



Privacy Statement on the protection of personal data

Appeals procedure as per Article 90(2) of the Staff Regulations of Officials and the Conditions of Employment of Other Servants

All personal data are processed in accordance with the provisions of [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 (hereinafter – Regulation 2018/1725).

1. Who is the controller regarding the processing of your personal data?

The controller is Cedefop and the responsible department/role is Cedefop's Appeals Committee.

Contact email address: appeals@cedefop.europa.eu

2. What is the purpose of processing your personal data?

The purpose of the processing of personal data in connection with appeals/complaints submitted under Article 90(2) of the Staff Regulations is for the Appeals Committee to assess the admissibility and the merit of the appeal/complaint and process the appeal/complaint submitted by the complainant.

3. What personal data are collected and processed?

The following personal data are processed:

- Complainant identification and contact data: such as surname, first name, email address, private address if external candidate to selection procedure and signature.
- Complaint data may include: date, the actual complaint, the act which is the subject of the complaint, personal data contained in the complaint and/or the documents annexed by the complainant to related annexes.

Note: the Appeals Committee can access any data relevant to a particular complaint and any other data necessary for the due processing of the complaint by the Appeals Committee (As per Art.7 of the Decision of 4 February 2000, "the Appeals committee shall consult the personal files of the complainant at the consent of the person concerned and all other documents relevant to the matters complained of and may require any other official or other servant of Cedefop to appear before it or to provide information in connection with the complaint"). For example, if an appeal/complaint concerns an appraisal report, appraisal-related data contractual status and grade, career history may be processed. If it concerns the payment of an allowance, data related to such payments are processed. Complainants might include in their complaints data related to third parties (e.g. witnesses, family members), where applicable.

4. What is the legal basis for the processing of your personal data?

The lawfulness of the processing is defined by Article 5(1)(a) of the Regulation (EU) 2018/1725. In particular, personal data is processed in accordance with the objectives of:

- Article 90 of the Staff Regulations;
- Decision of the Management Board of the European Centre for the Development of Vocational Training (CEDEFOP) concerning the treatment of complaints under Article 90 of the Staff Regulations dated 4 February 2000;
- Consolidated Rules of procedure of the Appeals Committee (RoP dated 16 November 2005, Conciliation procedure (RS/HR/2011/0963) dated 23 June 2011 and Addendum dated 29 September 2022);
- Decisions on the composition of the Appeals Committee;
- Service Level Agreement concluded between Cedefop and the European Commission DG HR.

5. Who has access to your personal data and to whom they are disclosed?

Access to your personal data is granted to:

Internal recipients: Appeals Committee members, AIPN/HCC (Executive Director), Legal Function Team, HR Service (author of Cedefop's views on the complaint), Cedefop's staff internally responsible for audit and review activities, as well as staff of contractors providing audit and review services to Cedefop, may access the personal data collected through this processing operation to the extent necessary for carrying out their duties.

External recipients: European Commission DG HR 'Appeals and Case Monitoring Unit', Court of Justice (where applicable), Court of Auditors, Internal Audit Service of the European Commission (if they are part of an audit), translation service, interpreter (if necessary) and external Legal Advisor (where applicable).

6. For how long are your personal data kept?

The retention period of files related to the appeals, including the appeals and the acknowledgements of appeal, the translations (where applicable), the requests for suspension of decision pending the meeting of the Appeals Committee (where applicable) and the resulting opinions of the Appeals Committee, invitations to hearings, the decisions by the Appeals Committee, and all related correspondence, is five (5) years. These documents are then transferred to the Cedefop Historical Archives and permanently preserved.

7. Are there any transfers of your personal data to countries outside the EU/EEA?

MS Sharepoint use for storage of Cedefop's records might entail transfers to third countries. See related record of data processing activity: [Microsoft 365 Documents, Records management and Collaboration](#)

8. What are your rights and how can you exercise them?

You have the right to request from the controller access to and rectification or erasure of your personal data or restriction of processing.

You also have the right to object to the processing of your personal data.

To exercise the mentioned rights, you may contact the controller by sending an email to: appeals@cedefop.europa.eu.

The controller shall provide information on action taken on a request within one month of receipt of the request. That period may be extended by two further months where necessary, taking into account the complexity and number of the requests.

For further inquiries, you may refer to Data Protection Officer of Cedefop (data-protection-officer@cedefop.europa.eu). Finally, if you consider your data protection rights have been breached, you may lodge a complaint with the European Data Protection Supervisor as the supervisory authority using a dedicated complaint form: https://edps.europa.eu/data-protection/our-role-supervisor/complaints_en (see further contact information at https://edps.europa.eu/about-edps/contact_en).

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