

Privacy statement on the administration and management of missions of the staff members of the European Institute of Innovation and Technology (EIT)

This privacy statement provides information relating to the processing of personal data of EIT staff carried out by the European Institute of Innovation and Technology within the framework of missions.

The processing of personal data follows the provisions of Regulation (EU) 2018/1725 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 “the 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, and 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 temporary and contract agents of the EIT (in exceptional cases, interims and trainees may also go on mission, therefore their personal data are also processed to a limited extent).

Who is the controller of the data processing?

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

What is the purpose of the personal data processing?

The purpose of processing personal data is the administration and management of missions.

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

The EIT uses two software applications to organise and manage missions:

- The first one is a mission management software: until 30 June 2020, MIMA¹ was applied, then MIPS replaced it.
- The other one is an online booking software (called NEO) of an external service provider² of the European Commission: available for the data subjects after 30 June 2020 (personal data of the data subjects have been stored in NEO since 1 April 2020).

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. By the EIT (data controller) and the Commission (PMO and DG DIGIT, as processor):
 - a. Name,
 - b. entity/unit, job ID, statutory link, login,
 - c. office email address,
 - d. office phone number,
 - e. place of employment,
 - f. place(s) of mission,
 - g. expected times of departure and return to the place of employment,
 - h. organiser and other participants of the meeting/event in which the data subject participates,
 - i. means of transport used,
 - j. name of hotel,
 - k. bill(s) – (eventually including address of residence, name of the partner in case mission performer is not travelling alone),
 - l. start and end times of professional commitments at the place of mission,
 - m. bank account number,
 - n. budget heading to which the mission will be charged,
 - o. MIPS mission number and confirmation number generated at the time of signature of the mission order for approval by the authorising officer.

2. By Global Business Travel B.V.B.A (via NEO) as processor. Missions can be organised without the use of NEO as well which means that data subjects are not obliged to use it for the booking. For further information please see their privacy statement: <https://privacy.amexgbt.com/statement>

Furthermore, they process the mission number and the agency check number as well.

¹ Access to MIMA will be completely closed at the end of 2021.

² Currently it is the Global Business Travel B.V.B.A (or “AMEX”).

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 EIT authorised staff: currently the staff working in the Finance and Budget Section, the Head of Services and Finance Unit and the Head of Unit of the data subject.

Access will be given to the Head of Internal Audit Capability³ of the EIT by request if necessary, for the performance of the duties of the Head of Internal Audit Capability.

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

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

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 GDPR⁴ and third parties not subject to the GDPR:

As stated above, some of the data specified above may be disclosed to an external service provider (the Global Business Travel B.V.B.A). You can find their privacy statement here: <https://privacy.amexgbt.com/statement>.

The processor is a member of a company group, which may lead to the data transfer of the data subject to countries where the Regulation and the GDPR are not applicable. In such cases it must be guaranteed that the data of the data subjects are protected in accordance with the Regulation.

The ICO (Information Commissioner's Office), which is the Data Protection Authority of the United Kingdom accepted the binding corporate rules of the company group on data protection transfer which means that the processor ensures an appropriate safeguard, according to Article 48 of the Regulation.

You can find the European principles (binding corporate rules) here: <https://www.americanexpress.com/uk/legal/european-implementing-principles.html>

³ The Internal Auditor

⁴ 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)

How long do we keep your data?

The personal data stored in MIMA will be deleted at latest at the *end of 2021*.

The personal data stored in MIPS will be retained for the period indicated in the privacy statement of the Commission (*7 years*).

Mission reports will be retained by the EIT for *5 years*.

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 to 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 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 exercised by sending a request in a written form to the EIT-missions@eit.europa.eu. The controller shall provide information on action taken on a request under Articles 17 to 24 to the data subject 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, taking into account the complexity and number of the requests. The controller shall inform the data subject of any such extension within one month of receipt of the request, together with the reasons for the delay.

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 restrictions⁵.

Who should be contacted in case of 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/>.

⁵ Currently under adoption. The final version will be published at the following link: <https://eit.europa.eu/who-we-are/legal-framework/data-protection>

Legal basis of the processing operation

General legal basis:

Regulation (EC) No 294/2008 of 11 March 2008 establishing the European Institute of Innovation and Technology⁶, as amended by Regulation of the European Parliament and of the Council No 1292/20139 of 11 December 2013⁷ (the “EIT Regulation”)

Commission Decision of 27.9.2017 on the general provisions for implementing Articles 11, 12 and 13 of Annex VII to the Staff Regulations of Officials (mission expenses) and on authorised travel (“Guide to missions and authorised travel”)⁸

Framework Contract No PM0.02/PR/2017/073 (lot 1): Lot 1: Travel agency services in connection with missions and authorised travel⁹

Specific EIT legal basis:

Decision 22/2018 of the Governing Board of the EIT on the general provisions for implementing Articles 11, 12 and 13 of Annex VII to the Staff Regulations of Officials (missions expenses) and on authorised travel¹⁰

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. The management, the accountability and transparency of the missions are part of the necessary activities of the EIT.

⁶ OJ L 97, 9.4.2008, p. 1-12

⁷ OJ L 347 20.12. 2013, p. 174-184

⁸ Brussels, 27.9.2017 C(2017) 5323 final

⁹ Ref. Ares(2018659698 – 20/12/2018)

¹⁰ 04514.EIT.2018.I.GB.WP