

## **PROTECTION OF YOUR PERSONAL DATA**

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

**Processing operation:** ELA independent expert management

**Data Controller:** Cooperation Support Unit

**Record reference:** DPR-ELA-2023-0008

### **Table of Contents**

- 1. Introduction**
- 2. Why and how do we process your personal data?**
- 3. On what legal ground(s) do we process your personal data?**
- 4. Which personal data do we collect and further process?**
- 5. How long do we keep your personal data?**
- 6. How do we protect and safeguard your personal data?**
- 7. Who has access to your personal data and to whom is it disclosed?**
- 8. What are your rights and how can you exercise them?**
- 9. Contact information**
- 10. Where to find more detailed information?**

## **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 independent expert management*" undertaken by the Cooperation Support Unit is presented below.

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

Purpose of the processing operation: The Cooperation Support Unit collects and uses your personal information to create a database of experts. The specific purpose 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:

- (a) The evaluation of labour mobility and social security policies within the Union;
- (b) The monitoring of the implementation of activities carried out under the scope of the activities of the European Labour Authority;
- (c) 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.

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) processing is necessary for compliance with a legal obligation to which the controller is subject;
- (c) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.

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 Cooperation Support Unit collects the following categories of personal data:

##### 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, nationality, 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;
- 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) when applicable VAT exemption certificate (name and address, information concerning the goods or services subject to the exemption, tax reference number);
- 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:

- **Conflict of interest:** declaration of absence of conflict of interest
- **Electronic/blue-ink signature of contract**

##### Reimbursement of experts:

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

- Registration data and payment data collected for meeting experts
- Travelling information: name, surname, title, flight/bus/train ticket, town/city of departure, country of departure, town/city of arrival, country of arrival, accommodation

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

Contact list:

The experts will be requested to be part of the Authority's contact list to be invited as speakers in ELA's events. A specific consent will be requested. This process will be covered by Record 'DPR-ELA-2022-0024 ELA Contact lists & network partners databases'.

The process is a completely voluntary and you can be removed from the database at your request. But if you are selected for a specific project, we will need to keep your data in order to fulfil our legal obligations, in particular [ELA Regulation](#) and Financial Regulation.

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

The Cooperation Support Unit only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing, namely for:

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 phase ( <i>date of submission of the candidature, e.g. June 2023, retention period until September 2023</i> ). If the decision is challenged, the 3 months will start from the date the last action was taken.
Data concerning the selection and management	Successful candidates will be kept until the end of the nomination period, ( <b>2 years</b> ) from the date of the submission of the candidature, ( <i>e.g. June 2023, retention period until June 2025</i> ).
Data related to the reimbursement	For the reimbursement of the experts: <b>7 years</b> as per the Financial Regulation. <i>Date of payment + 7 years (date of submission e.g. June 2023, retention period until June 2030)</i> .
Contact data related to the participation of the expert in a specific contact list	The data is kept as long as ELA continues to work in support of labour mobility and social security systems, or until the data subject requests to be deleted from the list.

## 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.

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. This process of personal data is covered by "[Record DPR-ELA-2023-0013 Speedwell](#)".

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.

In some cases, the ELA requests VAT exemption certificates for the experts. In these cases, the ELA shares with the relevant staff in the Slovak Ministry of Foreign Affairs, information related to prepare an exemption certificate (name and address, information concerning the goods or services subject to the exemption, tax reference number).

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: [capacity@ela.europa.eu](mailto:capacity@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-2023-0008 ELA independent expert management.