

## **PRIVACY NOTICE FOR EVALUATION OF THE COMMISSION ANTI-FRAUD STRATEGY**

### **1. DESCRIPTION OF THE PROCESSING OPERATION**

The evaluation aims at assessing the implementation of the Commission Anti-Fraud Strategy (CAFS) (COM(2011) 376 final ). The CAFS intends to provide a coherent framework for the prevention, detection, investigation and reparation of fraud at the level of the European Commission and for the good functioning of the Commission Services in their management responsibilities relating to the protection of the financial interests of the European Union.

In line with the Commission Communication on Better Regulation for better results (COM(2015) 215 final), the evaluation will check the progress achieved since 2011 against the objectives of the CAFS, taking into account developments in terms of EU policies (particularly in response to recent socio-economic and financial challenges and new policy priorities at EU level) and corresponding fraud risks as well as emerging fraud patterns. The evaluation results will serve as a basis for the assessment of the extent to which the CAFS needs to be updated.

The evaluation will entail both an online survey and personal or group interviews of internal stakeholders (staff of Commission services and executive agencies as well as of the External Action Service (EEAS)) exclusively.

The evaluation will be conducted by staff of OLAF, Directorate D, Unit D.2, with some support from other members of the Directorate. Contributors for the survey will not be identified by the evaluator, unless the contributor opts in to disclose their identity. The link to the survey will be disseminated within the internal stakeholder services and agencies via the Commission's Fraud Prevention and Detection Network (FPDNet). For the interviews, the services identified as particular stakeholders will be contacted for arrangements, without pre-selection of individual data subjects for this purpose by the evaluator.

The Commission's Fraud Prevention and Detection Network (FPDNet), which is composed of representatives of all Commission services and executive agencies as well as the EEAS, will act as Inter-service Steering Group for the evaluation. It will facilitate the work and validate deliverables of the evaluator and play an important role in relation to quality control of the evaluation.

The data will be processed for the purposes of the evaluation without prejudice to its possible transmission to the bodies charged with monitoring or inspection tasks in application of Union law.

The processing of your data will not be used for an automated decision making, including profiling.

## **2. LEGAL BASIS FOR THE PROCESSING**

The legal basis for this processing is Article 5 paragraph 1 point (a) of Regulation (EU) 2018/1825<sup>1</sup>.

The legal basis for the evaluation is Article 325 of the Treaty on the Functioning of the European Union in combination with the institutions' administrative autonomy<sup>2</sup>.

## **3. CATEGORIES OF PERSONAL DATA COLLECTED**

In order to carry out this processing operation OLAF collects the following categories of personal data from the data subjects participating in interviews or surveys: name of the organisation (service/agency/directorate/unit, if applicable), job and/or task of the contributor, name and e-mail of the contributor (if opted in in the context of the survey), and replies to the interviews and surveys.

The provision of the personal data is not mandatory.

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

OLAF staff responsible for carrying out this processing operation has access to your personal data. No individual raw data will be shared with other third parties, including members of the Commission's Inter-Service Steering Group.

No personal identification data, notably no name and email address of contributors to the survey, will be disclosed to any third party within or outside the EU/EEA.

The collected data will be analysed and exploited by competent OLAF staff, and the results (aggregated quantitative data and end results of analysis of qualitative data) will be used by

- Members of the Commission's Inter-Service Steering Group (FPDNet)
- OLAF competent staff

The personal data collected for the evaluation will not be transmitted to any other recipients.

## **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?**

Your personal data may be retained by OLAF until the results of the consultation have been completely analysed and exploited, no longer than 5 years.

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<sup>1</sup> 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39.

<sup>2</sup> A principle of Union law developed through case law, e.g. Judgment of the European Court of Justice of 15.9.1981 in Case 208/80, Lord Bruce of Donington, paragraph 17.

## **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 also 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](mailto: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.

Exceptions based on Regulation (EU) 2018/1725 may apply.

## **8. CONTACT DETAILS OF THE DATA PROTECTION OFFICER**

You may contact the Data Protection Officer of OLAF ([OLAF-FMB-DPO@ec.europa.eu](mailto: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](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 OLAF.