



Data Protection Notice for

Associate membership, learning and development services offered by the Institute of Internal Auditors for HaDEA staff members

The European Health and Digital Executive Agency (HaDEA) processes your personal data¹ in line with [Regulation \(EU\) 2018/1725 of the European Parliament and of the Council of 23 October 2018](#)² on the protection of personal data by the European Union's institutions, bodies and agencies and on the free movement of such data.

What is the purpose(s) of this processing activity?

The purposes are: to receive invitations for participation in external trainings/events and/or certifications, to participate and benefit from all activities in the context of the complementary agreement with the Institute of Internal Auditors, Belgium (IIA Belgium) – affiliated to the Institute of Internal Auditors (IIA Global) for the services offered for the HaDEA staff members by the IIA Belgium and the IIA Global³; to be an associate member and obtain a unique affiliate number, to report on continuous professional education (CPE credits); to update the list of associate members of the HaDEA staff. These are required to keep staff's IIA certification(s) or qualification(s) active (allowing them to represent themselves as a certified individual and to be listed in the IIA registry), if they have obtained a certification.

Who is the data controller?

The data controller of the processing operation is the Head of Unit C3 “Staff, Communication and Support” of the European Health and Digital Executive Agency (HaDEA).

The following **entity process** your personal data on our behalf: Institute of Internal Auditors – Belgium (IIA Belgium affiliated to the IIA Global) Koningsstraat, Rue Royale 109-111, boîte 5 - 1000 Bruxelles Tel: +32.2.219.82.82 info@iabelgium.org www.iabelgium.org Institute of Internal Auditors – Global Headquarters (IIA Global) 1035 Greenwood Blvd., Suite 401. Lake Mary, FL 32746 USA <https://www.theiia.org/>

Which personal data is collected?

In the context of an associate membership in the IIA Belgium – affiliated to the Institute of Internal Auditors (IIA Global), the following personal data may be processed:

¹ **Personal data** shall mean any information relating to an identified or identifiable natural person (‘data subject’). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an 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.

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 (OJ L295/39 of 21.11.2018).

³ Signed by the Head of Unit C.3 Staff, Communication and Support.

- contact details (such as title, name and surname, affiliation number (all individual IIA members are entered into the global membership database are assigned a unique membership number), name of organisation, country, city, address, email address, phone number, password (when members log on to the IIA website, they will be asked to create a unique password to authenticate their membership) for registration purpose;
- CPE/CPD credits (such as information on attended trainings and information on practicing to be reported by the HaDEA staff member each year) in order to maintain their certification(s), if these are obtained.

The processing of your data will **not include automated decision-making** (such as profiling).

Who has access to the personal data of data subjects and to whom can they be disclosed?

The recipients of your personal data will be:

- Within HaDEA: authorised staff, in particular HaDEA.C.3 staff in charge of learning and development and HaDEA.C.2 staff in charge of Ex-post and Internal control, which gives HaDEA staff members an opportunity to be invited and if they wish, to become an IIA Belgium – affiliated to the IIA Global associate member.
- Outside HaDEA: IIA Belgium – affiliated to the IIA Global, who administers and provides the associate membership services for the HaDEA staff members.

The privacy policy of the IIA Belgium: <https://iibelgium.org/privacy-statement/>

The privacy policy of the IIA Global: <https://www.theiia.org/en/Privacy-Policy/>

On a need-to-know basis and in compliance with the relevant current legislation, bodies charged with monitoring or inspection tasks in application of EU law (e.g. EC internal audit, Court of Auditors, European Anti-fraud Office (OLAF), the European Ombudsman, the European Data Protection Supervisor (EDPS), the European Public Prosecutor.

Your personal data are transferred to a third country outside EU/EEA for which there is no adequacy decision (The United States).

In particular, your email address for invitation purpose will be accessed and disclosed to IIA Belgium/IIA Global.

If you accept the invitation to become an associate member, you will be requested to complete directly an online form of the IIA Belgium. Then, you will give access to your following personal data to IIA Belgium/IIA Global: your contact details (such as title, name and surname, affiliation number, name of organisation, country, city, address, email address, phone number, password) for registration purpose.

If you are an associate member in the IIA Belgium, have obtained professional certification(s), and you report your earned (CPE/CPD) credits directly via online form of IIA Global, then you will give access to your following personal data to IIA Belgium/IIA Global: your obtained (CPE/CPD) credits (such as information on attended trainings and information on practicing to be reported by you each year) in order to maintain certifications, if any obtained.

The level of protection of personal data will depend on the law or practice of this third country. However, the rights as regards data protection might not be equivalent to those in and EU/EEA country or a country with an adequacy decision. The information we collect will not be given to any other party located in a third country outside EU/EEA, except to the extent and for the purpose, which may be required by the national law of the country in question.

