



SECURITY CLEARANCE PROCEDURES

DATA PROTECTION NOTICE

Short description of the processing activity:

The overall purpose of the data processing is to determine whether a person is eligible for an authorisation to access classified information and to facilitate the vetting procedure for staff members who are required to have a security clearance. In particular, the EDPS, through the services provided by EC DG HR Security Clearance Office and the investigators from your Member State National Security Authorities (NSAs), processes your personal information to ensure that a European Union Classified Information authorisation be released only to trustworthy staff having received a clearance by the relevant NSA based on a thorough vetting procedure.

Purpose of the data protection notice and the grounds on which it is based:

We process your personal data based on 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 Text with EEA relevance.

The following information is provided as established in Articles 15 and 16 of Regulation (EU) 2018/1725.

Who is the controller?

European Data Protection Supervisor (EDPS)

Postal address: Rue Wiertz 60, B-1047 Brussels

Office address: Rue Montoyer 30, B-1000 Brussels

Telephone: +32 2 283 19 00

Email: edps@edps.europa.eu

Responsible department or role:

edps-iso@edps.europa.eu

Separate controller: NSA of the Member State of provenience of the staff member undergoing a vetting procedure. Contact details depending on the relevant NSA: please see **Annex 1** below for a list thereof.

Processor:

EC SECURITY CLEARANCE

Directorate-General Human Resources and Security

Security Directorate

Information Security Unit DS.3

+32 2 29 91551

EC-SECURITY-CLEARANCE@ec.europa.eu

Contact form for enquiries on processing of personal data to be preferably used:
<https://edps.europa.eu/node/759>.

What personal data do we process and who can access it?

We process data from all staff members of the EDPS and SNEs for which it has been decided to grant a Security authorisation to handle classified information. Data subjects involved in the processing are staff members of the EDPS and possibly members of their close family.

The categories of personal data collected, which may vary slightly from Member State to Member State based on different laws and regulations, are gathered through *ad hoc* forms and include the following:

- name, name history, date and place of birth, nationality, national identification or social security numbers
- previous and present marital status
- education
- previous and present employment
- criminal record details
- security-related activities (including details of prior security clearance, and details of any activities which could negatively affect security clearance)
- financial situation, interests and history
- past and present address and travel
- health data
- conduct which could provide grounds for pressure or improper influence
- present or past use of, and attitude towards addictive substances (such as drugs and alcohol).

A completed security clearance form may also contain information on the staff member's close family members (parents, in-laws, present and former spouses or partners and children). The categories of people covered also vary depending on which Member State is issuing the form for security clearance. The information provided in this regard contains the following:

- name, name history, date and place of birth, nationality, occupation
- financial situation, interests and history
- details of any activities which could negatively affect security clearance
- financial situation, interests and history
- past and present address and travel

These data are processed by the NSA of the Member State of provenience of the staff member. Some of them might be processed by EC Security Clearance Team within EC DG HR and Security and this depends entirely on the legislation of the single Member State.

The fact of family members having to provide data for the completeness of the vetting procedure depends entirely on Member State's legislation. To better inform family members of possible implication regarding their personal data, this data protection notice is published on the EDPS Website and is provided to the family member of the staff member upon request.

The EDPS Local Security Officer (LSO) has access to the outcome of Member States' NSAs' investigation. He will also have access to the Security Authorisation released by EDPS Supervisor or

Director on the basis of this outcome and maintains a record of the security authorisations within the institution, keeping it in a secured environment with access limited to the LSO and, in case of emergency, to the Director.

Within the EDPS, the HRBA Unit is informed and kept updated by the LSO regarding the security roles of the personnel (so-called 'sensitive posts') on the basis of an assessment conducted by each Head of unit/sector.

The information shared are:

- the names of the staff members
- their titles
- the reason for which a security clearance was granted and
- the stage of the clearance procedure (in process or finalised).

The HRBA unit is also informed in the case of a negative outcome of the vetting procedure because the failure to achieve security clearance by a staff member may result in the necessity of switching the 'sensitive post', which is indeed linked to the handling of classified information.

Access to your personal data is provided to Commission staff responsible for carrying out this procedure and to authorised staff according to the "need to know" principle. Such staff are all security cleared up to the level of SECRET UE/EU SECRET.

In the case of procedural problems, the EDPS LSO might have access to the data provided, which normally are not in his/her availability pursuant to the principle of minimisation.

The security questionnaire you fill in is transmitted via the EC Security Clearance Team within EC DG HR to the relevant NSA of your Member state of origin, whose staff will carry out materially the vetting procedure based on the personal data declared.

