

PRIVACY NOTICE – Management and preservation of the SESAR 3 JU’s documents in Hermes -Ares -NomCom (HAN) 49

Management and preservation of the SESAR 3 JU’s documents in Hermes -Ares - NomCom (HAN) involves processing of personal data, which shall comply with Regulation (EU) N° 2018/1725¹ (the “Regulation”).

This data protection notice explains how the Single European Sky ATM Research 3 Joint Undertaking (here after referred to as SESAR 3 JU) uses any information you give to us, and the way we protect your privacy. Furthermore, it describes the rights you have as a data subject and how you can exercise these rights.

SESAR 3 JU protects the fundamental rights and freedoms of natural persons and in particular their right to privacy with respect to the processing of personal data.

We provide the following information based on Article 14 to 16 of the Regulation.

What is the purpose of the processing?

The purpose of the processing activity is to enable the technical settings for Hermes Ares NomCom capabilities of the European Commission to be used at the SESAR 3 JU. In particular this entails the following:

1. Map a HAN user’s² EU Login account and his/her individual profile in the system
2. Create, manage and store documents and files in HAN
3. Ensure that documents are records of the SESAR 3 JU and are traceable by accompanying them with relevant metadata
4. Enable access management and access control to the HAN users
5. Authorise DIGIT COMREF to populate HAN with personal data of SESAR 3 JU staff included in COMREF³ fed by Sysper.

Enabling these functionalities would allow the operationalisation of ARES as interface receiving data populated from other databases. This would allow the SESAR 3 JU to have a constantly and real time updated list of HAN users.

Which personal data do we process?

Metadata

Mandatory minimum metadata in relation to the author and addressee of a given document: typically name and surname of the respective individuals and the department/body to which they belong;

The title or subject of the document or file concerned may contain any category of personal data;

¹ Regulation (EU) N° 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 (“EUDPR”).

² A HAN User is any person employed at the SESAR 3 JU with an ECAS account and a profile in Sysper.

³ COMREF stands for Common Reference and is a database in which all staff reference data are gathered for EU institutions, agencies and bodies. The database is used as an official provider of human resources data for information systems. The COMREF person ID is a unique number linked to a particular staff member; in most cases, this number is the staff member’s staff number. The COMREF person ID of HAN users of (a Directorate-General of) a HAN client organisation is only visible to those HAN users assigned a Document Management Officer (DMO) profile in HAN inside (that Directorate-General of) that HAN client organisation when the HAN client organisation makes use of SYSPER and COMREF is connected to HAN. COMREF is fed by SYSPER, which is the IT system used by EU institutions, agencies and bodies to manage aspects of human resources.

The title/brief description of the attachments of the document concerned may contain any category of personal data

Audit trail and workflow data

Name, surname, department, e-mail address of the author(s) or participant(s) involved in major records management actions at the level of metadata, documents, files or procedures (e.g. document signing, document transmission, responsibility for a given file or for transfer of a given file to the historical archives)

Access management and control data

Name, surname, department, e-mail address and individual access rights of a user may be processed

Document content data (to ensure authoritative records, for full text search and for the (organisation of the) transfer of files to the archives). The documents processed may contain any category of personal data

Special categories of data falling under Article 10 (such as racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, data concerning health or information regarding an individual's sex life or sexual orientation) may appear in files relative to human resources management, financial management, health management, management of disciplinary proceedings.

Why do we process your personal data and under what legal basis?

For personal data in general:

- To carry out a task in the public interest or in the **exercise of the tasks of the SESAR 3 JU** Article 5 a) of Regulation 2018/1725 as stated in:
 - COUNCIL REGULATION (EU) 2021/2085 of 19 November 2021 establishing the Joint Undertakings under Horizon Europe and repealing Regulations (EC) No 219/2007, (EU) No 557/2014, (EU) No 558/2014, (EU) No 559/2014, (EU) No 560/2014, (EU) No 561/2014 and (EU) No 642/2014
 - [SESAR 3 JU Information and Document Management Policy](#)
 - [SESAR 3 JU specific retention schedule](#), based on the above policy and approved by SG EDOMEC

For special categories of personal data, depending on the category of personal data processed and why the personal data were collected and processed in the first place, any of the following exceptions to the prohibition of the processing of special categories may apply:

- Processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security (article 10(2)(b))
- Processing is necessary to protect the vital interests of the data subject or of another person where the data subject is physically or legally incapable of giving consent (article 10(2)(c))
- Processing relates to personal data which are manifestly made public by the data subject (article 10(2)(e))
- Processing is necessary for the establishment, exercise or defence of legal claims or whenever the Court of Justice of the European Union is acting in its judicial capacity (article 10(2)(f))
- Processing is necessary for reasons of substantial public interest, on the basis of Union law which shall be proportionate to the aim pursued (article 10(2)(g))
- Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes (article 10(2)(j))

Who is the controller and other actors involved in the processing?

