

## Data Protection Notice – Information to participants of collective training courses offered by external providers

This note refers to the learning and training activities managed by the HUCAP (Human Capital) Unit – TD&LS (Talent Development & Learning Solutions) Team. The management of the learning activities requires the processing of personal data. In accordance with Article 15 of Regulation (EU) 2018/1725 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies ('the EUDPR')<sup>1</sup>, EFSA informs you on the following:

### 1. Information on the data controller and the Data Protection Officer:

All EFSA's learning activities recorded in its LMS (Learning Management System) are sponsored by the Head of HUCAP and controlled by the TD&LS Team. The controller can be contacted writing to the team leader of the TD&LS team at [David.CAIRA@efsa.europa.eu](mailto:David.CAIRA@efsa.europa.eu), or any other team member. In addition, EFSA's data protection officer can be contacted for any issues related to privacy and the processing of personal data, writing to [DataProtectionOfficer@efsa.europa.eu](mailto:DataProtectionOfficer@efsa.europa.eu).

### 2. Purpose of the personal data processing in the LMS:

EFSA employs a software-based LMS (learning management system) supported by Oracle Fusion HCM Cloud. The system requires the collection and further processing of personal data in the context of activities such as:

- ✓ Definition and continuous development of EFSA's learning offer
- ✓ Planning & organising training activities for EFSA staff, SNEs, trainees, interims, and other stakeholders of EFSA (panel experts, working group experts, guest scientists, focal point members, etc.)
- ✓ Administrative support (creation and publication of courses and offerings, applications to trainings, validation and approval of training requests, registration and enrolment to courses, communication to training participants, follow-up of participation, evaluation of courses, etc.)
- ✓ Self-service platform for staff to search and request development activities relevant for the pursuit of personal career goals or in the interest of the organisation

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<sup>1</sup> 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, OJ 21.11.2018, L 295/39.



- ✓ Provision of training materials, self-paced and e-learnings
- ✓ Facilitating communication between training coordinators, instructors and participants
- ✓ Track record of individual training path (also referred to as “training passport”)
- ✓ Definition of job profile, assessment competencies and any adaptations thereof occurring throughout the staff’s career
- ✓ Providing a repository for staff career development, including probationary period reporting, objective setting, annual self and reporting officer assessment, performance dialogue, etc.

### 3. Legal basis and rationale for the LMS

Statutory staff and stakeholders training and learning management is necessary for the management and functioning of EFSA as mandated by its Founding Regulation (EC) No 178/2002<sup>2</sup>.

As stated in the EFSA Strategy 2027, EFSA is aiming at steadily evolving into a learning organisation at individual, team and organisational level. Recommending a 70/20/10<sup>3</sup> model of work, EFSA is committed to fostering its staff’s career aspirations. Therefore, EFSA invests in development initiatives of its staff and other collaborators. To enable the management of these activities EFSA relies on an innovative and integrated digital solution, which requires the processing of staff career data and personal data of other stakeholders.

### 4. Compliance with data protection principles

The deployment of the LMS is devised so as to uphold compliance with the principle of minimising personal data flows in accordance with Article 4 of the EUDPR. Key actors operating in the LMS (TD&LS team members, training logistics, the Learning SPOC) are trained and instructed to keep any career and personal information confidential and to reduce personal data flows to external stakeholders whenever possible.

### 5. Subjects concerned by data processing in the LMS

In principle, all categories of EFSA staff who have an immediate work relationship with EFSA or who participate in EFSA training initiatives may be subject to the processing of personal data in the LMS, including

- ✓ EFSA statutory staff
- ✓ SNEs (Seconded National Experts)

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<sup>2</sup> Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety, OJ L 31, 1.2.2002, p. 1-24 as well as Regulation (EU) 2019/1381 on the transparency and sustainability of the EU risk assessment in the food chain and amending *inter alia* Regulation (EC) No 178/2002, OJ L 231, 6.9.2019, p. 1-28.

<sup>3</sup> According to the 70/20/10 approach, the overall work time shall be split into 70% operational or “productive” time, 20% on “on-the-job” learning, 10% on classroom training.

- ✓ Trainees
- ✓ Interim staff
- ✓ Guest scientists
- ✓ Panel experts
- ✓ Working Group Experts
- ✓ Focal Point Members
- ✓ Any other contributors

## 6. Categories of personal data processed:

The main data categories processed in the LMS configuration in Fusion are: name, surname, job title, job & competency profile, unit/team affiliation within EFSA, reporting line, contract dates, assignment details, assignment history, training path, (work) email, (work) phone number.

As a rule, the data are processed internally at EFSA. For preparatory activities in instances where external trainers are involved, a restricted set of data may be shared on a case-by-case basis with the external trainer in question, namely: name, work email address, job profile, unit affiliation.

## 7. Recipients of personal data:

The sharing of personal data in relation to training activities is first and foremost restricted to internal staff, and usually to individuals who are involved in the organisation and coordination of training activities and who have an immediate work relationship with EFSA (TD&LS team members, other EFSA staff involved in the coordination or realisation of training activities, such as subject matter experts (SMEs)/instructors). Some transactional activities are being outsourced to external contractors (training logistics, learning "SPOC") who are contractually bound by the same confidentiality requirements and data protection principles as internal EFSA staff.

In the case of trainings delivered by an external provider, training coordinators may provide basic personal or career data (see section above) to external trainers, if duly justified and necessary for preparatory activities of the instructor.

If need be, institutions or bodies having a legitimate purpose of audit, of the exercise of supervisory tasks or in charge of judicial proceedings in relation to EFSA may be granted access to personal and career data stored in EFSA's LMS. Such bodies include the Internal Audit Service, the EU Court of Auditors, the EU Ombudsman, OLAF, the EU Court of Justice, the European Data Protection Supervisor.

## 8. What are your rights as a data subject in relation to data collected and processed on you?

The system includes for a range of self-service functionalities, allowing the modification of some personal and career data in the system by the data subject. In addition, you can contact HUCAP in relation to your personal or career data in Fusion and in the LMS.



### **9. Information on the electronic tool supporting EFSA's LMS:**

EFSA's LMS (Learning Management System) is hosted in the Fusion HCM Cloud, a product provided by Oracle. Overall, Oracle Fusion HCM Cloud shows a good level of compliance with the data protection rules and principles applicable to EFSA. A Security Plan is available.

### **10.Retention period of personal data:**

All personal data is retained for as long as the data subject maintains his profile in the system, i.e. throughout the activity period of any person concerned, except in case of editing or deletion by means of the self-service feature and/or expressed request to modify data. Thereafter, the data will be deactivated with a retention period of max. 1 year and accessible only to authorised EFSA staff. Profile and career development information of staff and training records ('passport') are retained for 1 year after the end of the individual's contract with EFSA.

### **11.Right to lodge a complaint:**

Data subjects have the right to lodge a complaint on the processing of their personal data in the context of EFSA's Learning Management System with the European Data Protection Supervisor – [EDPS complaints form](#).