Where did we get your personal data?

The information is provided by the EDPS staff member to the relevant Member States' NSA through the EC Security Clearance team of HR.DS.3 acting as a coordination point, or by their close family members, when filling up the form.

Why do we process your personal data and under what legal basis?

We process your personal data because to be security authorised and have access to European union classified information you will have to be submitted to a preliminary vetting procedure from the NSA of your member state of provenience. The security authorisation from the EDPS converts the national personal security clearance (PSC) released by your Member States' NSA, attesting that you are a trustworthy and reliable person. Normally security authorisations are released to staff who might be brought to handle classified information of CONFIDENTIEL UE/ EU CONFIDENTIAL level and above.

The primary responsibility for the data processing lies within the EDPS HRBA Unit. In particular, the LSO is competent for supervising security authorisations procedures through the help of the EC Security Clearance sector of the Security Directorate in DG HR and Security of the European Commission that liaise with the NSA of Member States.

The EC Security Clearance office collects and retains personal information about staff members in a specific security clearance form issued by the staff members' home country National Security Authority. The staff members fill in the relevant forms, which are consequently forwarded to the competent National Security Authority through the EC. The results of the vetting procedures are communicated by the Member states NSAs to HR DS directly.

In case of positive opinion from the relevant NSA, the Supervisor or the Director, after receiving the information from the Clearance sector, may grant the security authorisation. The security authorisations are signed by the Supervisor or by the Director upon delegation.

In case a negative opinion is issued, the person concerned may be heard by the Supervisor and the Clearance Sector. If the Supervisor considers it necessary, he may ask the competent NSA for further clarifications. However, if the negative opinion is confirmed, the Supervisor cannot grant an authorisation.

All the aforementioned documents are kept in a file (hard copies) but also in the EC electronic database.

Each national security questionnaire is different and depends on the laws and regulations of the Member State in question.

The European Commission only checks whether the information provided is complete, before transmitting it to the competent NSAs responsible for carrying out the security investigation.

Access to basic information, such as names, surnames, date of birth and other, is only available to the LSO and the member of the Security Clearance Team at the European Commission and to the personnel of the NSAs in the different Member States.

Further personal data are accessed only by the relevant NSA.

The lawfulness is based on Article 5.1.(a) of the Regulation (EU) 2018/1725 ("processing is necessary (...) in the legitimate exercise of official authority vested in the Union institution or body"), and Article 5.1.(b) of the same Regulation ("processing is necessary for compliance with a legal obligation to which the controller is subject").

The legal bases are the following:

Art. 15-19 of the EDPS Decision of 09.03.2020 amending its rules on security for protection of EUCI, as adapted on 11.11.2022;

Service Level Agreement between the DG HR and Security and the EDPS, signed on 21.12.2017.

How long do we keep your personal data?

Copies of the outcomes of the vetting procedure are sent to the EDPS and stored by the LSO.

No copies of the filled-in forms/security questionnaires are retained by the EDPS LSO nor by the EC Clearance Sector.

Basic personal data (outcome of the vetting procedure, and data contained in the Security authorisation) will be kept by the EDPS as long as the staff member is covered by a valid security authorisation.

Physical records of the EDPS authorisation are destroyed six months after the date the security clearance is no longer deemed necessary, six months after the expiration of the validity date indicated by the NSA, or six months after the staff member has left the institution, as applicable.

The electronic file is blocked by EC security clearance team (in fact inactivated so that the LSO no longer has access to this file) when HR.DS has been notified that the person no longer needs a security clearance.

The EDPS LSO will maintain only a list of the clearances released and the original of the Security Authorisations in his record: the storage period are the ones indicated above.

What are your rights regarding your personal data?

You have the right of access to your personal data and to relevant information concerning how we use it. You have the right to rectify your personal data. Under certain conditions, you have the right to ask that we delete your personal data or restrict its use. You have the right to object to our processing of your personal data, on grounds relating to your particular situation, at any time. We will consider your request, take a decision and communicate it to you. Under certain conditions, you have the right to ask that we delete your personal data or restrict its use.

Substantiated requests should be e-mailed to the dedicated functional mailbox at edps-iso@edps.europa.eu.

You can send your request to the EDPS by post in a sealed envelope or use our contact form on the EDPS website (see section on contact details below).

How to withdraw your consent and the consequences of doing this

n/a

Automated decision-making

n/a

You have the right to lodge a complaint

If you have any remarks or complaints regarding the way we process your personal data, we invite you to contact the EDPS DPO (see section on contact details [below](#)).

You have, in any case, the right to lodge a complaint with the EDPS as a supervisory authority: https://edps.europa.eu/data-protection/our-role-supervisor/complaints_en.

