



**European Labour Authority**

DATA PROTECTION OFFICER

**RECORD OF PROCESSING OPERATIONS ON PERSONAL DATA**

DPR-ELA-2023-0022 ELA ICT security investigations

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

**1.1 GENERAL INFORMATION**

<b>Record reference</b>	DPR-ELA-2023-0022
<b>Title of the processing operation</b>	ELA ICT security investigations
<b>Controller entity</b>	The European Labour Authority, Resources Unit, ICT and Facilities Sector (ELA ICT Sector)
<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  <b>CERT EU</b> Rue de la Loi 107, 1000 Brussels, Belgium.  <b>Microsoft Ireland</b> 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>Language of the record</b>	English

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<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 European Labour Authority (ELA) aims to protect its ICT infrastructure against any type of threats, vulnerabilities or incidents. To this purpose, the ELA has concluded an agreement with the European Commission, DG DIGIT, CERT-EU<sup>1</sup>.

The purpose of this processing of personal data is to contribute to the security of the ICT infrastructure of the Authority and to enable CERT-EU to carry out its mission, which is to contribute to the security of the ICT infrastructure of all Union institutions, bodies and agencies by helping to prevent, detect and mitigate and respond to cyber-attacks, and by acting as their cyber-security information exchange and incident response coordination hub.

CERT-EU collects, manages, analyses and shares information with the Union institutions, bodies and agencies (the constituents) on threats, vulnerabilities and incidents on unclassified ICT infrastructure. It coordinates responses to incidents at interinstitutional and constituent level, including by providing or coordinating the provision of specialised operational assistance.

This process of personal data is linked to the record prepared by the CERT-EU, Record "[DPR-EC-07167 – CERT-EU activities](#)".

### 1.2.2 Processing for further purposes

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

Safeguards in place to ensure data minimisation

- Pseudonymisation
- Any other, specify

### 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
2.  Manual processing
  - a.  Word documents
  - b.  Excel sheet
3.  Any other mode, specify
 

Automated processing may involve any personal data flowing or stored on ELA's electronic networks and firewalls, namely logs and intrusion detection sensors.

### 1.2.4 Storage medium

1.  Paper
2.  Electronic

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<sup>1</sup> The Computer Emergency Response Team for the EU institutions, bodies and agencies, the CERT-EU is an inter-institutional service provider working as the Computer Security Incident Response Team of all the EU institutions, bodies and agencies. Their missions is to contribute to the security of EU institutions and agencies' ICT infrastructure by helping them to prevent, detect, mitigate and respond to cyber attacks. The CERT-EU is administratively hosted within the Directorate-General for Informatics of the European Commission.

- a.  Digital (MS documents (e.g. Word, Excel, Powerpoint), Adobe pdf, Audiovisual/multimedia assets, Image files (.JPEG, .PNG, etc.)) and video conference calls and other video recordings.
  - b.  Databases
  - c.  Servers
  - d.  Cloud
3.  External contractor premises

**1.3 DATA SUBJECTS AND DATA CATEGORIES**

**1.3.1 Data subjects' categories**

1. Internal to organisation	ELA Staff, in particular ICT Sector staff
2. External to organisation	CERT-EU staff Any citizen

**1.3.2 Data categories/fields**

In general the following personal data will be collected:

- Any file (with user-id included) stored in, transmitted from / to a host involved in an incident (such as victim, relay or perpetrator);
- Email addresses, phone number, role, name, organisation;
- Name of the owner of assets involved in an incident, user account name (for email, operating system, applications or centralised authentication services); and
- Technical protocol data (IP address, MAC address) to which an individual may be associated or the device connection at the time of the incident.

In particular, for Cyber Threat Management (first response, analysts and vulnerability assessment teams): IP addresses will be checked. *Please note that IP addresses may be related with threat actor groups (suspected malicious cyber activity groups), and, therefore will not be considered as personal data.*

For Incident response management: IP addresses, connection information, files and logs, including network traffic.

