

PROTECTION OF YOUR PERSONAL DATA

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

Processing operation: ELA ICT security investigations

Data Controller: The European Labour Authority, Resources Unit, ICT and Facilities Sector (ELA ICT Sector)

Record reference: DPR-ELA-2023-0022

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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 ICT security investigations" undertaken by the European Labour Authority, Resources Unit, ICT and Facilities Sector (ELA ICT Sector) is presented below.

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

Purpose of the processing operation: The ELA ICT Sector collects and uses your personal information 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-EU¹.

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](#)".

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) 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;

¹ 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.

(b) 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 (ELA Regulation).

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

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

In order to carry out this processing operation the ELA ICT Sector collects the following categories of personal data:

- 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.

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).

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 ensure the IT infrastructure.

In some cases, we obtain your personal data directly from you, but in other cases, we may have access to your personal data from other sources such as logs and/or communications with ELA Staff.

5. How long do we keep your personal data?

The ELA ICT Sector only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing, namely for:

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| 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. |

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| For Personal data processed for Incident response management: | Data is kept for up to 2 years. For network traffic up to few days. |
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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](#).)

For CERT-EU:

All processing operations are carried out pursuant to the Commission Decision (EU, Euratom) 2017/46 of 10 January 2017 on the security of communication and information systems in the European Commission.

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.

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.

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:

ithelpdesk@ela.europa.eu

- The Data Protection Officer (DPO) of ELA

You may contact the Data Protection Officer (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) 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-2023-0022 ELA ICT security investigations.