The transfer is subject to appropriate safeguards (Article 48.2 and .3)

- Standard data protection clauses adopted by
 - The Commission
 - The European Data Protection Supervisor and approved by the Commission, pursuant to the examination procedure referred to in Article 96(2)
- Contractual clauses between the entity of the operational controller or processor and the entity of the operational controller, processor or the recipient of the personal data in the third country or international organisation.

HaDEA considers that a derogation under Article 50 - Derogations for specific situations of the Regulation (EU) 2018/1725, and in particular Art. 50.1 d) be applied, as required for important reasons of public interest, in line with Article 117 of the Financial Regulation. The need for a derogation is justified by the fact that it is a necessity for HaDEA to have competent and professional staff and to be compliant with legal obligations stated in the Financial Regulation, in particular Article 117(1) that require the internal audit function to be compliant with the relevant international standards.

In addition, there is no adequate or similar service provider in the EU/EEA that would allow auditors to become members of similar professional organisation, obtain certifications, follow necessary external trainings and maintain their professional qualifications. The application of derogation for specific situations based on the Regulation (EU) 2018/1725 Article 50.1(d) for the service contract with the IIA Belgium – affiliated to the Institute of Internal Auditors (IIA Global), would allow the HaDEA to benefit, on a voluntary basis, from the Full Membership package offered by the IIA, including those implying the transfer of personal data to the US. The derogation is a temporary measure until a legally binding and enforceable instrument is agreed with the IIA Belgium – affiliated to the IIA Global, and which has signed the Standard Contractual Clauses with the IIA Global for sharing the data.

Which is the legal basis for processing your personal data?

The legal basis for the processing activities are:

- Article 5(1)(a) of Regulation EU 2018/1725 because 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) and the processing is necessary for the management and functioning of the Agency⁴;
- Article 5(1)(c) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- Article 5(1)(d) of Regulation EU 2018/1725 based on your explicit consent for your personal data indicated above.

⁴ Act of Establishment: Commission Implementing Decision (EU) 2021/173 of 12 February 2021 establishing the European Health and Digital Executive Agency.

It is a necessity for HaDEA to have competent and professional staff. The above listed services offered for the HaDEA staff members in the context of the signed service contract with the IIA Belgium– affiliated to the IIA Global.

Articles 117 to 123 of the Financial Regulation and the IAS mission charter, on the obligation of the Internal Audit Service to be compliant with the relevant international standards and to conduct professional and high-level audits and through them, fulfil its duties. These provisions are applicable by analogy to Agency staff responsible for ex post audits and controls, who must also be compliant with the relevant international standards and conduct professional and high-level audits and through them fulfil their duties. Furthermore, in line with the Internal Control Principle 4 of the Internal Control Framework, the Agency demonstrates a commitment to competence. Staff members designated by the Agency to perform ex post audits and controls are chosen on the grounds of their knowledge, skills and particular qualifications as evidenced by diplomas or by appropriate professional experience, or after having followed an appropriate training programme. They should follow continuing professional training and development to maintain the required level of competence over time. Staff responsible for ex post should have a sufficient knowledge of the relevant rules and regulations, as well as of the auditing profession.

How to withdraw your consent and the consequences of doing this

If you want to withdraw your consent or you want us to delete your personal data, please contact us and we will do it at the latest 30 working days after your request.

Please note that withdrawing your consent does not affect the lawfulness of any processing based on your consent before this consent is withdrawn. Attention is drawn to the consequences of a delete request, which means that all your contact details will be lost.

How long do we keep your personal data?

Your personal data will be kept for a maximum period of 10 years following the last payment under the signed agreement. Data will be deleted at the end of this period.

What are your rights regarding your personal data?

You have the right to access your personal data and to request your personal data to be rectified, if the data is inaccurate or incomplete; where applicable, you have the right to request restriction or to object to processing, to request a copy or erasure of your personal data held by the data controller. If processing is based on your consent, you have the right to withdraw your consent at any time, without affecting the lawfulness of the processing based on your consent before its withdrawal.

Your request to exercise one of the above rights will be dealt with without undue delay and within **one month**.

If you have **any queries** concerning the processing of your personal data or wish to exercise any of the rights described above, you can contact HaDEA Head of Unit C3 “Staff, Communication and Support” (entity acting as data controller) via: HADEA-PEOPLE-DEVELOPMENT@ec.europa.eu and/or HaDEA DPO HADEA-DPO@ec.europa.eu.

You shall have right of recourse at any time to the European Data Protection Supervisor at EDPS@edps.europa.eu.