

## PRIVACY NOTICE FOR OLAF INTERNAL AUDIT FUNCTION

(OLAF DPMS-\_\_)

### 1. DESCRIPTION OF THE PROCESSING OPERATION

The mission of the Internal Audit Function (IAF) is to provide independent, objective **assurance and consulting** services designed to add value and improve the operations of OLAF. The IAF helps OLAF accomplish its objectives by bringing a systematic, disciplined approach in order to evaluate and make recommendations for improving the effectiveness of risk management, control, and governance processes and acts as controller of the present processing operation. **Assurance** is an objective examination of evidence for the purpose of providing an independent assessment of the effectiveness of risk management, control and governance processes which fall under the scope of the Director-General's independence in the execution of his duties with respect to investigations as described by article 17 of Regulation 883/2013 and articles 3, 5 and 6 of Commission Decision 1999/352. Assurance includes processes directly linked to OLAF investigative activity as well as support and other processes which have an impact on the performance of this activity. **Consulting** services are advisory and management-requested activities, the nature and scope of which are agreed with the Director-General and which are intended to add value and improve OLAF's governance, risk management and control processes, without the internal auditor assuming management responsibility.

The IAF adheres to the mandatory guidance including the Definition of Internal Auditing, the Code of Ethics, and the International Standards for the Professional Practice of Internal Auditing as drawn up by the Institute of Internal Auditors. Such professional standards and the Code of Ethics are applied in accordance with regulations applicable to Commission staff. In the event of discrepancies, requirements originating from EU regulations and Commission decisions take precedence.

The IAF has unrestricted access to people, systems, documents and property within OLAF, as considered necessary for the proper fulfillment of its responsibilities.

In the course of his work, the internal auditor is required to process personal data. The most frequent processing operations are the consultation, the retrieval and, in audit or consulting reports, the potential disclosure of personal data

(whenever possible, however, the reports present these data and information in an anonymous way). This list is not limitative; other operations, such as the alignment or combination of datasets, may also be relevant.

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 5.1 paragraph (a) of Regulation (EU) 2018/1725 and the Charter<sup>1</sup> of the OLAF's IAF that sets out the mission, objectives, reporting and working arrangements for the IAF in OLAF.

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

In order to carry out this processing operation the OLAF-IAF processes personal data of all staff working for OLAF and personal information recorded within information systems, databases and documents held by OLAF and within information systems and databases that OLAF has access to. The OLAF IAF may collect contact data, professional data or other categories of data depending on the scope of internal audit engagements.

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

OLAF-IAF staff responsible for carrying out this processing operation has access to your personal data.

For assurance engagements, the data collected by OLAF's IAF is used to produce an audit report which is delivered to the Director General and to the auditee (normally the Director and the Head of Unit of the service being audited, and not necessarily all individual data subjects), other relevant recipients within OLAF and, on request, to the European Court of Auditors. Copies of the audit report may be made available to persons appointed by the auditee and other recipients in EU institutions agreed by OLAF's Director General

For consulting engagements, the data collected by OLAF's IAF is used to produce the conclusions of the consulting engagement which are delivered to OLAF's Director General and other relevant recipients in OLAF. The conclusions may be made available to other recipients in EU institutions agreed by OLAF's Director General.

Your personal data will not be transferred to recipients in third countries or to international organizations in accordance with Regulation 2018/1725.

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<sup>1</sup> Ares(2018)4683014 of 12/09/2018 available at: <https://myintracomm.ec.europa.eu/DG/OLAF/legislation-policy-guidelines-tools/Planning-Reporting-Evaluation-Audit/Documents/iaf-charter.pdf>.

## **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?**

The audit reports will be kept indefinitely. This type of document is considered to be a 'document of administrative value' as defined in Article 1 of Council Regulation 1700/2003 setting out the categories of documents which would be placed in the historical archives of the European Union.

Other documents, such as audit working papers and documentation related to consulting engagements, would be kept for a maximum of 6 years after the completion of the engagement, unless an issue remained unresolved at that point, in which case the documentation on that issue would be retained as long as still needed.

## **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](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.

Depending on the scope of the internal audit engagements, the controller may apply exceptions or restrictions in accordance with the Regulation 2018/1725.

## **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.