

EEAS PRIVACY STATEMENT - DATA PROTECTION NOTICE

FOR THE PURPOSE OF PROCESSING PERSONAL DATA RELATED TO EVACUATION OF EU EXPATRIATE STAFF AND DEPENDANTS ON MEDICAL GROUNDS BY THE EEAS (HQ AND/OR EU DELEGATIONS)

1. INTRODUCTION

The protection of your personal data and privacy is of great importance to the European External Action Service (EEAS), including the Delegations of the European Union. You have the right under EU law to be informed when your personal data is processed [e.g. collected, used, stored] as well as about the purpose and details of that processing.

When handling personal data, we respect the principles of the Charter of Fundamental Rights of the European Union, and in particular Article 8 on data protection. Your personal data are processed in accordance with Regulation (EU) 2018/1725 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, aligned with Regulation (EU) 2016/679, the General Data Protection Regulation. In this privacy statement you find information about how the EEAS and EU Delegations process your personal data and what rights you have as a data subject.

2. PURPOSE OF DATA PROCESSING: Why do we process your data?

The purpose of the data processing operation is to manage and follow up the process of authorisation of evacuation on medical grounds.

Description

Extreme emergency evacuation

The authorisation for the evacuation has to be done by the EEAS Authorising Officer by Sub-delegation (AOSD), RM.01 on advice from the EEAS Medical Service. However, if the situation does not allow for these contacts to happen in a timely manner, life saving measures have priority over procedures. In such cases the decision of the EU Delegation management can be authorised ex-post by the EEAS AOSD.

Emergency evacuation

The authorisation can only be made exclusively by the EEAS Authorising Officer by Sub-delegation (AOSD) RM.01 on advice from the EEAS Medical Service. In this vast majority of cases there is ample time to contact the EEAS Medical Service. The Medical Service provides an opinion to the Authorising Officer by Sub-delegation, RM.01.

- 1) RM.01 issues a note authorising the evacuation, where possible including the duration and the class of travel;
- 2) The official concerned provides supporting documents and reimbursement claim to the local administration and BA.HR.3 validates the request for reimbursements to the staff member.

WORKFLOW process

- **Phase 1 (situation / evacuation request)**
 - Staff-member or HoA contacts the EEAS Medical Service by mail or phone
 - EEAS medical Service requests medical information by email

Request for a medical evacuation

When requesting a medical evacuation, please provide the following data to this functional mailbox!

1. **Name of person** that should be evacuated
3. Personal number of staff member
4. **Name of cities** from and to which the person should be evacuated
5. **Date of the evacuation** and (estimated) return date
6. Name of accompanying person and relation to person to be evacuated (if needed)
7. **Medical report**
 - **Phase 2 (assessment)**
 - the Medical Service assesses the medical report and provides an opinion to the Head of RM.01 Division, after possibly having contacted the local doctor or hospital; The medical report is stored (see Storage).
 - **Phase 3 (Approval/Refusal)**
 - RM.01 issues an ARES note authorising the evacuation,
 - Approval: Name, first name, reference number EUDEL, the place of evacuation, where possible the duration and the class of travel;
 - Refusal: Name, first name, reference number, EUDEL
 - Local administration may organise and directly pay travel arrangements;
 - **Phase 4 (Post medical evacuation/ reimbursement)**
 - the official concerned provides supporting documents and reimbursement claim to the local administration.
 - once the Ares note authorising the evacuation has been sent, assigned staff in charge of the reimbursements of medical evacuation costs is informed about the decision.

The advisory authority for medical evacuation has been transferred as of 1 Nov 2017 from the Medical Service of the European Commission to the EEAS Medical Service. The EEAS in cooperation with the EU Delegations continues to be the Data Controller. In case an evacuation is declined the relevant staff members of the EU Delegation, including the Head of Delegation, the Head of Administration, and in Headquarters designated staff of EEAS. The Head of RM.01 Division and the EEAS Medical Service are informed of the decision. The difference in the content compared to an authorised evacuation is the categories of personal data processed. In case of refusal the following personal data are processed in the (ARES) note: - Name, reference number - EUDEL.