Contact details for enquiries regarding your personal data

We encourage you to contact us using the EDPS contact form, selecting 'My personal data' as the relevant subject: <https://edps.europa.eu/node/759>

If you wish to contact the EDPS DPO personally, you can send an e-mail to DPO@edps.europa.eu or a letter to the EDPS postal address marked for the attention of the EDPS DPO.

EDPS postal address: European Data Protection Supervisor, Rue Wiertz 60, B-1047 Brussels, Belgium

You can also find contact information on the EDPS website: https://edps.europa.eu/about-edps/contact_en.

ANNEX 1

LIST OF NATIONAL SECURITY AUTHORITIES (NSAs)

<p>BELGIUM Autorité nationale de Sécurité SPF Affaires étrangères, Commerce extérieur et Coopération au Développement 15, rue des Petits Carmes 1000 Bruxelles Tel. Secretariat: +32 25014542 Fax +32 25014596 Email: nvo-ans@diplobel.fed.be</p>	<p>BULGARIA State Commission on Information Security 4 Kozloduy Str. 1202 Sofia Tel. +359 29333600 Fax +359 29873750 Email: dksi@government.bg Website: www.dksi.bg</p>
<p>CZECHIA Národní bezpečnostní úřad (National Security Authority) Na Popelce 2/16 150 06 Praha 56 Tel. +420 257283335 Fax +420 257283110 Email: oms@nbu.cz Website: www.nbu.cz</p>	<p>DENMARK Politiets Efterretningstjeneste (Danish Security Intelligence Service) Klausdalsbrovej 1 2860 Søborg Tel. +45 45 15 90 07 Fax +45 45 15 01 90 Forsvarets Efterretningstjeneste (Danish Defence Intelligence Service) Kuppet 30 2100 Copenhagen Ø Tel. +45 33325566 Fax +45 33931320</p>
<p>GERMANY Bundesministerium des Innern, für Bau und Heimat Section ÖS II 5 Alt-Moabit 140 D-10557 Berlin Tel. +49 30186810 Fax +49 30186811441 Email 1: OESII5@bmi.bund.de Email 2: PersGS@bmi.bund.de</p>	<p>ESTONIA National Security Authority Department Estonian Foreign Intelligence Service Rahumäe tee 4B 11316 Tallinn Tel. +372 693 9211 Fax +372 693 5001 Email: nsa@fis.gov.ee</p>
<p>IRELAND National Security Authority Department of Foreign Affairs and Trade 76 – 78 Harcourt Street Dublin 2 D02 DX45 Ireland Tel. 1: +353 1 4082842 Tel. 2: +353 1 4082724</p>	<p>GREECE Γενικό Επιτελείο Εθνικής Άμυνας (ΓΕΕΘΑ) Διεύθυνση Ασφαλείας και Αντιπληροφοριών ΣΤΓ 1020 -Χολαργός (Αθήνα) Ελλάδα Τηλ.: +30 2106572045 (ώρες γραφείου) +30 2106572009 (ώρες γραφείου) Φαξ: +30 2106536279</p>

<p>Email: nsa@dfa.ie</p>	<p>+30 2106577612 Hellenic National Defence General Staff (HNDGS) Counter Intelligence and Security Directorate (NSA) 227-231 HOLARGOS STG 1020 ATHENS Tel. +30 2106572045 +30 2106572009 Fax +30 2106536279 +30 2106577612</p>
<p>SPAIN Autoridad Nacional de Seguridad Oficina Nacional de Seguridad Calle Argentona, 30 28023 Madrid Tel. +34 913725000 Fax +34 913725808 Email: nsa-sp@areatec.com</p>	<p>FRANCE Secrétariat général de la défense et de la sécurité nationale Sous-direction Protection du secret (SGDSN/PSD) 51 Boulevard de la Tour-Maubourg 75700 Paris 07 SP Tel. +33 171758177 Fax +33 171758200</p>
<p>CROATIA Office of the National Security Council Croatian NSA Jurjevska 34 10000 Zagreb Croatia Tel. +385 14681222 Fax +385 14686049 Email: NSACroatia@uvns.hr Website: www.uvns.hr</p>	<p>ITALY Presidenza del Consiglio dei Ministri Dipartimento Informazioni per la Sicurezza (DIS) Ufficio Centrale per la Segretezza (UCSe) Via Galilei, 32 00185 Roma Tel. +39 06478601 Fax +39 064885273 Email: nsa.ita@alfa.gov.it</p>
<p>CYPRUS ΥΠΟΥΡΓΕΙΟ ΑΜΥΝΑΣ ΣΤΡΑΤΙΩΤΙΚΟ ΕΠΙΤΕΛΕΙΟ ΤΟΥ ΥΠΟΥΡΓΟΥ ΑΜΥΝΑΣ ΕΘΝΙΚΗ ΑΡΧΗ ΑΣΦΑΛΕΙΑΣ (ΕΑΑ) Υπουργείο Άμυνας Λεωφόρος Στροβόλου 172-174, 1432 Λευκωσία Ταχυδρομικός Κώδικας: 2048 Τηλεφωνα: +357 22807569, +357 22807643, +357 22807764 Τηλεομοιότυπ: +357 22302351 Ηλεκτρονικό Ταχυδρομείο: cynsa@mod.gov.cy Ministry of Defence</p>	<p>LATVIA National Security Authority Constitution Protection Bureau of the Republic of Latvia P.O.Box 286 LV-1001 Riga Tel. +371 67025418 Email: ndi@sab.gov.lv</p>

