

## Privacy Statement for Sysper (General)

This privacy statement, in line with Articles 15 and 16 of [Regulation \(EU\) 2018/1725](#)<sup>1</sup>, provides information to the data subjects relating to the processing of personal data of individuals carried out by the European Union Agency for Law Enforcement Training (CEPOL) in fulfilling its tasks.

The purpose of this document is to describe how CEPOL complies with its obligations to protect personal data under Regulation (EU) 2018/1725 and to provide individuals with information about CEPOL's processing of personal data and their rights under the Regulation.

### What is the purpose of the processing?

The processing covers the set-up for the roll-out and the implementation of Sysper. Sysper is the integrated information system for the management of human resources in the European Commission and other EU institutions, agencies and bodies including CEPOL. It replaces some of the paper-based workflows that CEPOL has used so far for management of human resources. Sysper is organised in different modules. CEPOL will roll-out the following 7 modules: Identity management, Organisational management, Personal development management, Working conditions (time management), talent management, document management and personal files management (NDP). Rolling-out of more modules will depend on the future business needs of the Agency.

### What is the legal basis for the processing of personal data?

Regulation (EEC) No 31<sup>2</sup> laying down the Staff Regulations of Officials (SR) and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community (CEOS) and the Implementing Rules thereof.

Regulation (EU) 2015/2219 of the European Parliament and of the Council of 25 November 2015 on the European Union Agency for Law Enforcement Training (CEPOL) and replacing and repealing Council Decision 2005/681/JHA, in particular Article 14 (5) (a).

Regulation (EU) 2018/1725 and in particular Article 5 (1) (a) (b) (d).

Service level Agreement signed with the Commission (Directorate General of Human Resources) - Sysper Appendix

### Who is the data controller?

The data controller is the Head of Corporate Services Department, [HeadofCSD@cepol.europa.eu](mailto:HeadofCSD@cepol.europa.eu).

<sup>1</sup> 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 L 295, 21.11.2018, p. 39–98.

<sup>2</sup> OJ 45, 14.6.1962, p.1385

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## Who are the data subjects?

Temporary Agents (TA), contract Agents (CA) and Seconded National Experts (SNEs, only for time management<sup>3</sup>.) Temporary workers (aka 'interims') and trainees are not at this stage part of Sysper roll-out and implementation.

## Which types of data are being processed?

Surname, first name, date and place of birth, nationality, gender administrative status, staff number, per\_Id, grade and duties, office telephone number, office address, assignment, job description, office email address, personal telephone number and address, next of kin.

Data of family members of the data subjects also appear for purposes of salary calculations, in case of requests for special leave as well as any allowance the data subject shall be entitled to as per Annex VII to the SR.

In addition, specifically for dependent children in the sense of Article 2(1), (2) and (3)(a) and (b) of Annex VII to the SR: surname, first name, date and place of birth, nationality, gender.

## How is data processed?

Data is processed electronically. SYSPER uses a relational database on a central server with individualised access rights via an internet browser for the identification of staff members. The database is located in Luxembourg. Access to the system remotely is possible for the users via EU-login.

## Who are the recipients of the data being processed?

Access to the data is provided on a strict need-to-know basis depending the function and responsibility of each user. In addition, access rights may be adjusted to cover specific parts of the data. The following user groups have been identified as having access rights:

- All jobholders in relation to their own data;
- The CEPOL HR team;
- The direct line manager of the jobholder; and any person that has been given the relevant rights by the line manager in the system;
- The intermediate leave validator for the jobholder, and any person that has been given the relevant rights by the intermediate leave validator in the system;
- Commission services in relation to their specific field of competence. This relates in particular to PMO that falls under the Directorate General of Human Resources (DG HR);
- External contractors that may be working on the maintenance of the IT infrastructure linked to Sysper.

Upon request, the Agency may transfer to Member States certain personal data necessary to comply with Article 15 of the Protocol on Privileges and Immunities. The transfer of data to Member States is accompanied by a legal clause excluding its use for other than the predefined purposes and also prohibiting the further transfer of data.

Upon request if relevant for the handling of files: European Court of Justice, European Ombudsman, European Data Protection Supervisor, European Anti-Fraud Office (OLAF), Internal Audit Service of the European Commission, European Court of Auditors.

<sup>3</sup> In the future, SNEs shall also use the document management module.

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## Is data transferred to third countries or international organisations?

Not applicable

## What rights do data subjects have?

Data subjects have the right to access their personal data and for certain data (e.g. email address, phone number) the data subjects are able to perform a change themselves. For other changes (e.g. changes in the family situation, which might affect benefits or health insurance, change of nationality) the data subjects need to address a request to the controller along with the relevant supporting documentation.

Data subjects can refuse and/or withdraw their consent with respect to further processing of their data on legitimate compelling grounds. In addition, data subjects have the right to receive their personal data in a structured, commonly used and machine-readable format.

Substantiated requests should be emailed to the Head of Corporate Services Department, [HeadofCSD@cepol.europa.eu](mailto:HeadofCSD@cepol.europa.eu). The time limit to react to the request of the data subjects is 15 working days from the date of receipt of such a request.

General requests can be emailed to the CEPOL Data Protection Officer at [DPO@cepol.europa.eu](mailto:DPO@cepol.europa.eu)

## How long is your data retained by CEPOL?

The retention takes place within the Sysper system. In general, your personal data is stored until the end of your activity in the EU Institutions, Agencies and bodies. Certain data need to be conserved for a longer period if they are related to subsisting rights and obligations, i.e. pension rights.

## Who should you contact for more information on the processing of your personal data by the Agency?

### Data Protection Officer (DPO)

Within CEPOL, there is a data protection officer. This person is independently responsible for ensuring the internal application of Regulation (EU) 2018/1725 and that the rights and freedoms of the data subjects are not likely to be adversely affected by the processing operations. The DPO keeps a register of all processing operations of personal data carried out by the Agency.

The DPO also provides advice and makes recommendations on rights and obligations of data controllers and data subjects. CEPOL's DPO can be contacted at [dpo@cepol.europa.eu](mailto:dpo@cepol.europa.eu).

### European Data Protection Supervisor (EDPS)

The [European Data Protection Supervisor](#) is an independent supervisory authority with responsibility for monitoring and ensuring the application of data protection rules by EU Institutions and Bodies, which includes CEPOL. The EDPS provides advice to EU Institutions and Bodies on all matters relating to the processing of personal information and cooperates with national supervisory authorities to improve protection of personal information.

## What should you do if you believe your data is being misused by the Agency?

If you believe your data is being misused by CEPOL, or is otherwise not compliant with your rights and freedoms under Regulation (EU) 2018/1725, you should notify the Head of Corporate Services Department, [HeadofCSD@cepol.europa.eu](mailto:HeadofCSD@cepol.europa.eu). You may also contact the Agency's DPO to inform him/her of any issues related to the processing of your data. If the

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problem is not rectified after contact with the data controller and DPO, every data subject has the right of recourse to lodge a complaint with the EDPS, as provided for by Article 63 of Regulation (EU) 2018/1725.