The SESAR 3 JU, legally represented by Andreas Boschen at Rue de la Fusée 96. Brussels 1130. Belgium.

European Commission - Secretariat-General (SG) as per article 22 of the SLA. The way personal data are processed is described in the record of processing on the management and (short-and medium-term) preservation of Commission documents ([DPR-EC-00536](#))

How is SESAR 3 JU processing the personal data?

See <https://www.sesarju.eu/dataprotection> for more information.

How do we protect and safeguard your information?

Specific SESAR 3 JU measures:

1. Mandatory training for HAN users
2. Appointment of DMO and Deputy DMOs
3. Monitoring and Reporting by the DMO Team
4. Application of the measures put in place by the European Commission as referred to in its Record of processing on the management and (short-and medium-term) preservation of Commission documents (DPR-EC-00536)

Specific European Commission measures:

- Concerning the possible processing of special categories of personal data, the SESAR 3 JU follows the security access designed by the EC in its Record of processing on the management and (short-and medium-term) preservation of Commission documents (DPR-EC-00536)
- A marking on a document in HAN gives access restriction directly on the document because it determines the persons and/or groups that have exclusive access to the document. Documents with marking are accessible to their stakeholders but upon their filing, they only become available to users that are file reader and belong to the group of users that can read that particular marking.
- A limited number of specific users ‘administrators’ (SESAR 3 JU DMO and EC HAN administrators) give end users access rights to documents and files and rights to perform actions.

Who can access to your personal data and to whom is it disclosed?

HAN users depending on the allocation of role and profile.

What are your rights and how can you exercise them?

You have the right of access to your personal data and to relevant information concerning how we use it. You have the right to rectify your personal data. Under certain conditions, you have the right to ask that we delete your personal data or restrict its use. You have the right to object to our processing of your personal data, on grounds relating to your particular situation, at any time. In addition, you have the right not to be subject to a decision based solely on automated processing of data, including profiling, if such decision has legal effect on him or her, except for certain situations, such as entering into a contract (as required by articles 14-16 & 24 of EU DPR Regulation).

Information on action taken on the data subject's request to exercise her/his rights shall be provided without undue delay and in any case within one month of receipt of the request. In case of complex or voluminous requests, this period may be extended by another two months, in which case the JU will inform the data subject.

The content of these rights is detailed in the [Data Protection Notice page in SESAR 3 JU website](#) which contains also information about the contact points and recourse (see dedicated point below).

How to withdraw your consent and the consequences of doing this

Data subjects have the right to withdraw their consent at any time by sending a written request to the above-mentioned email addresses. Please note that withdrawing your consent does not affect the lawfulness of any processing based on your consent before this consent is withdrawn.

Could your rights be restricted in very exceptional circumstances?

In accordance with Article 25(1) of [Regulation \(EU\) 2018/1725](#) restrictions of data subjects' rights may be provided for by internal rules adopted at the highest level of management of the SESAR 3 JU, i.e. the Governing Board. The SESAR 3 JU Governing Board with its Decision GB(D)06-2021 laid down the internal rules concerning the restrictions of certain rights of data subjects in the framework of the functioning of the SESAR 3 JU. The Decision is [publicly available in the Official Journal](#) in all the EU official languages.

How long is the data retained?

- Personal data in document content are kept throughout the retention period, as defined in the [SESAR 3 JU Information and Document Management Policy](#) and SESAR 3 JU specific retention schedule
- Personal data in access management and control data are kept for as long as the HAN user works for the SESAR 3 JU
- Personal data in audit trail and workflow data are kept indefinitely to ensure that the authors and participants in major records management actions at the level of metadata, documents, files or procedures can be identified even after elimination of the documents concerned
- Personal data in mandatory metadata in relation to any document: namely metadata about the author and addressee of a given document (typically name and surname of the respective individuals and the department/body to which they belong), metadata about the title or subject of a given document, metadata about the attachments (brief description) and metadata in relation to the title of the file in which it is filed are kept indefinitely to ensure:
 - that the SESAR 3 JU can meet its legal obligations regarding public access to documents and concerning the opening to the public of its historical archives,
 - that the validity of the electronic or digitised documents can be guaranteed for as long as they are stored, and
 - that once these documents have been eliminated the SESAR 3 JU is still able to retrieve the documents' metadata to be able to explain that the documents have been eliminated and have evidence on the procedure followed

Complaints, concerns and recourse

Should you have any complaint or concern you may contact:

- the DMO team at DMO@sesarju.eu
- the Data Protection Officer of the SESAR 3 JU at sju.data-protection@sesarju.eu, and

In addition, as a data subject, you have a right to recourse to the [European Data Protection Supervisor](#) (EDPS) at any time by e-mail to edps@edps.europa.eu or a letter to the EDPS postal address marked for the attention of the EDPS: European Data Protection Supervisor, Rue Wiertz 60, B-1047 Brussels, Belgium.