For automated cybersecurity procedures: online media sources (including name/surnames of authors, journalists, etc.), cybersecurity information sharing partnership (such as metadata or IP addresses).

**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:**

**Yes , the processing concerns the following special category(ies):**

Data revealing

- racial or ethnic origin,
- political opinions,
- religious or philosophical beliefs,
- trade union membership,

Or/and,

<input type="checkbox"/> Genetic data, biometric data for the purpose of uniquely identifying a natural person, <input type="checkbox"/> Data concerning health, <input type="checkbox"/> Data concerning a natural person's sex life or sexual orientation.  <input checked="" type="checkbox"/> N/A
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**1.3.2.2 Data related to 'criminal convictions and offences'**

<b>The data being processed contain sensitive data which fall(s) under Article 11 'criminal convictions and offences'</b>	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
Personal data that might be processed for automated cybersecurity procedures	Data will be kept for up to 3 years
Personal data processed for Cyber Threat Management:	For reports: 5 years and an additional 5 year period for archiving.  For all other data: up to 10 years and an additional 10 year period for archiving.
For Personal data processed for Incident response management:	Data is kept for up to 2 years. For network traffic up to few days.

Time limits according to the information declared in record "DPR-EC-07167 – CERT-EU activities".

Where data has not been collected for cyber incident investigation purposes, then the retention period for standard operational processing will apply. i.e. it will be retained for significantly shorter periods than advised above.

**1.5 RECIPIENTS**

Origin of the recipients of the data	
1. <input checked="" type="checkbox"/> Within the EU organization	ELA ICT Sector Resources HoU Executive Director
2. <input checked="" type="checkbox"/> Outside the EU organization	CERT-EU authorised staff working in the specific incident CERT EU Steering Board European Court of Justice

Categories of the data recipients	
1. <input checked="" type="checkbox"/> A natural or legal person	
2. <input checked="" type="checkbox"/> Public authority	
3. <input checked="" type="checkbox"/> Agency	

4. <input type="checkbox"/> Any other third party, specify
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**Description**

CERT-EU will have access to all data categories in case of an incident. It will be after an internal decision taken by The Executive Director, following the assessment of the ICT Manager, Head of Resources Unit and the Data Protection Officer.

**1.6 INTERNATIONAL DATA TRANSFERS**

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

**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: <https://eulabourauthority.sharepoint.com/sites/PersonalDataProtection> )
- External website  (URL: <https://www.ela.europa.eu/en/privacy-policy> )

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.

Guidance on data subjects' rights on ELA main website.

## 1.8 SECURITY MEASURES

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

### **Description:**

#### **In ELA:**

All personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored in the Microsoft Azure Cloud environment.

Microsoft are bound by a specific contractual clause for any processing operations of personal data on behalf of 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).

In order to protect personal data, 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.

#### **In the CERT-EU:**

All personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored either on the servers of CERT-EU, or the respective EU institutions, agencies and bodies. Administrative documents may also be stored in paper form. CERT EU has implemented security measures to protect server hardware, software and the network from accidental or malicious manipulations and loss of data. Data is stored on servers managed by CERT-EU in line with the technical security provisions laid down in the Commission Decision (EU, Euratom) 2017/46 of 10 January 2017 on the security of communication and information systems in the European Commission, its subsequent versions, its implementing rules (as adapted from time to time) and the corresponding security standards and guidelines, as well as the Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on the security in the Commission, its implementing rules and the corresponding security notices or on servers managed by the respective EU institutions, bodies and agencies. These documents (as adapted from time to time) are available for consultation at the following address: [https://ec.europa.eu/info/publications/security-standards-applying-all-european-commission-information-systems\\_en](https://ec.europa.eu/info/publications/security-standards-applying-all-european-commission-information-systems_en)

In order to protect your personal data, the Commission 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.

Access to data is restricted by several means, such as user's credentials (username and password), specific IP access lists, Multi-Factor Authentication.