



European Data Protection Supervisor (EDPS) and European Data Protection Board (EDPB) Specific Privacy Statement (SPS)

Secondment Programme

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1. Introduction

This privacy statement explains how the European Data Protection Board (“EDPB”) and the European Data Protection Supervisor (“EDPS”) (together: “we”/“us”/“our”) process your personal data for the purposes of the secondment programme.

Our secondment programme allows personnel of the EDPB members and of the EDPB Secretariat to work, for a limited period of time, in a different Supervisory Authority (SA), the EDPS or the EDPB Secretariat. During a period of 14 months, the applicants can propose their desired starting date and duration of secondment which can span from minimum 2 weeks to maximum 6 months. This exercise is repeated every two years, as provided in the Joint Decision of 21 February 2024 signed by both the EDPB and the EDPS.

At a first stage, those who are interested in participating in the programme, both as secondees and as hosting bodies, are invited to express their interest. A panel selects the applicants on the basis among others of their profile, the number of expressions of interest and the matching needs of the hosting bodies. This selection panel made up of the Chair of the EDPB, the Head of the EDPS Unit on Human Resources, Budget and Administration, the Head of the EDPB Secretariat and a SA not participating in the round of the secondment programme.

Prior to their secondment, the successful applicants are invited to a two-day training in Brussels.



At the end of their secondment, secondees and hosting bodies are invited to provide feedback on their experience, which is used by the EDPB and the EDPS to produce a report on that round of secondment (“Closing Report”). Only aggregated data are used for the Closing Report.

The round of secondment is completed with the presentation of this Closing Report at a Plenary meeting of the EDPB.

Below you may find an indicative timeline of one round of secondment:



2. Who is responsible for the processing of your personal data and under which legal grounds are they processed?

The EDPB and the EDPS are joint controllers organising the secondment programme.

The European Commission (“EC”) acts as a processor by providing us with the EU Survey tool, which we may use to invite the hosting bodies, as well as those interested in applying as secondees, to express their interest. EU Survey may also be used for the submission of feedback from the hosting bodies and secondees post completion of the secondment period. Please note that in the context of the EU Survey, the EC may gather your personal data for its own purposes, in which case it is controller for that separate processing¹

The legal basis of the processing is Article 5(1)(a) and 5(2) (“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”) of Regulation (EU) 2018/1725². In particular, this task is provided in Article 70(1)(v) of Regulation (EU) 2016/679, according to which the EDPB shall “*promote common training programmes and facilitate personnel exchanges between the supervisory authorities and, where appropriate, with the supervisory authorities of third countries or with international organisations*”. In this respect, with our Joint Decision of 21 February 2024, we have agreed on the principles and conditions as to the implementation of the secondment programme.

² 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.



We may also be required to process your personal data to comply with a legal obligation to which we are subject under Article 5(1)(b) and (2) of Regulation (EU) 2018/1725. This could be, for instance, when a relevant EU body (e.g. European Court of Auditors) carries out an audit or investigation, when we handle requests for access to documents under Regulation (EC) 1049/2001³ or if you request to exercise your data subject rights under Regulation (EU) 2018/1725.

3. What personal data do we collect and for what purposes?

3.1 Processed personal data

Your personal data are processed because you are a staff member of either

- one of the SAs of the 27 EU member states,
- the SAs of Iceland, Lichtenstein or Norway,
- the EDPS, or
- the EDPB Secretariat,

and you have applied either as a secondee or you represent your employer as a hosting body.

The following personal data are processed:

a. With regard to applicants for secondment

- your names and surnames;
- contact details: your e-mail address and telephone number;
- the name of your employer;
- your preferred hosting bodies;
- your proposed duration of the secondment;
- your proposed period for the secondment;
- your knowledge in languages;
- your fields of expertise;
- your preferences / objectives regarding the working areas during the secondment;
- your CV;
- your motivation;
- specific administrative forms (such as a confirmation of approval by your employer).

b. With regard to staff members of potential hosting bodies

- your names and surnames;
- contact details: your e-mail address;
- the name of your employer.

³ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents.



c. With regard to secondees and staff members of hosting bodies

At the end of the secondment period:

- Both hosting bodies and secondees are invited to reply on a voluntary basis to a satisfaction survey where they are asked to provide feedback on their experience. We prepare a Closing Report on the basis of the feedback collected from the secondees the hosting bodies. This report contains only aggregated data;
- Secondees will be also encouraged to draft an activity report, validated by the hosting body in order to report to their employer and/or the hosting body.

3.2 Purposes of the processing

The purposes for which we process personal data are to:

- identify those bodies among the members of the EDPB and the EDPB Secretariat which volunteer to host secondees;
- identify the staff members of the EDPB members and of the EDPB Secretariat who would be interested in participating in our programme as secondees;
- determine who of these applicants will be accepted as secondees and in which hosting bodies;
- organise the two-day training in Brussels; and
- receive the feedback of secondees and hosting bodies post completion of the secondment and use such feedback for the preparation of a Closing Report, which will allow us to draw conclusions on how the programme was implemented and how it could further improve in the future.

Any processing for Human Resources purposes, i.e. for EDPS and EDPB Secretariat staff members who are accepted at the secondment programme or staff members of SAs who are accepted as secondees at the EDPS or the EDPB Secretariat, is exclusively under the responsibility of the EDPS, who is a **separate controller** in this respect.

