

PRIVACY NOTICE FOR IMPLEMENTATION OF OLAF RECOMMENDATIONS

1. DESCRIPTION OF THE PROCESSING OPERATION

The monitoring on the implementation of OLAF's recommendations includes various activities designed to ensure that the competent recipients, EU and/or national authorities, take action following the financial, disciplinary, judicial or administrative measures recommended by OLAF.

Once the investigation is closed and OLAF issued a recommendation, the Monitoring and Reporting Unit and the investigation unit monitor the progress of possible recovery procedures, judicial procedures or disciplinary procedures through contact with the competent EU and national authorities. The Monitoring and Reporting Unit is the designated internal entity within OLAF to coordinate and take part in monitoring and reporting activities on the implementation of OLAF's recommendations and acts as controller of the processing operation.

OLAF conducts periodical monitoring exercises, where the recipients of OLAF recommendations are requested to provide information on the progress of the implementation of recommendations. The conduct of such monitoring activity entails correspondence with competent EU services or Member States' authorities. Such correspondence may include limited sets of personal data, necessary for the performance of the task and it is recorded in the relevant casefile.

Unit C.4 processes the data to obtain a statistical overview on the implementation status of the recommendations and may also conduct case-by-case qualitative assessments.

The data processed is not subject to automated decision-making, including profiling.

2. LEGAL BASIS FOR THE PROCESSING

The legal basis for the monitoring of the implementation of the OLAF recommendations is Regulation (EU) 883/2013 Art. 11(3), (4) and (5) that reports and recommendations shall be sent to Member States and competent Commission services, an institution, body, office or agency shall report thereon to the Office of actions taken as the result of the investigation, and that a Member state shall send to the Office information on action taken. OLAF performs this processing operation based on Article 5 paragraph 1(a) of Regulation (EU) 2018/1725.

3. CATEGORIES OF PERSONAL DATA COLLECTED

In order to carry out this processing operation OLAF collects the following categories of personal data: Identification and contact data, professional background data, and case involvement data.

With regards to Art.16 of Regulation (EU) 2018/1725, the sources from which personal data originate from are the institutions, bodies, agencies, and Member States of the EU.

4. WHO HAS ACCESS TO YOUR INFORMATION AND TO WHOM IS IT DISCLOSED?

OLAF staff responsible for carrying out this processing operation have access to personal data.

In addition, transfers of data may be made to EU institutions, bodies, offices, agencies or national authorities concerned, in order to allow them to take appropriate measures to protect the financial interests of the EU.

Personal data collected in the course of this processing operation may be transferred to the OLAF Supervisory Committee when necessary for its monitoring of the implementation of OLAF's investigative function.

5. HOW DO WE PROTECT AND SAFEGUARD YOUR INFORMATION?

In order to protect your personal data, a number of technical and organisational measures have been put 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 data being processed. Organisational measures include restricting access to the data to authorised persons with a legitimate need to know for the purposes of this processing operation.

6. HOW LONG DO WE KEEP YOUR DATA?

Personal data may be retained by OLAF for a maximum of 15 years after the closure of the investigation.

7. WHAT ARE YOUR RIGHTS AND HOW YOU CAN EXERCISE THEM?

You have the right to request access to your personal data, rectification or erasure of the data, or restriction of their processing.

You have the right to object to the processing of your data.

Any request to exercise one of those rights should be directed to the Controller (OLAF-FMB-DATA-PROTECTION@ec.europa.eu). Where you wish to exercise your rights in the context of one or several specific processing operations or files, please provide their description and reference(s) in your request. Please be aware that the exercise of those rights may be subject to exceptions as foreseen by Regulation 2018/1725 and by restrictions foreseen by the Commission decision 2018/1964.

8. CONTACT DETAILS OF THE DATA PROTECTION OFFICER

You may contact the Data Protection Officer of OLAF (OLAF-FMB-DPO@ec.europa.eu) with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725.

9. RIGHT OF RECOURSE

You have the right to have recourse to the European Data Protection Supervisor (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 OLAF.