) 2018/1725 The processing operation is necessary to ensure the eligibility, admissibility, rating and payment authorisation of (family) allowances and entitlements are carried out in line with the provisions in SR and accompanying IRs.

18 - Data minimisation	The HR actor needs these data to check / verify in order to ensure staff receive the entitlements / allowances they are legally entitled to.
19 - Accuracy	The internal HR workflow triggers a 6 to 8-eyes principle (HR initiator, HR Verifier, HoU, Legal); The staff member concerned is put in copy when processing the data to PMO; When processing data to PMO, it checks compliancy with the SR and IRs.
20 - Threshold assessment	NA
21 - Special category data	NA
22 - DPIA	NA
23 - Link to the Threshold assessment-Risks	
24 - Other related documents	