Minister's Military Staff National Security Authority (NSA) 172-174 Strovoulou Avenue, 1432 Nicosia Postal code: 2048 Tel. +357 22807569, +357 22807643, +357 22807764 Fax +357 22302351 Email: cynsa@mod.gov.cy	
LITHUANIA Lietuvos Respublikos paslapčių apsaugos koordinavimo komisija (The Commission for Secrets Protection Coordination of the Republic of Lithuania National Security Authority) Pilaitės ave. 19 LT-06264 Vilnius Tel. +370 5 706 66128 Fax +370 706 66700 Email: nsa@vsd.lt	LUXEMBOURG Autorité nationale de Sécurité Boîte postale 2379 1023 Luxembourg Tel. +352 24782210 central Tel. +352 24782253 direct Fax +352 24782243
HUNGARY Nemzeti Biztonsági Felügyelet (National Security Authority of Hungary) 1024 Budapest, Szilágyi Erzsébet fasor 11/B Postal address: 1399 Budapest, Pf. 710/50 Tel. +36-1/391-1862 Fax +36-1/391-1889 Email: nbf@nbf.hu Website: www.nbf.hu	MALTA Ministry for Home Affairs and National Security P.O. Box 146 MT-Valletta Tel. +356 21249844 Fax +356 25695321
NETHERLANDS Ministerie van Binnenlandse Zaken en Koninkrijksrelaties Postbus 20010 2500 EA Den Haag Tel. +31 703204400 Fax +31 703200733 Ministerie van Defensie Beveiligingsautoriteit Postbus 20701 2500 ES Den Haag Tel. +31 703187060 Fax +31 703187522	AUSTRIA Informationssicherheitskommission Bundeskanzleramt Ballhausplatz 2 1010 Wien Tel. +43 1 53115 202594 Fax +43 1 53109 202594 Email: isk@bka.gv.at
POLAND	PORTUGAL Presidência do Conselho de Ministros

<p>Agencja Bezpieczeństwa Wewnętrznego – ABW (Internal Security Agency) 2A Rakowiecka St. 00-993 Warszawa Tel. +48 225857663 Fax +48 225858509 Email: nsa@abw.gov.pl Website: www.abw.gov.pl</p>	<p>Autoridade Nacional de Segurança Rua da Junqueira, 69 1300-342 Lisboa Tel. +351 213031710 Fax +351 213031711</p>
<p>ROMANIA Oficiul Registrului Național al Informațiilor Secrete de Stat – Romanian NSA – ORNISS National Registry Office for Classified Information Strada Mureș nr. 4 012275 Bucharest Tel. +40 212075114 Fax +40 212240714 Email: nsa.romania@nsa.ro Website: www.orniss.ro</p>	<p>SLOVENIA Urad Vlade RS za varovanje tajnih podatkov Šmartinska 152 1000 Ljubljana Tel. +386 147817570 Fax +386 14781399 Email: gp.uvtp@gov.si</p>
<p>SLOVAKIA Národný bezpečnostný úrad (National Security Authority) Budatínska 30 851 06 Bratislava Tel. +421 2 6869 1111 Fax +421 2 6869 1700 Email: podatelna@nbu.gov.sk Website: www.nbu.gov.sk</p>	<p>FINLAND National Security Authority Ministry for Foreign Affairs P.O. Box 453 FI-00023 Government Tel. +358 9 16055890 Email: NSA@formin.fi</p>
<p>SWEDEN Ministry for Foreign Affairs Swedish National Security Authority 103 39 Stockholm Tel. +46 8 405 10 00 Email: ud-nsa@gov.se</p>	