

PRIVACY NOTICE FOR

MONITORING, INVESTIGATIVE, AUDITING AND CONSULTATIVE ACTIVITIES
OF THE DPO

1. DESCRIPTION OF THE PROCESSING OPERATION

The OLAF Data Protection Officer may collect and uses your personal information where strictly necessary for the following monitoring, investigative, auditing and consultative activities:

(a) to inform and advise the controller and OLAF staff, who carry out processing, of their obligations pursuant to Regulation (EU) 2018/1725 and other Union data protection provisions;

(b) to ensure in an independent manner the internal application of Regulation (EU) 2018/1725; to monitor compliance with this Regulation, with other applicable Union law containing data protection provisions and with the policies of the controller or processor in relation to the protection of personal data, including the assignment of responsibilities, the raising of awareness and training of staff involved in processing operations, and the related audits;

(c) to ensure that data subjects are informed of their rights and obligations pursuant to Regulation (EU) 2018/1725, and that their rights and freedoms are not adversely affected by processing operations; this includes to provide replies to individual requests.

(d) to provide advice where requested, in particular as regards personal data breaches, data protection impact assessments, and prior consultation of the European Data Protection Supervisor;

(e) to provide advice when consulted by the controller and the processor, by the staff committee concerned and by any individual on any matter concerning the interpretation or application of Regulation (EU) 2018/1725, without them going through the official channels;

(f) to investigate (either on his own initiative or at the request of the controller or the processor, the staff committee concerned or any individual) matters and occurrences directly relating to his tasks which come to his notice, and report back to the person who commissioned the investigation or to the controller or the processor;

(g) to make recommendations to the controller and the processor for the practical improvement of data protection and advise them on matters concerning the application of data protection provisions;

(h) to respond to requests from the European Data Protection Supervisor; within the sphere of his competence, to cooperate and consult with the European Data Protection Supervisor at the latter's request (e.g. in relation to complaints transmitted or inspections launched by the latter) or on his own initiative.

Your personal data will not be used for an automated decision-making including profiling.

The controller of this processing operation is the Data Protection Office.

2. LEGAL BASIS FOR THE PROCESSING

The legal basis for this processing is Article 5 paragraph (a) of Regulation (EU) 2018/1725 in conjunction with Article 45(2) of the Regulation 2018/1725.

3. CATEGORIES OF PERSONAL DATA COLLECTED

In order to carry out this processing operation the Data protection office collects identification and contact data, and information allowing to perform the activity as described.

Some of the data are directly provided by the data subjects on voluntary basis. Data can also originate from other sources including, where relevant, OLAF casefiles.

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

In addition to the OLAF Data protection office, the following persons potentially and, as appropriate and applicable, may have access: competent OLAF staff, delegated controllers, controllers, the EDPS.

The information is disclosed on a need to know basis only, to persons responsible for a follow up action brought by the applicant.

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?

Depending on the nature of the situation, your personal data will be kept as follows:

- Correspondence with individuals on data protection related matters non-related to an OLAF investigation will be kept for a maximum of 2 years and then deleted;

- Where the DPO conducted an investigation data may be stored for a maximum of five years after it has been completed, unless they form part of OLAF's investigation file and will be stored for a maximum of 15 years.
- Where another service is identified as competent, your information will be transmitted and no copy kept.
- Non-relevant correspondence will be deleted after a maximum of 6 months.

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.

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.

The controller may apply exceptions or restrictions in accordance with Regulation (EU) 2018/1725 and restrictions based on Article 25 thereof in accordance with the relevant 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.