3. DATA PROCESSED: What data do we process?

The data, including personal data, which may be processed for that purpose are the following:

Data (category or type of data) processed are the following:

- Personal Data in the positive authorisation decision sent via ARES (name forename, evacuation beginning and end date, reference number place of evacuation, date) of expatriate staff in EU delegations or their entitled dependants
- Personal Data in the negative authorisation decision sent via ARES (name forename, reference number)
- Personal Medical Data remaining in the medical file (name forename, address, date of birth, medical report, diagnosis, treatment, X-Rays, results of other complementary exams, doctor's prescription, sickness leave) of expatriate staff in EU Delegations or their entitled dependants.
- Credentials of the Practitioners occasionally

4. DATA CONTROLLER: Who is entrusted with processing your data?

The data controller determining the purpose and the means of the processing activity is the European External Action Service (EEAS). The EEAS Division entrusted with managing the personal data processing under the supervision of the Head of Division is the following organisational entity:

EEAS Coordination Division – Medical Service RM.01.SEC2

5. RECIPIENTS OF THE PERSONAL DATA: Who has access to your data?

The recipients of your data may be

- Headquarters: Assigned staff of Medical Service EEAS.RM.01.SEC2 (Head of Division, EEAS Medical Service)
- EU Delegations: Head of Delegation, Head of Administration and other designated staff dealing with the evacuation and the reimbursement of transport costs - on need-to-know basis
- Assigned staff in charge of handling reimbursements of medical evacuations (with access to the functional mailbox: MEDICAL-BUDGET@eeas.europa.eu)
- Eventual Data Transfer to Third Countries or International Organisations:

Information may be shared between the EEAS Medical Service and the provider for air-ambulance (currently Falck Group Global Assistance - Medical Services www.falck.com).

Data may only be transferred to the service provider in case of urgency and in order to ensure a safe evacuation.

The third country transfers, when relevant are covered by the derogation under Article 50(1)(f) of Regulation (EU) 2018/1725, as these transfers are necessary in order to protect the vital interests of the data subjects. The EEAS intends to restrict the amount of the data transferred to what is necessary for ensuring appropriate care and adequate level of protection of personal data during transit.

In case of international transfers appropriate safeguards are ensured in accordance. The given information will not be communicated to third parties, except where necessary for the purposes outlined above.

6. ACCESS, RECTIFICATION AND ERASURE OF DATA: What rights do you have?

You have the right of access to your personal data and the right to correct your inaccurate or incomplete personal data, taking into account the purpose of the processing. The right of rectification can only apply to factual data processed. Under certain conditions, you have the right to ask the deletion of your personal data or restrict their use as well as to object at any time to the processing of your personal data on grounds relating to your particular situation. We will consider your request, take a decision and communicate it to you without undue delay and in any event within one month of receipt of the request. That period may be extended by two further months where necessary. For more detailed legal references, you can find information in Articles 14 to 21, 23 and 24 of Regulation (EU) 2018/1725. In specific cases, restrictions under Article 25 of the Regulation may apply. If you wish to exercise your rights or have questions concerning the processing of your personal data, you may address them to the Data Controller via the functional mailbox:

MEDICAL-SERVICE@eeas.europa.eu

7. LEGAL BASIS: On what grounds do we collect your data?

Lawfulness: The processing of your personal data is necessary for the performance of a task carried out by the European External Action Service in the public interest, in particular for the management and functioning of the EEAS [Article 5(1)(a) of Regulation (EU) 2018/1725] as referred to in Recital 22 thereof.

Legal reference:

- Article 24 of Annex X to the Staff Regulations

The procedure is described and available in the EU Delegation Guide

Further legal reference:

[Council Decision of 26 July 2010 establishing the organisation and functioning of the EEAS \(2010/427/EU\)](#), OJ L201, 3/8/2010, p. 30.

8. TIME LIMIT & DATA SECURITY: for what period and how securely do we process your data?

Storage period

- The authorisation note is kept for 10 years in alignment with the Common Commission-Level Retention List for European Commission Files (CRL). Medical files are kept also in accordance with CRL policy.
- Personal data may be kept for information and historical, statistical or scientific purposes for a longer period of time including the publication on the EEAS/EU Delegation website and on the EEAS Intranet with appropriate safeguards in place. Archiving shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of individuals. Reports and other material containing personal data are archived according to e-Domec policy.
- In case of an incident, event or enquiry by authorities, data subjects or other concerned individuals' personal data will be preserved as long as the legal claims arising from the investigations expire or any follow-up action is due. This includes pending cases, appeals and court judgments to allow for the exhaustion of all appeal and other channels of legal remedies. In any case, personal data will not be kept longer than 5 years after the judgment on the pending case is final.
- When appropriate, personal data contained in supporting documents should be deleted where possible, if that data is not necessary for audit, inspection or other control purposes.

Security of data

Appropriate organisational and technical measures are ensured according to Article 33 of Reg. (EU) 2018/1725. The collected personal data are stored on servers that abide by pertinent security rules. Data is processed by assigned staff members. Access to specific files requires authorisation. Measures are provided to prevent unauthorised entities from access, alteration, deletion, disclosure of data. General access to personal data is only possible to recipients with a UserID/Password. Physical copies of personal data are stored in a properly secured manner.

9. EEAS DATA PROTECTION OFFICER: Any questions to the DPO?

If you have enquiries you can also contact the EEAS Data Protection Officer at data-protection@eeas.europa.eu.

10. RECOURSE

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