

## **PROTECTION OF YOUR PERSONAL DATA**

**This privacy statement provides information about the processing and the protection of your personal data.**

**Processing operation:** ELA Work Programme activities

**Data Controller:** European Labour Authority, Governance and Coordination Unit (ELA Governance Team)

**Record reference:** DPR-ELA-2022-0019

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## 1. Introduction

The European Labour Authority (hereafter 'ELA') is committed to protect your personal data and to respect your privacy. ELA collects and further processes personal data pursuant to [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 (repealing Regulation (EC) No 45/2001).

This privacy statement explains the reason for the processing of your personal data, the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you have in relation to your personal data. It also specifies the contact details of the responsible Data Controller with whom you may exercise your rights, the Data Protection Officer and the European Data Protection Supervisor.

The information in relation to processing operation "ELA Work Programme activities" undertaken by the European Labour Authority, Governance and Coordination Unit (ELA Governance Team) is presented below.

## 2. Why and how do we process your personal data?

Purpose of the processing operation: The ELA Governance Team collects and uses your personal information to plan and execute its work following an annual Work Programme (WP) which is coordinated by the Governance and Coordination Unit.

This process allows ELA to plan, monitor and evaluate its scientific and technical support activities for the Commission, other EU Institutions, Member States and third parties.

This process helps the Authority to allocate human and financial resources to different work entities (projects), allow for clear indication of contact points for different work entities and facilitate the follow-up of time spent on different activities (especially in relation to contractual work).

Each year ELA prepares and presents a detailed work programme with its actions and activities for the upcoming year. The annual work programme is part of the Single Programming Document (SPD) of the Authority, which covers the overall strategic programming and resource programming for the next three years. The SPD has to be adopted by the Management Board and submitted to the European Commission, the European Parliament and the Council by 31 January each year.

The Authority also performs these activities through a specific application: **Operational Plan Application**. The Authority uses the Operational Plan Application to register, organise, plan, control and monitor its activities and their implementation in order to report and monitor their execution.

Your personal data will not be used for an automated decision-making including profiling.

## 3. On what legal ground(s) do we process your personal data

We process your personal data, because, according to Article 5(1) of Regulation(EU)2018/1725:

(a) the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body;

(b) the processing is necessary for compliance with a legal obligation to which the controller is subject.

Legal basis:

- Regulation (EU) 2019/1149 establishing European Labour Authority
- Financial Regulation (FR) 1046/2018
- Framework Financial Regulation (FFR) 715/2019
- In particular, SPD:
- Communication from the Commission (2020) 2297 final of 20.04.2020, Annex I - SPD guidelines
- In particular CAAR:
- Communication from the Commission (2020) 2297 final of 20.04.2020, Annex II – Template CAAR

We do not process **special categories of personal data**, therefore Article 10 of the Regulation does not apply.

**4. Which personal data do we collect and further process?**

In order to carry out this processing operation, the ELA Governance Team collects the following categories of personal data:

**Personal data collected in the SPD:**

Name and surname and comments and contributions to the report coordinated by the Governance and Coordination Unit.

**Personal data contained in the Operational Plan App:**

Name and surname, Unit, year, sector, strategic objective, Single Programming Document activity, action type, output type (such as report, minutes, summary or survey), planned/on demand activity, priority (1- Low, 2- Normal, 3- High), planned start and end date, title and short description.

The provision of personal data is mandatory to meet a legal requirement: ELA Regulation. If you do not provide your personal data, we will not be able to fulfil our obligations.

**5. How long do we keep your personal data?**

The ELA Governance Team only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing and will delete/remove personal data as soon as they are not needed. In most of the cases, the personal data is only kept while the document is not final, while is a “working document” as a living document. Reference to any personal data is removed when the document is final. Documents will be kept without any personal data reference for 10 years , according to the ELA Specific retention list, **point 1.5** related to **Strategic programming and Reporting**: Files related to the drafting of strategies, single programming documents and annual work programmes, including strategic plans, management plans, mid-term reviews, roadmaps as well as files related to the annual activity reports.

**6. How do we protect and safeguard your personal data?**

All personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored either on the servers of the European Labour Authority or of its contractors.

ELA's contractors are bound by a specific contractual clause for any processing operations of your data on behalf of ELA, and by the confidentiality obligations deriving directly from the General Data Protection Regulation in the EU Member States ('GDPR' [Regulation \(EU\) 2016/679](#).)

In order to protect your personal data, ELA has put in place a number of technical and organisational measures in place. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.

#### **7. Who has access to your personal data and to whom is it disclosed?**

Access to your personal data is provided to ELA staff responsible for carrying out this processing operation and to authorised staff according to the "need to know" principle. Such staff abide by statutory, and when required, additional confidentiality agreements.

*Please note that pursuant to Article 3(13) of the Regulation, public authorities (e.g. Court of Auditors, EU Court of Justice) which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients. The processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.*

The information we collect will not be given to any third party, except to the extent and for the purpose we may be required to do so by law.

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

You have specific rights as a 'data subject' under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725, in particular the right to access, your personal data and to rectify them in case your personal data are inaccurate or incomplete. Where applicable, you have the right to erase your personal data, to restrict the processing of your personal data, to object to the processing, and the right to data portability.

You have the right to object to the processing of your personal data, which is lawfully carried out pursuant to Article 5(1)(a) on grounds relating to your particular situation.

You can exercise your rights by contacting the Data Controller, or in case of conflict the Data Protection Officer. If necessary, you can also address the European Data Protection Supervisor. Their contact information is given under Heading 9 below.

Where you wish to exercise your rights in the context of one or several specific processing operations, please provide their description (i.e. their Record reference(s) as specified under Heading 10 below) in your request.

#### **9. Contact information**

##### **- The Data Controller**

If you would like to exercise your rights under Regulation (EU) 2018/1725, or if you have comments, questions or concerns, or if you would like to submit a complaint regarding the collection and use of your personal data, please feel free to contact the Data Controller:

[governance@ela.europa.eu](mailto:governance@ela.europa.eu)

- **The Data Protection Officer (DPO) of ELA**

You may contact the Data Protection Officer ([data-protection@ela.europa.eu](mailto:data-protection@ela.europa.eu)) with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725.

- **The European Data Protection Supervisor (EDPS)**

You have the right to have recourse (i.e. you can lodge a complaint) to the European Data Protection Supervisor ([edps@edps.europa.eu](mailto:edps@edps.europa.eu)) if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Data Controller.

**10. Where to find more detailed information?**

ELA Data Protection Officer (DPO) publishes the register of all processing operations on personal data by ELA, which have been documented and notified to him. You may access the register via the following link: <https://www.ela.europa.eu/en/privacy-policy>.

This specific processing operation has been included in the DPO's public register with the following Record reference: DPR-ELA-2022-0019 ELA Work Programme activities.