



European Research Council
Executive Agency

Established by the European Commission

Brussels,
ERCEA

DATA PROTECTION NOTICE

ERCEA Unit D.2/Department D

Procedure for the granting of advance of salary

This notice concerns the processing operation called procedure for the granting of advance of salary. This processing requires the handling of personal data and is therefore subject to Regulation (EU) 2018/1725 (Data protection regulation)¹.

1. What personal information do we collect, from where and for what purpose?

1.a) Personal data

Please fill in the relevant information

1.b) Purposes of the processing

The processed personal data are:

- in the form of personal identification numbers:
 - staff numbers;
- concerning the data subject's private sphere:
 - the reason for the need of a salary advance;
- concerning pay, allowances and bank accounts:
 - entitlement to allowances and/or national aid;
- concerning the data subject's family:
 - primarily partners and/or family members officially residing at the same address, if applicable: name, private address, relevant information on their professional situation;
- concerning names and addresses:
 - first name, middle name, last name, professional email address, place of residence;
- concerning health:
 - information on health situation may need to be provided if it is applicable to the request.

1.c) From where the data is collected

¹ 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.

Some data processed are based on self-declarations by the staff member and on the supporting documents that may be shown during the meeting with the HR HoU. Other data is ensured by the IT systems used.

2. Who has access to your information and to whom is it disclosed?

The persons with access to the personal data, on a need-to-know basis are:

- ERCEA Director;
- ERCEA Head of Resources and Support Department;
- HR Head of Unit;
- HR Head of Sector;
- Financial/HR officer on a need to know and need to do basis;
- Unit D0 Manager of the payment authorisation for the data subject file.

In addition, certain administrative details may be disclosed, in compliance with the relevant current legislation and established case law, and on a temporary basis to legislative or supervisory bodies of the ERCEA, as well as auditing bodies.

3. What are your rights?

You have the right to access the personal data the ERCEA holds about you and to request to have them rectified where necessary. 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.

To exercise any of these rights, you should apply to the HoU D2. Human Resources who is responsible for such processing (i.e. the Controller), by sending an e-mail specifying your request to the mailbox indicated in point 5. Please note that in some cases restrictions under the terms and conditions of Article 25 of the Data protection regulation may apply.

4. How long do we keep your data?

Personal data will be retained for a 10-year period after the closure of the file.

No further processing is envisaged.

5. Contact information

If you would like to receive further information, you can contact the responsible person (the Data Controller), Head of Unit D.2 via the mailbox:

ERC-INDIVIDUAL-RIGHTS-1@ec.europa.eu

The ERCEA Data Protection Officer is at your disposal for any clarification you might need on your rights under the Data protection regulation at the following e-mail address:

ERC-DATA-PROTECTION@ec.europa.eu

You have the right to have recourse (i.e. you can lodge a complaint) to the European Data Protection Supervisor (edps@edps.europa.eu) if you consider that your rights under the Data protection regulation have been infringed as a result of the processing of your personal data by the Data Controller.

6. Legal basis

The legal basis applying to these processing operations is:

Article 5(1)(a) of the Data protection regulation - 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.

Further applicable specific legal basis are in Articles 30, 76 and 98 of the Regulation No 31 (EEC), 11 (EAEC) laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community:

- Article 76 of the Staff Regulations states that: 'Gifts, loans or advances may be made to officials, former officials or where an official has died, to those entitled under him who are in a particularly difficult position as a result of serious or protracted illness or by reason of a disability or family circumstances.'
- Article 30 of the Conditions of employment of other servants of the European Union foresees that: ' Article 76 of the Staff Regulations (...) shall apply by analogy to temporary staff during the term of their contract or after expiry of the contract where, as a result of serious illness contracted or a disability, or of an accident sustained, during his employment, the servant is incapable of working and proves that such illness or accident is not covered by another social security scheme.'
- Article 98 of the Conditions of employment of other servants of the European Union provides that: ' Article 76 of the Staff Regulations (...) shall apply by analogy to contract staff during the term of their contract or after expiry of the contract where, as a result of serious protracted illness contracted, or a disability, or an accident sustained, during his employment, the contract staff member is incapable of working and proves that such illness or accident is not covered by another social security scheme.'