



Data Protection Notice for the transfer of personal data to EU Member States' authorities

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 of this processing activity?

The purpose of this processing is to enable HaDEA to answer to requests from EU Member States' Permanent Representations and other public authorities (such as Embassies of the Member States in the hosting countries and Ministries of foreign or European affairs of Member States), concerning personal data of HaDEA staff members. HaDEA will transfer the personal data for the purposes referred to in Article 15 of the Protocol No 7 on Privileges and Immunities of the European Union³.

On a case by case basis, staff members can also consent to their personal data being made available to Member States' authorities for other purposes (e.g. cultural events, national documents or certificates, etc).

Who is the data controller?

The data controller of the processing operation is the Head of Unit C.3 Staff, Communication and Support of HaDEA.

Which personal data is collected?

The following categories of data are processed:

- a) Identification data: last name, first name, nationality;
- b) Data relating to contact details: professional email address (derived from the last name and first name) and professional address;
- c) Data relating to the data subjects' professional status: grade.

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 Consolidated version of the Treaty on the Functioning of the European Union, Protocols, Protocol (No 7) on the privileges and immunities of the European Union (OJ C 326, 26.10.2012, p. 266-272).

d) As regards managerial positions: professional titles, names and surnames of jobholders, who also appear in publicly available databases.

Personal data is extracted from SYSPER, a database managed by the European Commission Directorate-General for Human Resources Unit HR.C.04

The above data may be transferred only to the Member State corresponding to the nationality of the data subjects concerned.

Aggregated anonymised data regarding all members of the HaDEA staff, including nationality, administrative status and function group, may be transferred to Permanent Representations but in a way that does not permit identification of data subjects.

Who has access to your personal data and to whom can they be disclosed?

The recipients of your personal data will be:

A. WITHIN THE AGENCY:

- HaDEA Appointing Authority (the Director of the Agency);
- HaDEA Head of Department C ('Finance and Resources');
- HaDEA authorised staff from Sector C.3.1 ('People Sector') on a need to know basis;

B. OUTSIDE THE AGENCY

- Authorised staff of the European Commission services concerned (DG HR);
- As the case may be, permanent Representations of the Member States to the EU, Embassies of the Member States in the hosting country, Ministries of Foreign or European Affairs of Member States and administrative authorities.

In addition, in case of control or dispute, personal data can be shared with and processed by the bodies charged with a monitoring or inspection task in application of Union law in compliance with the applicable data protection rules and within the scope of their tasks entrusted by the relevant legislation. This includes, in particular, the following recipients:

- Bodies in charge of a monitoring or an inspection task in application of Union law (e.g. internal audit, IAS, Court of Auditors, etc.);
- The European Court of Justice or a national judge as well as the lawyers and the agents of the parties in case of a legal procedure;
- OLAF in case of an investigation conducted in application of Regulation (EC) No 1073/1999;
- The European Ombudsman within the scope of the tasks entrusted to it by Article 228 of the Treaty on the Functioning of the European Union;
- The European Data Protection Supervisor in accordance with Article 58 of Regulation (EC) 2018/1725;
- The European Public Prosecutor's Office within the scope of Article 4 of Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office.

Your personal data **will not be transferred** to third countries or international organisations.

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

Which is the legal basis for processing your personal data?

The processing is necessary for compliance with a legal obligation to which the controller is subject (Article 5(1)(b) of the Regulation), as established by Article 15 of the Protocol (No 7) on Privileges and Immunities of the European Union.

To the extent that processing of personal data is based on your consent, such processing is lawful also under Article 5(1)(d) of Regulation 2018/1725.

How long do we keep your personal data?

Your personal data will be kept as follows:

Data, stored in electronic format in functional mailboxes (email accounts) or file servers (shared drive) is kept for a period of one year from the date when the relevant request was received.

After this conservation period, they are immediately erased.

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 personal 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, you may address them to Head of Unit C.3 (entity acting as data controller) via mail to HADEA-PEOPLE@ec.europa.eu or to HaDEA Data Protection Officer at HADEA-DPO@ec.europa.eu.

You shall have right of recourse to the European Data Protection Supervisor at <https://edps.europa.eu>.

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