

## **PROTECTION OF YOUR PERSONAL DATA**

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

**Processing operation:** Social services for ELA staff & family members:

[Support for exceptional education needs for staff member's child\(ren\)](#)

**Data Controller:** European Labour Authority, Resources Unit

**Record reference:** DPR-ELA-2022-0007

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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 "*DPR-ELA-2022-0007 Social services for ELA staff & family members*" undertaken by the European Labour Authority, Resources Unit is presented below.

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

Purpose of the processing operation: The ELA Resources Unit collects and uses your personal information to contribute to the expenses incurred or to be incurred by you, as ELA staff, for the exceptional education needs for your child(ren).

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;

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

Legal basis:

- Decision of the Executive Director 25/2022 of 16 December 2022 on integration support for family members of staff of the ELA
- Regulation No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community (Staff Regulations)
- Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union (Financial Regulation)
- Regulation (EU) 2019/1149 of the European Parliament and of the Council of 20 June 2019 establishing a European Labour Authority.

We may process **special categories of personal data**, therefore Article 10 of Regulation (EU)2018/1725 will apply. In particular, we may need to collect health data related to your child(ren), therefore we will process these data, according to Article 10(2)(a) because you have given explicit consent to the process of this personal data for one specific purpose.

Personal data relates to minors, therefore it will be limited to staff on an need to know basis and obliged by confidentiality.

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

ELA staff child(ren) will have access to exceptional educational needs. In order to set up the procedure of the reimbursement, ELA Resources Unit will need to have access to the following personal data:

##### **Identification data:**

Name and Surname of the child, Date of birth of the child, Language of education, Selected educational institution and starting data at the educational institution, Name and Surname of father/mother (ELA Staff), and self-declaration on rights and duties dated and signed.

Private international kindergartens/schools related information

School decision, relevant medical certificate (if needed for justification of the reimbursement)

*(Original paper proof of purchase documentation shall be kept by you, as ELA staff member).*

The reimbursement of your expenses is a voluntary process, once you request the reimbursement, the provision of your personal data is mandatory to meet a *statutory and legal* requirement: Decision of the Executive Director 25/2022, Financial Regulation and Staff Regulations. If you do not provide your personal data, we will not be able to fulfil our duties.

*This process operation refers to personal data of minors and may refer to health data.*

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

The ELA Resources Unit only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing, namely for a period of 7 years as per the Financial Regulation (*date of payment + 7 years*).

#### **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:

[hr@ela.europa.eu](mailto:hr@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-2022-0007 Social services for ELA staff & family members.