

## PROTECTION OF YOUR PERSONAL DATA

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

### Misuse/abuse of data in the EURES Portal

**Processing operation:** European Network of Employment Services (EURES) for EURES network

**Data Controller:** European Labour Authority, Information and EURES Unit

**Record reference:** DPR-ELA-2022-0044

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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 '*European Network of Employment Services (EURES) for EURES network: misuse/abuse of data in the EURES Portal*' undertaken by the European Labour Authority, Information and EURES Unit is presented below.

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

Purpose of the processing operation: The Information and EURES Unit collects and uses your personal information to ensure the correct management of the EURES Portal and to abuse any misuse/abuse of your personal data.

In case of misuse/abuse of the information provided in the EURES portal, ELA may initiate an investigation to understand the situation with the support of the NCOs, and adopt the appropriate technical and organization measures to avoid any potential damage.

A specific Data Processing Agreement will be signed with the concerned NCO.

This process is documented in the EURES portal internal abuse report and communication between ELA Staff will be done through the JIRA tool, covered by Record '*DPR-ELA-2022-0053 EURES Internal communication ticketing system - JIRA*'

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) (a) of Regulation (EU) 2018/1725, 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.

Legal basis:

- Regulation (EU) 2019/1149 of the European Parliament and of the Council of 20 June 2019 establishing a European Labour Authority.
- Regulation (EU) 2016/589 , "the EURES Regulation", and in particular its Chapter III, defines the purposes of the processing, namely to enable matching of job vacancies with CVs/Jobseeker profiles and sets out general conditions for the processing.
- Commission Implementing Decision (EU) 2017/1257 of 11 July 2017 on the technical standards and formats required for a uniform system to enable matching of job vacancies with job applications and CVs on the EURES portal.

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 Information and EURES Unit collects the following categories of personal data:

Name, surname, e-mail, organization, role/group/type of user, CVs accessed (number, data subjects, countries, sector/field of employment, languages), type of abuse, log files, report of the incident, follow up and justification, foreseen measures to mitigate the risk.

The provision of personal data is mandatory to meet a legal obligation: EURES Regulation, in particular Article 3(6) and Article 5. If you do not provide your personal data, we will not be able to fulfil our obligations related to the correct management of the EURES Portal and protection of the EURES users.

We have obtained your personal data from the EURES Portal or the relevant NCO.

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

Information and EURES Unit only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing, namely for:

According to the procedure established with the NCOs the investigation should be closed 2 months after the misuse/abuse is detected and the investigation is opened.

The ECO will decide on the measure to be adopted in a maximum of three months the misuse/abuse is detected and will keep all the data related to this incident for 1 year.

After this year, the information related to the CVs accesses will be eliminated and the minimum personal data will be kept for scientific, archival and statistical purposes.

#### **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 order to be able to gather additional information on the misuse or abuse reported, ECO will need to contact the relevant NCO to inquire about background information in the case and personal data mentioned before could be shared with them to clarify the situation. If not strictly needed, the personal data will be aggregated.

In case personal data needs to be shared, a specific Data Processing Agreement will be signed with the relevant NCO.

*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:

[ela-eures-ecg@ela.europa.eu](mailto:ela-eures-ecg@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-2022-0044 European Network of Employment Services (EURES) for EURES Staff.