



## Privacy Statement/ Data Protection Notice

**For the processing activity: Handling requests and complaints under Articles 29 and 168 of EDA Staff Regulations.**

This Privacy Statement provides information on the processing and the protection of your personal data and on the rights you have as a data subject.

### 1. TITLE OF THE PROCESSING ACTIVITY

**Handling requests and complaints under Articles 29 and 168 of EDA Staff Regulations**

### 2. CONTROLLER OF THE PROCESSING ACTIVITY

EUROPEAN DEFENCE AGENCY  
 EDA Human Resources Unit  
[hradmin@eda.europa.eu](mailto:hradmin@eda.europa.eu)

### 3. PURPOSE OF THE PROCESSING ACTIVITY

The purpose of this processing operation is to handle requests and complaints under Articles 29 and 168 of EDA Staff Regulations Council Decision (EU) 2016/1351 (EDA Staff regulations), or under Article 40 of Council Decision (EU) 2016/1352 (EDA SNE Rules), lodged by EDA staff members, or SNEs, or other persons to whom these Regulations apply. By processing the personal data included in those requests and complaints, EDA assesses the merits of each request or complaint for the AACC to issue a reasoned decision, in line with the legal framework of EDA.

### 4. DATA PROCESSED

*Data subject categories:*

EDA staff members, EDA Seconded National Experts, candidates to EDA vacancies, former staff members, dependents of staff members.

*Data categories processed:*

Name, surname, e-mail, address, phone number. Additional data categories necessary to assess and address the claims of the applicant or complainant according to the specific case. Data categories may include age, nationality, education, professional experience, contract type, marital status, security clearance information, annual appraisal information, leaves and absences, financial information. To the extent that processing is strictly necessary for processing the request or complaint, sensitive personal data categories may be processed, such as health data, medical certificates.

### 5. RECIPIENTS OF THE DATA

*The recipients are:*

Competent functions of the Human Resources Unit and the Legal Unit. Individual functions, on a need-to-know basis, who exercise duties relevant to the specific request or complaint and who may need to provide an assessment or opinion for the AACC to take a decision.

Court of Justice of the European Union (in case of court proceedings), European Ombudsman (in case of a complaint under Art. 228 of the Treaty on the Functioning of the European Union), European Anti-Fraud Office (OLAF, in case of an investigation), European Court of Auditors (in case of an audit) or any other Union institution, agency or body, or Member State authority to which EDA has a legal obligation to transfer the personal data concerned. Transmissions to such bodies are performed in accordance with Article 5(1)(a) and 9 of the Regulation (EU) 2018/1725.

External legal counsels, in the event that the Agency has engaged such as processors, for the provision of legal services in the context of this processing activity. The Agency may only engage external legal counsels that are accredited in EU jurisdictions and are bound by duty of professional secrecy.

#### **6. MEANS OF PROCESSING AND MEASURES OF SECURITY OF THE DATA**

Data is processed and stored in Microsoft 365 applications and hosted in the EDA tenant. EDA has implemented appropriate technical and organisational measures (firewalls, checkpoints, antivirus) to ensure a level of security appropriate to the risks represented by the processing and the nature of the personal data to be protected. Such measures have been taken in particular to prevent any unauthorised disclosure or access, accidental or unlawful destruction or accidental loss, or alteration and to prevent all others unlawful forms of processing.

Hard copies of files may be maintained in staff members' individual files, stored in secured space with restricted access.

#### **7. RIGHT OF ACCESS TO YOUR PERSONAL DATA AND OTHER RIGHTS OF THE DATA SUBJECT**

Data subjects can exercise the rights awarded to them by the Regulation (EU) 2018/1725. Data subjects have the right to request access to their personal data, the right to rectify any inaccurate or incomplete personal data, the right to request the deletion of their personal data, the right to request restriction of the processing of their personal data and the right to object to the processing. Data subjects have the right to withdraw their consent at any time, where processing is based on data subject's consent. Withdrawal of the consent does not affect the processing that took place prior to that. Data subject requests will be handled within one month of receipt of the request and in accordance with Article 14(3) of the Regulation (EU) 2018/1725.

If the data subject has any queries concerning the processing of his/her personal data, s/he may address them to the data controller at: [hadmin@eda.europa.eu](mailto:hadmin@eda.europa.eu), or to the data protection officer at: [dataprotection@eda.europa.eu](mailto:dataprotection@eda.europa.eu).

Data subject have the right to recourse to the EDPS.

#### **8. RETENTION OF THE DATA**

Personal data are stored for a period of 15 years from the date that a decision of the AACC is taken.

#### **9. LEGAL BASIS FOR THE PROCESSING OPERATION**

Processing of personal data takes place in accordance with Article 5(1)(a) and (b) of Regulation (EU) 2018/1725. Processing is:

(a) necessary for performance of tasks in the public interest attributed by EU or MS legislation. Processing is necessary to comply with the obligations of the AACC under Articles 29 and 168 of Council Decision (EU) 2016/1351 (EDA Staff regulations), as further elaborated by the EDA CE Decision 17.06 on "adopting the procedure on handling requests and complaints" and EDA CE Decision 18.14 "adopting GIPs on prevention of harassment", to establish the facts, and assess the request or complaint.

(b) necessary for compliance with legal obligation incumbent on controller (EDA). Processing is necessary to comply with the obligations of the AACC under Articles 29 and 168 of Council

Decision (EU) 2016/1351 (EDA Staff regulations), as further elaborated by the EDA CE Decision 17.06 on “adopting the procedure on handling requests and complaints” and EDA CE Decision 18.14 “adopting GIPs on prevention of harassment”, to establish the facts, assess the request or complaint and issue the decision of the AACC.

#### 10. CONTACT DPO

In case you have any questions or queries concerning data protection at the European Defence Agency, you can also contact the Data Protection Officer at [dataprotection@eda.europa.eu](mailto:dataprotection@eda.europa.eu).

#### 11. RECOURSE TO EDPS

As a data subject you have the right to have recourse at any time to the European Data Protection Supervisor (<http://www.edps.europa.eu>) at [edps@edps.europa.eu](mailto:edps@edps.europa.eu).