**PRIVACY STATEMENT: RECLASSIFICATION OF TEMPORARY AND CONTRACT STAFF**

When the Agency for the Cooperation of Energy Regulators (‘the Agency’) processes personal data it is subject to Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. Further to Article 11 and Article 12 of this Regulation, the Agency provides the data subjects with the following information:

1. **Why does the Agency collect personal data?**

The purpose of this process is to conduct the yearly internal reclassification exercise for members of staff (Temporary and Contract Staff) in compliance with Article 45 and 54 of Staff Regulations and Article 87(3) of the Conditions of Employment of Other Servants of the European Union, as well as the following decisions:

- For Temporary Staff, Decision AB No 7/2016 of the Administrative Board of the Agency for the Cooperation of Energy Regulators of 4 April 2016 laying down general implementing provisions regarding Article 54 of the Conditions of Employment of Other Servants of the European Union

- For Contract Staff, Decision AB No 6/2016 of the Administrative Board of the Agency for the Cooperation of Energy Regulators of 4 April 2016 on general implementing provisions regarding Article 87(3) of the Conditions of Employment of Other Servants of the European Union.

1. **What personal information do we collect?**

The following personal data of Contract and Temporary Staff of the Agency are processed:

* Name and surname of the staff member
* Gender
* Personnel number
* Category and grade
* Status
* Seniority in grade
* Job title
* Third language (to verify compliance with Staff Regulations in case of reclassification)
* Overall assessment and the individual qualitative report from the past annual appraisal exercises
* For staff to whom the point system applies: the number of promotion/regrading points awarded in past reclassification exercises.
1. **What is the Legal basis?**

The processing operations of personal data are performed on the grounds of Article 5(a) of Regulation 45/2001 (Processing is necessary for the performance of a task carried out in the public interest on the basis of the Treaties) pursuant to the following legal instruments:

- Article 45 of the Staff Regulations

- For Temporary Staff, Decision AB No 7/2016 of the Administrative Board of the Agency for the Cooperation of Energy Regulators of 4 April 2016 laying down general implementing provisions regarding Article 54 of the Conditions of Employment of Other Servants of the European Union, and

- For Contract Staff, Decision AB No 6/2016 of the Administrative Board of the Agency for the Cooperation of Energy Regulators of 4 April 2016 on general implementing provisions regarding Article 87(3) of the Conditions of Employment of Other Servants of the European Union.

1. **Who has access to your personal data, to whom is it disclosed, and for how long is it stored?**

Personal data are disclosed as follows:

* To the Director of the Agency and Heads of Departments to which the Temporary and Contract Staff taking part in annual appraisal and reclassification exercise belongs for the purpose of comparative examination of merits.
* The members of the Joint Reclassification Committee, for the purpose of comparative examination of merits.
* The members of HR Team in charge of personal files (for preparing the relevant files).
* The Staff Committee: for the purpose of implementation of Article 5(4) of Decision AB 07/2016 and Article 5(4) of Decision AB 06/2016

The data is kept for as long as data subject are recorded as active users (i.e. during the duration of a contract between data subject and the Agency, e.g. for the duration of the employment contract or retirement) and for a period of one year thereafter.

1. **Who is in charge and who can I contact?**

The Agency’s department in charge of processing of the personal data is Administration Department, more precisely HR Team.

The contact person for the processing of the personal data is the HRM Officer:

Mr Goran Vaskrsić

HRM Officer

Trg republike 3

1000 – Ljubljana, Slovenia

Phone number: +386 (0)8200 46 01, Email: goran.vaskrsici@acer.europa.eu

During the reclassification exercise, Contract and Temporary Staff of the Agency (‘data subjects’) have the right of access to and rectification, blocking, and erasure of their personal data. Data subjects’ rights are governed by the provisions of Regulation (EC) No 45/2001. They may exercise these rights by sending a duly justified request to the HRM Officer (goran.vaskrsici@acer.europa.eu) .

Data subjects may also contact the Agency’s data protection officer (DPO@acer.europa.eu).

Finally, data subjects may, at any time, have recourse to the European Data Protection Supervisor (<http://www.edps.europa.eu>).