



PROTECTION OF YOUR PERSONAL DATA

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

1. Introduction

The European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (hereafter, 'eu-LISA') is committed to protecting your personal data and to respecting your privacy. eu-LISA 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 regarding 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

Information, in relation to processing operations for 'Fulfilment of the security requirements for eu-LISA contractors', undertaken by the Security Unit, is presented below.

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

Personal data belonging to all the representatives of eu-LISA contractors and subcontractors that are required to perform activities on behalf of eu-LISA (*either as intramuros or extramuros*) is processed for the purpose of ensuring that they fulfil the contract security requirements, including ensuring each individual holds a personnel security clearance (PSC), or has submitted the requisite background checks (e.g.: criminal records), proven identity, and provided signed non-disclosure agreements and declarations of confidentiality.

The Security Unit coordinates with the authorised security point of contact at the contractor to ensure that proof of the above security requirements are submitted for verification for each person. The required data may be collected from the contractor, or from the relevant national security authorities, depending on the specific contractual terms that apply to you. Criminal records are also collected from the contractor when required. It is the responsibility of the contractor to ensure that the files submitted are up to date and accurate in order to meet the security requirements throughout the period of assignment to the contract.

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

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.

The specific regulations on which the processing is based include:

- Article 2, paragraph (b) of of eu-LISA founding Regulation (EU) 2018/1726
- Article 12, paragraph 7 of the Decision of Management Board no 133/2016 on security rules in eu-LISA (legal basis for processing of special categories of oersona data, i.e. criminal records, when necessary)
- Decision of Management Board no 273/2019 on the security rules for protecting EU classified information
- EC Decision no 443/2015 on security in Commission
- EC Decision no 444/2015 on the security rules for protecting EU classified information
- EC Decision no 46/2017 on the security of communication and information systems in the European Commission
- Agreement between eu-LISA and the Republic of Austria on the seat of the Backup Site of the Agency
- Operational agreement for the provision of a back-up site between the Republic of Austria and eu-LISA
- Relevant contractual agreements entered into between eu-LISA and the contractor.

Which personal data do we collect and further process?

In order to carry out this processing operation the Security Unit collects the following categories of personal data:

- Full name
- Date of birth
- Place of birth
- Citizenships
- Gender
- Dates of contract with eu-LISA
- Position, unit and sector
- Contract owner at eu-LISA
- Level of PSC needed
- PSC status
- Dates of PSC issuance and expiration
- If Criminal Records are provided
- If ID is provided
- If NDA's are provided
- Documentation related to the above is also retained and stored (PSC certificate, Criminal Records, Identity document, Non-disclosure agreement/Declaration of confidentiality)

The provision of personal data is mandatory to meet the above legal requirements to control access to the Agencies sites and systems. If individuals do not submit the required personal data, the consequences are that you will be unable to receive the security clearance required to perform expected duties under the contract. This will prevent delivery of the services via the Contractor and may be grounds for annulation of your contract with the Contractor. Your personal data is obtained via the Contractor.

4. How long do we keep your personal data?

The Security Unit only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing. Data is stored for the entire period of your involvement in the execution of eu-LISA contracts, in order to guarantee your access during the whole period of the

contract execution. Data is stored for one additional year from the moment you stop providing services to the Agency, for use in any authorised security requirements (e.g. investigations).

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

Access to your personal data is provided to eu-LISA 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.

Your personal data may also be shared with the National Security Agency of the concerned Member State, whenever they request eu-LISA to confirm the need to start a PSC process, or when the contractors/subcontractors request eu-LISA to sponsor their request to start a PSC process for their representatives, or whenever eu-LISA needs to have confirmation of the validity of PSC certificates previously issued, or for the initiation of PSC processes for those persons.

Information about your PSC status may also be shared with national authorities or other EU bodies and institutions, when proof of security clearance is required to allow you to access their premises or information for official business purposes.

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.

6. 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.

7. 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, eu-LISA Security Unit at eulisa-SECURITY@eulisa.europa.eu

- The Data Protection Officer of eu-LISA

You may contact the Data Protection Officer (dpo@eulisa.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.