



PRIVACY STATEMENT REGARDING THE MANAGEMENT OF EUROPEAN COMMISSION BADGES (“LAISSEZ-PASSER”) AT THE EUROPEAN INSTITUTE OF INNOVATION AND TECHNOLOGY

This privacy statement provides information on the processing of personal data of EIT staff carried out by the European Institute of Innovation and Technology within the framework of the management of European Commission badges.

The processing of personal data follows the provisions of Regulation (EU) 2018/1725¹ of the European Parliament and of the Council of 23 October 2018 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (hereinafter “Regulation”).

What is personal data and what is a personal data processing operation?

Personal data shall mean any information relating to an identified or identifiable natural person (‘data subject’). An identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Processing means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automatic means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Who are the data subjects?

The data subjects are the EIT staff members who in active service, directly employed by the EIT as temporary agent or contract agent and who request the European Commission (EC) badge (“Laissez-passer”), and to some extent, the Local Security Officer (LSO) of the EIT.

Who is the controller of the data processing?

The data controller is the Head of Services and Finance Unit.

Directorate-General HR and Security (DG HR) of the European Commission acts as processor of the personal data.

¹ OJ L 295, 21.11.2018, p. 39–98



What is the purpose of the personal data processing?

The purpose of processing personal data is to be able to issue an EC badge by DG HR to the data subject. The access to Commission premises is granted on a need-to-access basis only.

This means that every EIT staff member requesting access to Commission premises must have a valid reason if such access is to be granted. Such reasons and needs may be but are not limited to:

- professional activities in direct relation to Commission activities that require daily or regular access to Commission premises, such as policy or operational work;
- professional activities in indirect relation to Commission activities that require daily, regular, occasional or interim access to Commission premises, such as maintenance works, catering or any other Commission contract-based services on Commission premises;
- an invitation from Commission services, authorised Commission staff members or other duly authorised EU bodies to participate in conferences or meetings on Commission premises on an occasional basis;
- educational, cultural or other events, visits or meetings on an occasional basis organised by the Commission on its premises;
- occasional access to Commission premises for administrative matters.

Therefore, EC badges are issued to EIT staff members who conduct professional or administrative activities in direct or indirect relation to the Commission or EU policies. The layout of the EC badge varies from one EU institution or body to the other.

As an initial step, the data subject fills and signs a form which is then approved by the Local Security Officer and DG HR as well. One copy of the form remains in the possession of the LSO. The costs of producing a badge is invoiced by DG HR to the EIT.

The data processing operations include the collection, storage, consultation, use, disclosure by transmission, erasure and destruction of personal data.

What types of personal data are processed?

The following types of personal data are processed for the above-mentioned purposes in accordance with the Regulation:

1) Application form:

Title: M, Mrs, Ms, last name, first name, family name, birth date, nationality, personal number,
status: seconded official, contract agent, temporary agent,
contract type: permanent contract, fixed-term contract (end date),
signatures of the LSO and the data subject

2) EC badge: personal number, picture of the person, M, Mrs, Ms, last name, first name, family name.



Who has access to the personal data of data subjects and to whom can they be disclosed?

Within the EIT:

The personal data of the data subject is processed by the Local Security Officer, the Head of Services and Finance Unit (data controller), the EIT Director and Directorate staff have access to the personal data. Access will be given to the Internal Auditor of the EIT by request if necessary for the performance of the duties of the Internal Auditor.

Within the Commission and other EU institutions/bodies/agencies:

The EIT signed an Service Level Agreement (SLA) with DG HR of the Commission which acts as processor in the data processing operation. DG HR's privacy statement on physical access control systems is available under the following link:

https://ec.europa.eu/info/sites/default/files/privacy_statement_physical_access_control_system_pacs_en.pdf

The authorised staff that may have access to relevant personal data for audit control or investigation purposes: Court of Auditors, Internal Audit Service of the European Commission, European Anti-Fraud Office (OLAF).

Access to the personal data may be granted also to the European Ombudsman and the European Data Protection Supervisor upon request, the General Court and the European Court of Justice to the extent necessary for handling the review procedure and litigation.

Third parties subject to the GDPR² and third parties not subject to the GDPR

None.

How long do we keep your data?

The EIT only keeps personal data until the EC badge is valid, but maximum for *7 years* after the termination of the data subject's employment.

What are the rights of the data subject?

In accordance with Articles 15, 17, 18, 19 of the Data Protection Regulation of European Institutions the data subjects have the **right for information**, the **right of access**, the **right of rectification** in case their personal data is not complete or not accurate and the **right to erasure** ("right to be forgotten").

The data subjects have the right to obtain the **erasure** of their personal data in accordance with Article 19 of the Regulation and in particular in the cases when the personal data are no longer necessary in relation to the

² Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation, OJ L 119, 4.5.2016, p. 1–88)



purposes for which they were collected, if the data subject withdraws its consent, or in case of unlawful processing.

Data subjects have also the **right to restriction** of processing of personal data in accordance with Article 20 of the Regulation, and the **right to object** on grounds listed in Article 23 of the Regulation.

The rights can be only exercised by sending a request in a written form to the EIT-Buildingmanagement@eit.europa.eu. As a general rule, the requests for information, access, rectification, erasure restriction are handled without undue delay and in any event within one month of receipt of the request; this period may be extended by further two months where necessary, taking into account the complexity and number of requests. In case the data subject contests the accuracy of the data, upon request, the data is restricted immediately for the period of verification of the accuracy of the data, not exceeding one month.

Restrictions to the rights of data subjects may be applied by the EIT, in accordance with Article 25 of the Data Protection Regulation of the European institutions and the EIT internal rules on restrictions³.

Who should be contacted in case of queries or complaints?

You have the right of recourse at any time to the EIT's Data Protection Officer (EIT-DPO@eit.europa.eu) and to the European Data Protection Supervisor (EDPS@edps.europa.eu) or contact the site: <http://www.edps.europa.eu/EDPSWEB/>.

Legal basis of the processing operation

General legal basis:

Regulation (EU) 2021/819⁴ of the European Parliament and of the Council of 20 May 2021 on the European Institute of Innovation and Technology (recast)

Specific EIT legal basis:

Service Level Agreement (SLA)⁵ between the Services of the European Commission and the EIT) and in particular its APPENDIX DS: "HR DS - Building, Staff and Information Security Policy"

Grounds for lawfulness

In line with Article 5(a) of Regulation No. (EU) 2018/1725, the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the EIT.

³ Currently under adoption. The final version will be published at the following link: <https://eit.europa.eu/who-we-are/legal-framework/data-protection>

⁴ OJ L 189, 28.5.2021, p. 61–90

⁵ Ref. Ares(2017)5837739, signed by the EIT on 22 January 2018.