

**PRIVACY NOTICE FOR
PROCESSING OF REQUESTS AND COMPLAINTS
UNDER ARTICLE 90 A OF THE STAFF REGULATIONS**

1. DESCRIPTION OF THE PROCESSING OPERATION

The Controller of this processing operation in OLAF is OLAF C.4: Legal Advice Unit.

The processing of personal data in relation to requests and complaints under Article 90a of the Staff Regulations consists of preparing a file with OLAF's analysis to the European Commission's Legal Service where necessary. On receipt of any advice from the Legal Service, OLAF prepares a response to the complainant. OLAF maintains files of complaints and related documentation. The processing of your data will not be used for any automated decision making, including profiling.

The purpose of the processing is to respond to requests and complaints under Article 90a of the Staff Regulations.

Each request and each reply is registered in the European Commission's advanced records system (ARES) (European Commission DP registry DPO-1530) or in THOR (The OLAF Registration system) (OLAF DP registry DPO-168) and in OCM (OLAF Content Management OLAF DPO-208).

2. LEGAL BASIS FOR THE PROCESSING

The legal basis for this processing is Article 90 a of the staff regulations¹.

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 information of the complainant, (name, address, e-mail, telephone, fax), professional, case involvement data, and information related to the complaint.

The data are received from the complainant and related OLAF files.

¹ *Article 90a of the staff regulations states:* " Any person to whom these Staff Regulations apply may submit to the Director of OLAF a request within the meaning of Article 90(1), asking the Director to take a decision relating to him in connection with investigations by OLAF. Such person may also submit to the Director of OLAF a complaint within the meaning of Article 90(2) against an act adversely affecting him in connection with investigations by OLAF."

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. Where further action is taken by the complainant, relevant staff of the European Commission Legal Service and other relevant Commission services, the European Ombudsman, the EDPS, the complainant's legal counsel and court personnel, as necessary, will have access.

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 for a maximum of 10 years after the response has been sent. Where relevant, data held as part of an investigation file are kept for a maximum of 15 years.

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.

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.