



**European Labour Authority**

DATA PROTECTION OFFICER

**RECORD OF PROCESSING OPERATIONS ON PERSONAL DATA**

DPR-ELA-2023-0008 ELA independent expert management

**1 PART 1: PUBLIC - RECORD (ARTICLE 31<sup>1</sup>)****1.1 GENERAL INFORMATION**

<b>Record reference</b>	DPR-ELA-2023-0008
<b>Title of the processing operation</b>	DPR-ELA-2023-0008 ELA independent expert management
<b>Controller entity</b>	Cooperation Support Unit
<b>Joint controllers</b>	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> YES, fill in details below
<b>Processor(s)</b>	<input type="checkbox"/> N/A <input checked="" type="checkbox"/> YES, fill in details below
<b>Internal organisation(s)/entity(ies) Names and contact details</b>	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> YES
<b>External organisation(s)/entity(ies) Names and contact details</b>	<input type="checkbox"/> N/A <input checked="" type="checkbox"/> YES  <u>For events, logistics and accommodation:</u>  In case of an organization by an external company, 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. The European Labour Authority's contractors are bound by a specific contractual clause for any processing operations of personal data on behalf of the European Labour Authority, and by the confidentiality obligations deriving from the General Data Protection Regulation in the EU Member States ('GDPR' Regulation (EU) 2016/679)  Additional details will be described in the specific Privacy Statement.  Microsoft Ireland South County Business Park, One Microsoft Place, Carmanhall and Leopardstown, Dublin, D18 P521, Ireland
<b>Data Protection Officer Name and contact details</b>	Laura NUNEZ BAREZ European Labour Authority Landererova 12, 811 09 Bratislava I Slovakia Email: data-protection@ela.europa.eu
<b>Corporate Record</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Language of the record</b>	English

<sup>1</sup> Pursuant to **article 31** of the new data protection regulation for EU institutions and bodies (**Regulation (EU) 2018/1725**) each controller and processor have to maintain a **record of processing activities** under its responsibility that contains at least the information listed under that article.

## 1.2 PURPOSE AND DESCRIPTION OF THE PROCESSING

### 1.2.1 Purpose

The purpose of the processing operations is the selection and management (including reimbursements of expenses and payment where appropriate) of external experts in the cross-border labour mobility appointed by the European Labour Authority to advise on or assist with:

- (1) The evaluation of labour mobility and social security policies within the Union;
- (2) The monitoring of the implementation of activities carried out under the scope of the activities of the European Labour Authority;
- (3) The support to Member States with capacity building, in particular sectoral and cross-sectoral training programme, promote awareness-raising campaigns or promote and support mutual assistance.

To this end, the Controllers implement the following tasks:

- (a) The establishment and maintenance of a database of external experts to assist the Controllers with monitoring and review of actions; opinions and advice in specific cases such as the preparation, the implementation or the evaluation of EU programmes and the design of policies;
- (b) The selection of experts;
- (c) The management of the expert contracts;
- (d) The management of the reimbursement of expenses (reimbursement or contributions to travel and subsistence expenses, etc.);
- (e) The payment of fees, where applicable.

### 1.2.2 Processing for further purposes

- Archiving in the public interest
- Scientific or historical research purposes
- Statistical purposes

Safeguards in place to ensure data minimisation

- Pseudonymisation
- Any other, specify

Internal statistics on experts' nationality, gender, field of expertise for example may be generated during the implementation of the programmes and also after their end, in a form that safeguards the data subject's anonymity.

Anonymous or encrypted data can be retained for a longer period for statistical, scientific or historical purposes.

### 1.2.3 Modes of processing

1.  Automated processing (Article 24)
  - a.  Computer/machine
    - i.  automated individual decision-making , including profiling
    - ii.  Online form/feedback
    - iii.  Any other, specify
2.  Manual processing
  - a.  Word documents
  - b.  Excel sheet
  - c.  Any other, specify

3.  Any other mode, specify

The CV will have predefined sections so that all experts fill in the same information which is comparable.

