

Cedefop record of processing activity

Record of Cedefop activities processing personal data, based on Article 31 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 1247/2002/EC.

Nr.	Item	Description
<i>Appeals procedure as per Article 90(2) of the Staff Regulations of Officials and the Conditions of Employment of Other Servants</i>		
1.	Last update of this record	02/03/2026
2.	Reference number	RB2026-1948425193-2560
3.	Name and contact details of controller	<u>Cedefop – European Centre for the Development of Vocational Training</u> Postal address: Cedefop Service Post, Europe 123, 570 01 Themi, GREECE Telephone: (+30) 2310-490111 Email: info@cedefop.europa.eu <u>Responsible department or role:</u> Cedefop's Appeals Committee Contact email address: appeals@cedefop.europa.eu
4.	Name and contact details of DPO	data-protection-officer@cedefop.europa.eu
5.	Name and contact details of joint controller (where applicable)	N/A

		Note that the legal representative of a complainant is independent controller for his/her own processing of personal data when legally representing his/her clients.
6.	Name and contact details of processor (where applicable)	• Legal Advisor(s) (external) • DG HR 'Appeals and Case Monitoring Unit': provides Cedefop's Appeals Committee with legal support under a Service Level Agreement • Microsoft Ireland (South County Business Park, One Microsoft Place, Carmanhall and Leopardstown, Dublin, D18 P521, Ireland), who provides the M365 platform. See related record of data processing activity: Microsoft 365 Documents, Records management and Collaboration
7.	Very short description and purpose of the processing	Purpose of the processing 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 complaint submitted by the complainant. Description of the processing In 2000, Cedefop's Management Board established an Appeals Committee to process complaints submitted under Article 90(2) of the Staff Regulations against acts or omissions of the appointing authority or, as the case may be, the authority authorised to conclude contracts. Applicants to Cedefop's selection procedures are also eligible to lodge complaints under Article 90(2) of the Staff Regulations. Complaints under Article 90(2) of the Staff Regulations must be addressed to either the Chair or the Secretary of the Appeals Committee. Externals must use the dedicated email address: appeals@cedefop.europa.eu.

		After reception of the complaint, the AC Secretary acknowledges receipt ⁽¹⁾ and transmits a copy of the complaint to AC members, to DG HR 'Appeals and Case Monitoring Unit' which supports the AC under a dedicated Service Level Agreement and to the AIPN. DG HR 'Appeals and Case Monitoring Unit' then officially requests Cedefop's point of view on the case and any new document(s) relating to the complaint. Cedefop's views on the complaint are prepared by the HR Service, which may consult Cedefop's Legal Function Team, who may consult external Legal Advisors if deemed necessary. The lawfulness of the processing is defined by Article 5(1)(a) of Regulation (EU) 2018/1725. In particular, personal data is processed also in accordance with: • Article 90 of the Staff Regulations; • Decision of 4 February 2000 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; • Consolidated Rules of procedure of the Appeals Committee (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; • The relevant Service Level Agreement concluded between Cedefop and DG HR according to which DG HR acts as external legal advisor and provides Cedefop, and more specifically Cedefop's Appeals Committee, with legal support, including analysis of the case and drafting support for the Decision to be issued by the Appeals Committee within the statutory deadline.
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⁽¹⁾ The acknowledgement receipt sent to the complainant includes a short description of the process, the composition of the Appeals Committee and references/links to the Privacy Statement and to the record of processing activity.

8.	Description of categories of persons whose data Cedefop processes and list of data categories	Data subjects: Any person to whom the Staff Regulations apply (i.e. officials, temporary agents and contract agents) as well as external candidates to Cedefop's selection procedures. Personal data of third parties such as witnesses (including family members etc.) may be processed as well if necessary for the processing of the complaint. Categories of personal data processed: Note that there is no specific template or form to be used for an Article 90(2) Staff Regulations complaint in Cedefop. The type of data processed depends on the nature and/or subject of the appeal/complaint. Typically, the data processed may include: 1. Complainant identification and contact data: such as surname, first name, email address, private address if external candidate to selection procedure and signature. 2. 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, "<i>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</i>"). For example, if an appeal/complaint concerns an appraisal report, appraisal-related
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		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. Special categories of data: Appeal data, particularly the complaint itself and/or documents annexed by the complainant, may contain special categories of data within the meaning of Article 10 of Regulation 2018/1725 i.e. "personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs; trade-union membership; genetic data, biometric data processed solely to identify a human being; health-related data; data concerning a person's sex life or sexual orientation". Any personal data of special categories within the meaning of Article 10 of the EUDPR, will be mandatorily protected in Cedefop's Records Bank by the application of the corresponding sensitivity labels and the special technical measure of "Double-key encryption" (DKE).
9.	Time limit for keeping the data	The time-limits for storing personal data are as follows: 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.
10.	Recipients of the data	• 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 external contractors providing audit and review services to Cedefop, may have access to 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)
11.	Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?	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
12.	General description of security measures where possible.	Cedefop implements a number of technical and organisational security measures to address, among others, online security (firewall, URL filtering, antivirus programs), risk of data loss and alteration (back-up and restore policy), as well as to grant access to its information and documents only to authorised users based on a 'need to know' principle (through authentication and authorisation procedures, encryption). Cedefop has also put in place appropriate incident handling and personal data breaches procedures. Compliance with these measures is ensured through Cedefop's ICT Use and Security Policy, which is regularly reviewed for improvements. Electronic documents stored in Cedefop's Records Bank are subject to Cedefop's ICT security measures, which are described in Cedefop's IT Security Incident Management Policy. Any personal data of special categories within the meaning of Article 10 of the EUDPR, will be mandatorily protected by the application of

		the corresponding sensitivity labels and the special technical measure of “Double-key encryption” (DKE).
13.	For more information, including how to exercise your rights to access, rectification, object and data portability (where applicable), see the privacy statement:	Privacy statement available on Cedefop’s website: https://www.cedefop.europa.eu/en/content/personal-data-protection