Further, the processing of personal data required to access the building of the EDPS-EDPB or of other EU Institutions and bodies for the purposes of the training is not in the scope of the present processing.

The authentication tool used to reply via EU Survey is EU-login. This is a tool of the EC for which the EC is a separate controller⁴.

In case the selection panel meets online, personal data are processed via the video-conferencing tool. As a rule, we use WebMeeting. For more information, please consult the relevant EDPS record⁵.

⁴ For more information, please consult the relevant record of the EC, DPR-EC-03187.1, available at <https://ec.europa.eu/dpo-register/detail/DPR-EC-03187>.

⁵ https://www.edps.europa.eu/data-protection/our-work/publications/data-protection-notice-records/2024-01-03-web-audio-and-video-conferencing-solution-webmeeting-0_en



4. Are your personal data subject to any international transfers?

No personal data are subject to international transfers.

5. Who has access to your personal data and to whom are they disclosed?

Your personal data may be disclosed to the following:

- The EC, as a processor for providing the EU Survey tool;
- The Court of Justice of the European Union, where necessary;
- Members of the public in the context of requests for access to documents, where necessary; in accordance with the provisions of Regulation (EC) 1049/2001 or Council Regulation (EEC, Euratom) 354/83⁶.

6. How do we protect your personal data?

Any personal data we collect is kept in restricted access servers, available only to authorised staff through adequate IT security measures. In general, technical measures include appropriate actions to address online security, protect server hardware, software and the network from accidental or malicious manipulations and 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.

Physical access to our premises is restricted to authorised staff and EDPB members.

7. For how long do we keep your personal data?

The period during which we will keep your personal data will depend on whether or not your application is successful:

- If your application is rejected and therefore you do not join the secondment programme or your employer is not chosen as a hosting body, we will retain your personal data for 2 years following the 1st December of the year where the selection panel made its decision.
- If your application is successful and you qualify as a secondee or your employer has been chosen as a hosting body, your personal data will be kept for 2 years following the 1st December of the year when the Closing Report on the relevant round of secondment is presented at the relevant Plenary meeting of the EDPB.

Please note that if your personal data are relevant for the establishment, exercise or defence of legal claims, we will keep them for the period of the dispute, even if this is longer than the above retention periods.

At the end of the above-mentioned retention periods:

⁶ Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (“Regulation on historical archives”).



- We may need to keep certain information for statistical purposes. In this case, any data permitting the identification of the candidate will be redacted / destroyed according to Article 4(1)(e) of Regulation (EU) 2018/1725.
- If the personal data are contained in documents with historical or administrative value which are selected for preservation in our records, the selected personal data will be kept indefinitely and – unless an exemption applies – will be made public in accordance with Regulation (EEC, EURATOM) 354/83 on the opening to the public of historical archives after 30 years.

In any case, please note that shortly after the end of the deadline to submit information via EU Survey, we will extract your replies from the tool and request the EC to delete any back-up data that they may hold.

8. How can you verify, modify or delete your personal data?

As the individual to whom the personal data relate, you can exercise the following rights:

1. access to your personal data under Article 17 of Regulation (EU) 2018/1725;
2. rectify your personal data under Article 18 of Regulation (EU) 2018/1725;
3. erase your personal data under Article 19 of Regulation (EU) 2018/1725;
4. restrict the processing concerning yourself under Article 20 of Regulation (EU) 2018/1725; or
5. exercise the right to data portability under Article 22 of Regulation (EU) 2018/1725.

Please note that these rights are not absolute rights, which means that some exceptions may apply. Please also note that, in certain cases, as provided in Article 25 of Regulation (EU) 2018/1725, restrictions of data subjects' rights may apply. These rights are applied on a case-by-case basis.

In addition, you can object to the processing of your personal data under Article 23 of Regulation (EU) 2018/1725 for reasons relating to your particular situation. When you contact us to exercise this right, please explain these reasons. We will remove your personal data, unless we can demonstrate compelling legitimate grounds for the processing that override your interests, rights and freedoms.

We do not use your personal data for any automated decision-making.

To exercise your rights as a data subject, please see sections 10 and 11 below.

9. How long do you have to wait to receive our reply to your data subject rights' request?

After receiving your request, we have one month to provide information on action taken on your request. We may extend this period by two further months, taking into account the complexity and number of the requests. In those cases, we will inform you of the extension and its reasons within one month of receipt of your request.



10. Who can you contact to ask questions or exercise your rights?

In accordance with Article 28(1) of Regulation (EU) 2018/1725, we have determined that the EDPB will provide you with a contact point, thus allowing you to contact the joint controllers to ask any questions you may have or exercise your rights as a data subject by writing to us at edpb@edpb.europa.eu or via our [website's](#) contact page (selecting the option “Requests for the EDPB DPO”).

While we encourage you to contact the EDPB as the designated contact point, you may however, contact either of the joint controllers and exercise your rights as a data subject in respect of and against the EDPS⁷ and/or the EDPB.

11. Who can you contact to complain about the processing of your personal data?

We encourage you to always contact us first as described under point 10 above to raise your questions or concerns.

In any case, you remain entitled to send a complaint to the EDPS, as a supervisory authority, using the following contact information:

European Data Protection Supervisor (EDPS)

Rue Wiertz 60

B-1047 Brussels, Belgium

edps@edps.europa.eu

<https://edps.europa.eu/>

⁷ The DPO of the EDPS can be contacted at DPO@edps.europa.eu.