

**PRIVACY NOTICE FOR
PROCESSING OF COMPLAINTS RECEIVED FROM
THE EUROPEAN OMBUDSMAN**

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 complaints referred by the European Ombudsman to OLAF with related questions put by the European Ombudsman consists of preparing and sending OLAF's views and replies on any further requests for information to the European Ombudsman, following up on proposals for friendly solutions and recommendations and maintaining 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 conform to the requirements of Article 228 of the TFEU. The data are received from the European Ombudsman and from related OLAF files.

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 the processing is Article 228 of the Treaty on the Functioning of the European Union (TFEU), and the Decision of the European Parliament on the regulations and general conditions governing the performance of the Ombudsman's duties Adopted by Parliament on 9 March 1994 (OJ L 113, 4.5.1994, p. 15) and amended by its decision of 14 March 2002 deleting Articles 12 and 16 (OJ L 92, 9.4.2002, p. 13).

3. CATEGORIES OF PERSONAL DATA COLLECTED

In order to carry out this processing operation OLAF collects the following categories of personal data:

In relation to the complainant, witnesses and any other persons relevant to the complaint or any follow up action following the complaint, the personal data collected consists of identification and contact information, (name, address, e-mail, telephone, fax), professional and case involvement data, and information related to the complaint. In

exceptional circumstances these could include data which fall under Article 10 where it is relevant to the complaint.

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

OLAF staff who are responsible for dealing with complaints to the European Ombudsman, case handlers and controllers and the Director General; Staff of the European Ombudsman and where applicable, to any persons in relation to a follow up action brought about by the complainant.

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 ten years after the decision of the European Ombudsman is issued, unless they form part of OLAF's investigation file and will be stored 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.

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

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.

