



EUROPEAN COMMISSION

PROTECTION OF YOUR PERSONAL DATA

This privacy statement provides information about the processing and the protection of your personal data.

Processing operation: HR – Background checks for contractor staff

Data Controller: DG HR.DS.4

Record reference: DPR-EC-00675.3

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1. Introduction

The European Commission (hereafter 'the Commission') is committed to protect your personal data and to respect your privacy. The Commission collects and further processes personal data pursuant to [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 (repealing Regulation (EC) No 45/2001).

This privacy statement explains the reason for the processing of your personal data, the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you have in relation to your personal data. It also specifies the contact details of the responsible Data Controller with whom you may exercise your rights, the Data Protection Officer and the European Data Protection Supervisor.

The information in relation to processing operation HR – Background checks for contractor staff undertaken by the Security Directorate (DG HR.DS) is presented below.

2. Why and how do we process your personal data?

Purpose of the processing operation: The purpose of processing personal data relies on the need of making an informed decision on whether to grant access to the premises, assets and IT systems of the Commission to employees of external contractors. In order to take this decision, a security verification process of such employees is carried out.

Belgian authorities and EU Institutions and Bodies (European Commission, European Parliament, European Council, Council of the European Union, European External Action Service, European Economic and Social Committee, Committee of the Regions, European Defence Agency) ('EUI') have signed in May 2019 a Memorandum of Understanding for the implementation of Security Verification's of external contractors.

The verification is at the request of European Institutions and Bodies and is granted by the Belgian National Security Authority.

Any employee of an external contractor who will be subject to a security verification will give his permission to initiate the security verification necessary to obtain a security advice. If the employee of the external contractor refuses to be subjected to a security verification, s/he may express her/his refusal by indicating it on the consent form.

The company will electronically send to the Commission the consent form and the Excel sheet. The latter will include the following data of the person(s) involved: last name, first name, function or profession, nationality, Belgian national number, ID or passport number, gender, date and place of birth, address, company, company ID number and company e-mail address.

Your personal data will not be used for an automated decision-making including profiling.

3. On what legal ground(s) do we process your personal data

The legal basis for processing data is provided by Article 5 (1) a) and b) of Regulation (EU) 2018/1725.

Therefore, we process your personal data, because:

(a) 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 Union institution or body;

(b) processing is necessary for compliance with a legal obligation to which the controller is subject

Processing according to lit (a) above refers to the Commission's task of ensuring security in the Commission as provided for by Article 22 (2) of European Commission Decision (EU, Euratom) 2015/443.

Processing by the Belgian national authorities is then carried out within the following Belgian legal and regulatory framework on security verifications:

- Act of 11 December 1998 on classification and security clearances, security certificates and security advice, its accompanying Royal Decree of 24 March 2000 and the Royal Decree of 8 May 2018 modifying the aforementioned Decree;
- Royal Decree of 8 May 2018 establishing the activity sectors and the competent administrative authorities as referred to in Article 22 quinquies, § 7,
- Royal Decree of 8 May 2018 establishing the list of data and information that can be consulted in the context of the execution of a security verification.

4. Which personal data do we collect and further process?

In order to carry out the screening procedure, the Security Directorate (DG HR.DS) collects the following categories of personal data:

- Last name and first name;
- Address;
- Function or profession;
- Nationality;
- Date and place of birth;
- Nationality;
- Belgian national number,
- ID or passport number,
- Gender
- Date and place of birth,
- Company, company ID number and company e-mail;

If you do not have a national Belgian number, a copy of your identity card or a passport will be uploaded on the platform used for the background checks at the Commission.

The provision of personal data is mandatory to meet the contractual requirement on services provided on the premises of the Commission. If you do not provide your personal data, possible consequences are refusal of access rights to buildings, assets and IT systems of the Commission.

5. How long do we keep your personal data?

The Security Directorate (DG HR.DS) only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing, namely for five years from obtaining the security advice, which constitutes the latter's maximum validity period.

6. How do we protect and safeguard your personal data?

All personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored on the servers of the European Commission. All processing operations are carried out pursuant to the [Commission Decision \(EU, Euratom\) 2017/46](#) of 10 January 2017 on the security of communication and information systems in the European Commission.

In order to protect your personal data, the Commission has put in place a number of technical and organisational measures in place. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.

7. Who has access to your personal data and to whom is it disclosed?

Access to your personal data is provided by the consent form you filled in to the Commission staff responsible for carrying out this processing operation and to authorised staff according to the “need to know” principle. Such staff abide by statutory, and when required, additional confidentiality agreements.

The data will be disclosed to the Belgian Ministry of Foreign Affairs (FPS Foreign Affairs) and the Belgian National Security Authority (NSA).

Besides, when a negative security advice is received, the Commission will inform other institutions and bodies participating in the MoU. In addition, upon request by EEAS, the Commission transfers the results received on certain external providers. This is the case of employees transferred by the Commission to EEAS through a SLA. EEAS needs to have the screening result in order to issue the badge.

The information we collect will not be given to any third party, except to the extent and for the purpose we may be required to do so by law.

8. What are your rights and how can you exercise them?

You have specific rights as a ‘data subject’ under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725, in particular the right to access, rectify or erase your personal data and the right to restrict the processing of your personal data. Where applicable, you also have the right to object to the processing or the right to data portability.

You can exercise your rights by contacting the Data Controller, or in case of conflict the Data Protection Officer. If necessary, you can also address the European Data Protection Supervisor. Their contact information is given under Heading 9 below.

Where you wish to exercise your rights in the context of one or several specific processing operations, please provide their description (i.e. their Record reference(s) as specified under Heading 10 below) in your request.

9. Contact information

- The Data Controller

If you would like to exercise your rights under Regulation (EU) 2018/1725, or if you have comments, questions or concerns, or if you would like to submit a complaint regarding the collection and use of your personal data, please feel free to contact the Data Controller, the Security Directorate (DG HR.DS) and EC-SECURITY-SCREENING@ec.europa.eu

- The Data Protection Officer (DPO) of the Commission

You may contact the Data Protection Officer (DATA-PROTECTION-OFFICER@ec.europa.eu) with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725.

- **The European Data Protection Supervisor (EDPS)**

You have the right to have recourse (i.e. you can lodge a complaint) to the European Data Protection Supervisor (edps@edps.europa.eu) if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Data Controller.

10. Where to find more detailed information?

The Commission Data Protection Officer (DPO) publishes the register of all processing operations on personal data by the Commission, which have been documented and notified to him. You may access the register via the following link: <http://ec.europa.eu/dpo-register>.

This specific processing operation has been included in the DPO's public register with the following Record reference: DPR-EC-00675.3.