

EEAS Personal Data Processing Record

Ref. Article 31 of Regulation (EU) 2018/1725 - Legal obligation for maintaining records

1	Title of the processing activity	EEAS personal data processing for repatriation of EU expatriate staff on medical grounds
2	Update of the record (last modification date)	02/12/2020
3	Register reference number	1586
4	Identity and contact details of the Data Controller Joint Controller (if applicable) Data Processor (if applicable)	<p>Controller European External Action Service (EEAS) Directorate/Division responsible for managing the personal data processing operation: EEAS BA.HR.3 - Rights and Obligations Division Delegated Contact Team Sector 'Medical Support and Medical repatriations' – EEAS BA.HR.3 - Rights and Obligations Division</p> <p>Data Protection Officer:</p> <p>Emese Savoia-Keleti, SG.AFFGEN.DPO</p> <p>DATA-PROTECTION@EEAS.EUROPA.EU</p>
5	Identity and contact details of the Data Protection Officer	<p>EEAS Data Protection Officer (DPO): Emese Savoia-Keleti. SG.AFFGEN.DPO Functional Mailbox of the DPO: DATA-PROTECTION@eeas.europa.eu</p>

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6	Purpose of the processing activity	<p>Purpose(s) The purpose of the data processing operation is to manage and follow up the process of authorization of repatriation on medical grounds.</p> <p>Description of the processing operation Extreme emergency repatriation : The authorization for the repatriation has to be done by the EEAS Authorising Officer (AOSD) BA.HR.3 on advice from the EC Medical Service; however, if the situation does not allow for these contacts to happen in a timely manner, life saving measures have priority over procedures. In such cases decisions by the local delegation management can be authorised ex-post</p> <p>Emergency repatriation: The authorization can only be made exclusively by the EEAS Authorising Officer (AOSD) BA.HR.3 on advice from the EC Medical Service. In this vast majority of cases there is ample time to contact the Medical Service of the Commission. The Medical Service provides an opinion to the Authorising Officer, BA.HR.3.</p> <p>1) BA.HR.3 issues a note authorising the repatriation, , where possible the duration and the class of travel; 2) The official concerned provides supporting documents and reimbursement claim to the local administration and BA.HR.3 validates the request for reimbursements to the staff member.</p> <p>COMMENT 1. To be noted: any such disclosure or unauthorised use by an official or contractual agent constitutes a failure to comply with the obligations laid down in Article17 of the Staff Regulations and is liable to lead to disciplinary proceedings under TitleVI of the Staff Regulations. Such an act by a local staff member constitutes serious misconduct within the meaning of Article20 of the Framework Rules and ChapterIX of the Specific Conditions of Employment, without prejudice to the relevant provisions of national legislation.</p> <p>In order to safeguard the confidentiality of medical data, it is necessary to reduce to the strict minimum the number of people required to handle the reimbursement of local staff members' medical expenses in accordance with article 66 of the FR and article 49 of the RAP.</p>
7	Legal basis and lawfulness	<p>Article 24 of Annex X to the Staff Regulations</p> <p>This information is available in the EU Del Guide: the procedures are explained in the attached MEMO. Further legal reference: Good administrative practices in the framework of the Treaty of Lisbon and the Council Decision of 26 July 2010 establishing the organisation and functioning of the European External Action Service (2010/427/EU) available on http://www.eeas.europa.eu/background/docs/eeas_decision_en.pdf</p>
8	Categories of individuals whose data is processed - Data subjects	<p>Data are processed from the following individuals or group of people:</p> <p>I. Officials, temporary and contractual agents, JPDs, SNEs II. Entitled dependent relatives living with the officials, temporary and contractual agents, in the third country.</p>

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9	Categories of data - Data processed	<p>Data processed are the following:</p> <p>Personal Data in the authorisation decision sent via ARES (name forename, evacuation beginning and end date, pers. Number, place of repatriation date) of expatriate staff in EU delegations or their entitled dependants</p> <p>Personal Medical Data remaining in the medical file (name forename, address, date of birth, medical report, diagnosis, treatment, X-Rays, results of other complementary exams, doctor's prescription, sickness leave) of expatriate staff in EU Delegations or their entitled dependants.</p> <p>Credentials of the Practitioners occasionally</p>
10	Recipients of data – Access to data	<p>Delegations: The Head of Delegation, Head of Administration and other dedicated staff dealing with the repatriation and the reimbursement of transport costs.</p> <p>HQ: The case handler(s) in BA.HA.3, Head of Division, the Medical Service of the Commission, PMO.6</p> <p>Medical information may be shared between the EC Medical Service, the EEAS Medical Service and Falck, the provider for air ambulances.</p>
11	Transfer to Third Countries or International Organizations (IOs) and suitable safeguards (if applicable)	Some data might be transferred to the service provider,(for example air-ambulance provider) in case of urgency and in order to ensure a safe repatriation.
12	Time limit for keeping the data - Retention period	<p>The authorization note is kept for 10 years in accordance with the Common Commission-Level Retention List for European Commission Files.</p> <p>Medical files are kept for 30 years, after the termination of duties of the person concerned and in any case, at least until the person concerned reaches the age of 75 (Common Retention List reference 12.3.10).</p>
13	Data Storage	<p>The medical files are kept in HQ, in a locked room, in locked cupboards. Only the staff dealing with repatriation on medical grounds has access to this room. In the Delegations, the information is kept in the personal file safely in the Administrative Area.</p> <p>Authorisation notes are saved in a folder on the group drive with limited access.</p>
14	General description of security measures	<p>The files are kept in HQ, in a locked room, in locked cupboards. Only the staff dealing with expatriation on medical grounds in BA.HR.3 has access to this room. Decisions are sent via ARES with a restriction of access. Authorisations of medical repatriations are kept on a group drive with restricted access. Transmission of medical files is protected by encrypted email exchanges or by other safeguards in case of no Secem availability.</p>
15	Rights of individuals	<p>As regards to the evacuation decision drafted by BA.HR.3 : Data subjects have the right to access their personal data and the right to correct any inaccurate or incomplete personal data, as well as to request the removal of their personal data, which will be implemented within 10 working days after the request has been deemed legitimate. If the data subject has any queries concerning the processing of his/her personal data, s/he may address them to the data controller at the following functional mailbox: EEAS MEDICAL REPATRIATION</p>

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16	Information to data subjects	A Privacy Statement linked to this Record contains all information provided to the Data Subject(s). The aforementioned distinct Privacy Statement is available on the intranet, EEASzone.
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