

EEAS PRIVACY STATEMENT

for the purpose of the processing operation

'Activity of the Mediation Service'

1. INTRODUCTION

THE PROTECTION OF YOUR PRIVACY INCLUDING YOUR PERSONAL DATA IS OF GREAT IMPORTANCE TO THE EUROPEAN EXTERNAL ACTION SERVICE (EEAS), THEREBY REFLECTING THE PROVISIONS OF THE CHARTER ON FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION, AND IN PARTICULAR ITS ART. 8. THE PRESENT PRIVACY STATEMENT DESCRIBES WHICH MEASURES ARE TAKEN IN ORDER TO PROTECT YOUR PERSONAL DATA WITH REGARD TO THE ACTION INVOLVING THE PRESENT DATA PROCESSING OPERATION AND WHAT RIGHTS YOU HAVE AS A DATA SUBJECT. YOUR PERSONAL DATA ARE PROCESSED IN ACCORDANCE WITH REGULATION (EC) 45/2001 *ON THE PROTECTION OF INDIVIDUALS WITH REGARD TO THE PROCESSING OF PERSONAL DATA BY THE COMMUNITY INSTITUTIONS AND BODIES AND ON THE FREE MOVEMENT OF SUCH DATA*, AS IMPLEMENTED IN THE EEAS BY DECISION OF THE HIGH REPRESENTATIVE OF THE UNION FOR FOREIGN AFFAIRS AND SECURITY POLICY OF 8 DECEMBER 2011. ALL DATA OF A PERSONAL NATURE - NAMELY DATA WHICH CAN IDENTIFY YOU DIRECTLY OR INDIRECTLY - WHICH YOU PROVIDE TO THE EEAS WILL BE HANDLED WITH THE NECESSARY CARE.

2. PURPOSE OF THE PROCESSING OPERATION

The purpose of the present processing operation is to help overcome, in individual cases, any difficulty that may arise in the context of working relations or concerning the rights and obligations of staff. This includes disputes on rights and obligations, relational problems at work and cases where an affront to the dignity of the person is alleged in the context of work.

3. DATA PROCESSED

The data which will be processed for that purpose refer to administrative files on cases, that contain information on the following:

- name, first name, age, gender;
- department;
- grade;
- contact addresses, telephone, e-mail;
- the date on which the person contacted the Service;
- nature of the problem (statutory rights and obligations/relational conflict);
- type of intervention (advice, action, mediation);
- case history and transfers recorded in the database;
- the departments contacted;
- the solutions put forward and the results yielded by mediation;
- messages, e-mails and all other paper or electronic documents on the case in question sent or received by the members of the Mediation Service.

Depending on the circumstances of the case, special categories of data pursuant to Article 10 of the Regulation, i.e. data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs or trade-union membership or data concerning health or sex life, may be processed.

The processing of these sensitive data pursuant to Art. 10(2)(a) of the Regulation is subject to the express consent of the individual concerned.

4. CONTROLLER OF THE PROCESSING OPERATION

The controller¹ responsible for the processing operation is the EEAS Mediator.

5. RECIPIENTS OF THE DATA

The recipient of your data is the EEAS's Mediation Service.

The Mediation Service may decide, in order to fulfil its mediation mandate, to transmit certain data to other entities of the EEAS (the EEAS departments responsible for dealing with the file or the complaint; or the persons who have been complained about) or to services responsible for Commission staff in delegations.

Only the parts of the file and data required to help solving the problem are transferred and only with your consent.

The information in question will not be communicated to any other third parties.

¹ The controller is the organisational entity which determines the purpose and means of the processing of personal data.

6. PROVISION, ACCESS AND RECTIFICATION OF THE DATA

You have the right to access your personal data and the right to correct any inaccurate or incomplete personal data, as well as to request the removal of your personal data.

The EEAS will respond within 15 working days, in accordance with the administrative code of good conduct, to any request and if it is considered justified the relevant correction or deletion will be performed within one calendar month. The Mediation Service will support any request to which its activities are associated.

The processing of data can be partially covered by Article 20[(1)] (a) and (c) of the Regulation.

If you have any queries concerning the processing of your personal data, you may address them to the data controller at the following functional mailbox: EEAS MEDIATOR (EEAS-MEDIATOR@eeas.europa.eu)

7. LEGAL BASIS

Legal basis

Mandate of the EEAS Mediation Service of 25 October 2012.

Commission Decision of 26 April 2006, on the European Commission policy on protecting the dignity of the person and preventing psychological harassment and sexual harassment, made applicable to the EEAS by the Decision of the Chief Operating Officer of 29 November 2011 to extend the application of certain Commission rules developing the provisions of the Staff Regulations and of the Conditions of Employment of Other Servants to the EEAS.

Lawfulness of processing

According to Article 5(a) of Regulation (EC) No 45/2001, processing must be «*necessary for the performance of a task carried out in the public interest on the basis of the Treaties establishing the European Communities or other legal instruments adopted on the basis thereof or in the legitimate exercise of official authority vested in the Community institution*».

The mediation procedure is part of a policy based on prevention and on the reintegration and management of staff, which constitutes performance of a task carried out in the public interest on the basis of legislative acts adopted on the basis of the Treaties establishing the European Union and in the legitimate exercise of official authority vested in the EU institution.

Good administrative practices in the framework of the Treaty of Lisbon and the Council Decision of 26 July 2010 establishing the organisation and functioning of the European External Action Service (2010/427/EU) available on http://www.eeas.europa.eu/background/docs/eeas_decision_en.pdf

8. TIME LIMIT FOR STORING DATA

Your data will be retained for a maximum period of five years after the closure of the case.

Your personal data will be automatically removed at the end of this period.

9. CONTACT

In case you have questions related to the protection of your personal data, you can also contact the EEAS' Data Protection Office at data-protection@eeas.europa.eu.

10. RECOURSE

You have at any time the right of recourse to the European Data Protection Supervisor at edps@edps.europa.eu.