**Description****1.2.4 Storage medium**

1.  Paper
2.  Electronic
  - a.  Digital (MS documents (Word, excel, Powerpoint), Adobe pdf, Audiovisual/multimedia assets, Image files (.JPEG, .PNG, etc.))
  - b.  Databases
  - c.  Servers
  - d.  Cloud
3.  External contractor premises
4.  Others, specify

**Description:****1.2.5 Comments on the processing of the data**

The technical solution will be to design a simple database where experts could upload their CVs. The open call will be published on ELA website and the database would be accessible through the link on ELA website.

The information will be gathered through EU Survey.

**1.3 DATA SUBJECTS AND DATA CATEGORIES****1.3.1 Data subjects' categories**

1. Internal to organisation	N/A
2. External to organisation	<input checked="" type="checkbox"/> Yes Data subjects are natural persons who respond to calls for expression of interest and register as experts through a specific EU Survey

**1.3.2 Data categories/fields**

Indicate the categories of data that will be processed

**Registration on the database:**

The categories of personal data collected when registering online and further processed are for each data subject:

- identity and contact details: name, surname, title, email address, postal address, phone and mobile number;
- education,
- areas of expertise (ticking the boxes, e.g. social security, posting, free movement, mediation, cross-border inspections, road transport, etc.)
- employment history/work experience
- list of publications, and
- any other relevant information the expert can provide in the free fields.
- Motivation
- Languages

**Screening of experts**

The Cooperation Support Unit will screen the candidates to ensure the minimum criteria detailed in the specific call for experts are fulfilled.

**Selection and management:**

The categories of personal data collected and further processed for pre-selected experts are:

- additional identification data,

- financial data (Legal Entity and Bank Account)
- additional professional data/education (certifications/declarations) and
- information forms (when applicable).

**Experts with contract:**

In addition to data mentioned above, declarations prior to contract signature include the following categories of data:

- **Travelling information:** name, surname, title, ID card/passport number, flight/bus/train ticket, town/city of departure, country of departure, town/city of arrival, country of arrival, accommodation;
- **Conflict of interest:** declaration of absence of conflict of interest or, in case of a conflict of interest, free text box for Expert to declare reason;
- Code of conduct: declaration to abide by the terms of the code of conduct;
- **Electronic signature of contract:** Experts encode their EU Login to sign the contract covering the assignment in question.

**Reimbursement of experts:**

Once the task(s) have been performed, the additional personal data will be collected to proceed with the reimbursement:

- Registration data and payment data collected for meeting experts

The personal data specified under travelling information and under reimbursement of experts will be handled through the Financial Unit in the ELA and specific external contractors for logistics. The reimbursement will be covered by Record 'DPR-ELA-2022-0003 Procurement'.

**1.3.2.1 Special categories of personal data**

Indicate if the processing operation concerns any 'special categories of data' which fall(s) under Article 10(1), which shall be prohibited unless any of the reasons under article 10(2) applies:

N/A

**Additional information**

*In principle the Controller does not collect and process special categories of data (i.e. data revealing racial or ethnic origin, political opinions, religion of philosophical beliefs, trade-union memberships, or data concerning health or sex life) as defined in Article 10.1 of Regulation 2018/1725 except in the following specific circumstances:*

*The data subjects are free to provide voluntary health-related data due to their special needs in order to be refunded of possible additional costs relating to the subsequent accommodation and travel specificities. The processing operations of these health related data by the Commission are justified according to Article 10(2)(a) of Regulation 2018/1725 on condition that these data are submitted on a voluntary basis and consequently with the data subject's consent. In any case, only necessary information would be collected in order to certify the existence of those special needs and related costs.*

**1.3.2.2 Data related to 'criminal convictions and offences'**

The data being processed contain sensitive data which fall(s) under Article 11 'criminal convictions and offences'	N/A <input checked="" type="checkbox"/> Yes <input type="checkbox"/>
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**1.4 RETENTION PERIOD**

Indicate the administrative time limit(s) for keeping the personal data per data category, and if known, specify the start/end date, or describe the specific start/end moment of each time limit:

Data category	Retention period	Optional	
		Start date/moment	End date/moment
Data related to the registration of the database	Unsuccessful candidates will be kept for a period of <b>3 months</b> after the end of the screening.	Date of the submission of the candidatures:  (e.g. June 2023)	(e.g. September 2023)
Data concerning the selection and management	Successful candidates will be kept until the end of the nomination period ( <b>2 years</b> )	Date of the submission of the candidature:  (e.g. June 2023)	(e.g. June 2025)
Data related to the reimbursement	For reimbursement of experts: <i>7 years as per the Financial Regulation.</i> <i>Date of payment + 7 years</i>	Date of payment	Date of payment + 7 years (e.g. June 2030)

**Description**

Once maximum time of retention has been reached, data will be securely destroyed.

