



DATA PROTECTION NOTICE

regarding the processing of personal data in the context of requests for assistance under Article 24 of the Staff Regulations

1. Context and Controller

As Eurojust collects and further processes personal data in the context of administrative inquiries and disciplinary proceedings, it is subject to Regulation (EU) 2018/1725 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.

Collection and processing of personal data in the context of requests for assistance under Article 24 of the Staff Regulations are under the responsibility of the Controller, who is the Administrative Director of Eurojust and can be contacted at adconfidential@eurojust.europa.eu.

2. What personal information do we collect, for what purpose, under which legal bases and through which technical means?

Legal basis of the processing

The legal bases for the processing activities are:

- Article 5(1)(b) of Regulation EU 2018/1725: processing is necessary for compliance with a legal obligation to which the controller is subject;
- Article 24 of the Staff Regulations¹;
- Articles 11 and 127 of the Conditions of Employment of Other Servants;
- Decision of Eurojust on the policy for protecting the dignity of the person and preventing psychological and sexual harassment of 31 January 2012.

Purpose of the processing

The purpose of this processing is to collect the facts in order to allow the Administrative Director to assess the request for assistance and, where applicable, to establish whether there is *prima facie* evidence to launch an administrative inquiry.

Technical means

Technical measures include storing the files electronically in a restricted area of the Document Management System. All processing operations are carried out pursuant to existing policies describing access control to different Eurojust applications.

¹ Council Regulation (EEC, Euratom, ECSC) No 259/68, OJ L 56, 4.3.1968, p. 1, as amended by Regulation (EU, Euratom) No 1023/2013 of the European Parliament and of the Council of 22 October 2013 (OJ L 287, 29.10.2013, p. 15).



Limited amount of staff with a legitimate ‘need to know’ for the purposes of this processing operation have access to your personal data. Organisational measures include the use of locked closets, confidential settings in the emails and printing with badging.

Types of personal data

The following personal data may be collected: name, surname, gender, address, age, hiring date, name of line manager, contact details, information regarding your career, allegations, declarations, sensitive data (such as data concerning health), e-mails exchanged by the affected individuals if necessary. Eurojust may also collect personal data concerning other person who could bring information relevant to the request for assistance (such as witnesses).

3. To whom is your personal data disclosed?

Personal data processed in the context of a request for assistance may be disclosed to the Administrative Director and the staff member responsible for handling this request in the Legal Affairs Unit. Data may also be disclosed to a limited number of staff in the Human Resources Unit on a ‘need to know’ basis.

If the staff member concerned contests a decision rejecting a request for assistance, the file may be referred to the Court of Justice of the European Union. Data may also be sent to the Ombudsman if the staff member concerned addresses a complaint.

4. How can you verify, modify or delete your information?

You have the right of access to your personal data and to relevant information concerning how we use it. You have the right to rectify your personal data. Under certain conditions, you have the right to ask that we delete your personal data or restrict their use. You have the right to object to our processing of your personal data, on grounds relating to your particular situation, at any time. We will consider your request, take a decision and communicate it to you. For more information, please see Articles 14 to 21, 23 and 24 of Regulation (EU) 2018/1725. Please note that in some cases restrictions under Article 25 of Regulation (EU) 2018/1725 may apply.

If you wish to exercise your data subject rights, any such request should be directed to the Administrative Director of Eurojust at adconfidential@eurojust.europa.eu. You may also contact the Data Protection Officer at Eurojust at dpo@eurojust.europa.eu.

5. How long do we keep your personal data?

If the request for assistance is rejected by the Administrative Director, data processed in this context are kept for as long as necessary subject to a maximum of 10 years after the rejection of the request, in order to allow a harmonised application of the Staff Regulations. Should the Legal Affairs Unit consider it necessary to retain the electronic files beyond the 10 years, personal data contained in those files shall be anonymised.



If as a result of the request for assistance an administrative inquiry is launched, the data processed shall become part of the inquiry file. Data contained in the inquiry and disciplinary files are kept for a maximum of 10 years after the closure of the case in order to allow a harmonised application of the Staff Regulations.

6. Contact information

You have the right to access, rectify or erase or restrict the processing of your personal data or, where applicable, the right to object to processing or the right to data portability in line with Regulation (EU) 2018/1725.

Any such request should be directed to the Controller, by using the following email address:

adconfidential@eurojust.europa.eu, and by explicitly specifying your request.

You may also contact the Data Protection Office of the Eurojust (dpo@eurojust.europa.eu).

7. Recourse

You have the right to lodge a complaint to the European Data Protection Supervisor (https://edps.europa.eu/data-protection/our-role-supervisor/complaints_en) if you consider that your rights under the Eurojust Regulation and/or Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data or seek a judicial remedy before the Court of Justice.