

## 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:

[Health care services](#)

**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 facilitate access of staff and their family members to an English speaking health care provider and cover the resulting administrative and registration fees.

According to the Decision of the Executive Director 27/2022 of 16 December 2022 of the Executive Director amending the Decision 2021/17 on special support measures on access to health care for staff of the European Labour Authority and their family members, ELA concluded service level agreement with a suitable medical facility (St Michal's Hospital) in Bratislava.

The staff is free to choose any other hospital/medical institution in Bratislava giving access to health care according to their needs and preferences. In this case, the Authority shall reimburse the staff member and their family members for incurring registrations and administrative fees.

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) (b) of Regulation (EU)2018/1725, the processing is necessary for compliance with a legal obligation to which the controller/data subject is subject.

### Legal basis:

- Regulation (EU) 2019/1149 of the European Parliament and of the Council of 20 June 2019 establishing a European Labour Authority.
- Decision of the Executive Director 27/2022 of 16 December 2022 of the Executive Director amending the Decision of the Executive Director 2021/17 on special support measures on access to health care for staff of the European Labour Authority and their family members
- 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)

We process **special categories of personal data**, therefore Article 10 of Regulation (EU)2018/1725 applies. In particular, we collect health data. The process is lawful, according to Article 10(2)(a) of Regulation (EU)2018/1725, as you have given explicit consent to the processing of those personal data for one or more specified purposes.

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

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

Name and Surname of ELA staff and family members/beneficiary, name of the service provider, date of birth, invoice.

*(Original documentation shall be kept by the staff member)*

[This processing operation refers to special categories of data: health personal data.](#)

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 27/2022, Financial Regulation and Staff Regulations. If you do not provide your personal data, we will not be able to fulfil our duties.

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

The ELA Resources Unit only keeps your personal data for a period of 7 years from the date of payment as per the Financial Regulation.

#### **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.

Information related to the ELA Staff can be shared with St Michal's Hospital in Bratislava, with whom the Authority has signed a Service Level Agreement.

*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.