**1.5 RECIPIENTS**

Origin of the recipients of the data	
1. <input checked="" type="checkbox"/> Within the EU organization	ELA Capacity Building Unit ELA Finance team on a need to know basis Head of Unit(s) and Head of Sector(s) of the different Units in ELA

Categories of the data recipients	
1. <input checked="" type="checkbox"/> A natural or legal person	
2. <input type="checkbox"/> Public authority	
3. <input type="checkbox"/> Agency	
4. <input type="checkbox"/> Any other third party, specify	

**Description**

ELA Cooperation Support Unit on a 'need to know basis'. As controller of the process, they will access to all data categories submitted from the experts.

In the Authority, the Financial Team colleagues will have access to the identification and financial data of experts related to their reimbursement in order to fulfil the Authority's obligation.

Head of Unit(s) and Head of Sector(s) of the different Units in the Authority in need of an expert will have access to the data bases on a 'need to know basis' and for specific needs. Access will be granted in written by the Controller via the request form here attached.

External contractor may be hired to organize specific event, in this case, they will have access to the personal data specified under travelling information.

## 1.6 INTERNATIONAL DATA TRANSFERS

<b>Transfer to third countries or international organisations of personal data</b>	
<b>1. Transfer outside of the EU or EEA</b>	
<input checked="" type="checkbox"/> N/A, transfers do not occur and are not planned to occur <input type="checkbox"/> YES,	
Country(ies) to which the data is transferred	
<b>2. Transfer to international organisation(s)</b>	
<input checked="" type="checkbox"/> N/A, transfers do not occur and are not planned to occur <input type="checkbox"/> Yes, specify further details about the transfer below	
Names of the international organisations to which the data is transferred	

### Description

In the case of events co-organised by the Authority with other third countries or internal organisations, data related to the expert selected may be transferred to grant access to the expert to the specific event. Specific consent will be requested in advance to the expert for each specific case and would be based on a specific derogation (occasional transfer of personal data).

## 1.7 INFORMATION TO DATA SUBJECTS ON THEIR RIGHTS

<b>Rights of the data subjects</b>
<p><i>Article 17 – Right of access by the data subject</i></p> <p><i>Article 18 – Right to rectification</i></p> <p><i>Article 19 – Right to erasure (right to be forgotten)</i></p> <p><i>Article 20 – Right to restriction of processing</i></p> <p><i>Article 21 – Notification obligation regarding rectification or erasure of personal data or restriction of processing</i></p> <p><i>Article 22 – Right to data portability</i></p> <p><i>Article 23 – Right to object</i></p> <p><i>Article 24 – Rights related to Automated individual decision-making, including profiling</i></p>

### 1.7.1 Privacy statement

The data subjects are informed about their rights and how to exercise them in the form of the a privacy statement attached to this record.

#### Publication of the privacy statement

Published on website

Web location:

- ELA internal website  (URL: SharePoint on personal data protection )
- External website  (URL: [Privacy policy | European Labour Authority \(europa.eu\)](#) )

- Other form of publication, specify
- Guidance for Data subjects which explains how and where to consult the privacy statement is available and will be provided at the beginning of the processing operation.

**Description:**

Privacy Statement will be publicly available on the main website of ELA and attached to the specific Call.

Request form to grant access to the database to other Units in the Authority.

**1.8 SECURITY MEASURES**

Short summary of overall Technical and Organizational Measures implemented to ensure Information Security:

**Description:**

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

The European Labour Authority's contractors are bound by a specific contractual clause for any processing operations of personal data on behalf of the European Labour Authority, and by the confidentiality obligations deriving from the General Data Protection Regulation.

In order to protect personal data, the European Labour Authority has put in place a number of technical and organisational measures. 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.