PRIVACY NOTICE – Microsoft 365
(Record reference number: 40)

Microsoft 365 services in SESAR 3 JU involve processing of personal data, which shall comply with Regulation (EU) N° 2018/1725[1] (the ''Regulation'').

This privacy notice explains how the SESAR 3 JU uses any information you give to us, and the way we protect your privacy. Furthermore, it describes the rights you have as a data subject and how you can exercise these rights. SESAR 3 JU protects the fundamental rights and freedoms of natural persons and in particular their right to privacy with respect to the processing of personal data.
We provide the following information based on articles 14 to 16 of the Regulation.

What is the purpose of the processing?

The operation of M365 requires the processing of personal data by SESAR 3 JU for the following purposes:

1. **Document Processing** – to create, read, review and amend documents, presentations, spreadsheets and other document types in various formats and for various purposes;
2. **Email, Calendar, Contacts** – to manage and exchange e-mail, calendars, contacts, tasks and notes (Exchange Online);
3. **File Sharing** – to create, read, review, amend, store and share documents and files of various types in view of collaboration among staff (Teams);
4. **Chat and Messaging** – to interact, share files, chat and exchange messages with colleagues, partners, stakeholders and other parties (Teams);
5. **Virtual Meetings** – to set up and participate in virtual meetings and teleconferences (Teams);
6. **Project and Task Management** – to facilitate project and task management by staff (Exchange Online); and
7. **Data Analytics and Visualisation** – to analyse data and visualise such data.

Which personal data do we process?

The following personal data categories are processed in the context of M365[2]:

Category	Description
Customer Data	All data, including all text, sound, video, or image files, and software, that are provided to Microsoft by, or on behalf of, SESAR 3 JU through use of the Online Service. Customer Data does not include Professional Services Data. It includes customer content, which is data uploaded for storage or processing and apps uploaded for distribution through a Microsoft enterprise cloud service. For example, customer content includes Exchange Online email and attachments, Power BI reports, SharePoint Online site content, or instant messaging conversations.

---

[1] Regulation (EU) N° 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 ("EUDPR").

[2] More information available at:
https://www.microsoft.com/en-ww/trust-center/privacy/customer-data-definitions
https://support.microsoft.com/en-us/windows/diagnostics-feedback-and-privacy-in-windows-28808a2b-a31b-dd73-dcd3-4559a5199319
https://support.microsoft.com/en-us/office/diagnostic-data-in-office-f409137d-15d3-4803-a8ae-d26fcbfc91dd
https://docs.microsoft.com/en-us/windows/privacy/configure-windows-diagnostic-data-in-your-organization

EUROPEAN PARTNERSHIP

Co-funded by the European Union

Professional Services Data	All data, including all text, sound, video, image files or software, that are provided to Microsoft, by or on behalf of a Customer (or that Customer authorizes Microsoft to obtain from a Product) or otherwise obtained or processed by or on behalf of Microsoft through an engagement with Microsoft to obtain Professional Services. Professional Services Data includes Support Data.
Diagnostic Data	Data collected or obtained by Microsoft from software that is locally installed by Customer in connection with the Online Service. Diagnostic Data may also be referred to as "telemetry". Diagnostic Data does not include Customer Data or Professional Services Data.
Support Data	All data, including all text, sound, video, image files, or software, that are provided to Microsoft by or on behalf of Customer (or that Customer authorizes Microsoft to obtain from an Online Service) through an engagement with Microsoft to obtain technical support for Online Services covered under this agreement. Support Data is a subset of Professional Services Data.
Administrator Data	Information about administrators supplied during signup, purchase, or administration of Microsoft services, such as names, phone numbers, and email addresses. It also includes aggregated usage information and data associated with the user's account, such as the controls selected. Administrator Data are used to provide services, complete transactions, service the account, and detect and prevent fraud.

Under what legal basis do we process your data?

- Article 5(1)(a) of the Regulation (public interest)
- Council Regulation (EU) 2021/2085 establishing the Joint Undertakings under Horizon Europe[3]
- Article 5(1)(b) of the Regulation (legal obligation)
- Article 157 of the Council Regulation (EU) 2021/2085 for EUROCONTROL providing IT services and supplies to the SESAR 3 JU

Who is the controller and other actors involved in the processing?

Joint Controllers:
- The SESAR 3 JU, Avenue Cortenbergh 100, 1000 Brussels, Belgium
- EUROCONTROL, Rue de la Fusée, 96, B-1130 Brussels, Belgium

Processors:
- Microsoft, as Cloud Services Provider (CSP), acts as processor.
  Contact details: Microsoft Ireland, South County Business Park, One Microsoft Place, Carmanhall and Leopardstown, Dublin, D18 P521, Ireland
- Cegeka, as EUROCONTROL's contractor in charge of the implementation of MS 365 at SESAR 3 JU

How is SESAR 3 JU processing your personal data?

The Microsoft Office 365 Enterprise license includes the use of three different versions of the software. Office can be installed on the computers and laptops of employees (Office 365 ProPlus), installed on smartphones and tablets (mobile Office apps for iOS and Android) and as online applications running in a browser (Office for the Web).

---

[3] Council Regulation (EU) 2021/2085 of 19 November 2021 establishing the Joint Undertakings under Horizon Europe and repealing Regulations (EC) No 219/2007, (EU) No 557/2014, (EU) No 558/2014, (EU) No 559/2014, (EU) No 560/2014, (EU) No 561/2014 and (EU) No 642/2014, the "Single Basic Act", *OJ L 427, 30.11.2021, p. 17–119*

EUROPEAN PARTNERSHIP

Co-funded by the European Union

The main processing activity related to M365 entails the management of IT services, including the design, planning, delivery, operation and control of cloud services provided to SESAR 3 JU staff. Microsoft stores personal data in datacenters nearest to the clients location, provided when creating the tenant. To choose storage locations that are meaningful to the organisation's businesses, an organisation can create as many tenants as they like.

The following M365 applications and services are currently deployed following the completion of the M365 DPIA and the implementation of the mitigation measures described therein:

Office365 application	Microsoft Service Description
Azure Active Directory	Azure Active Directory is Microsoft's cloud-based identity and access management solution, which helps your employees and guest users sign in securely and access resources such as Microsoft apps (for example, Microsoft 365 and Azure), thousands of pre-integrated popular SaaS apps (for example, ServiceNow, Google apps), and any custom-build cloud or on-premises web apps. It offers security capabilities like single sign-on, multifactor authentication, Conditional Access, and lifecycle management to protect organizations against identity compromise.
Teams	Teams is cloud-based team collaboration software that is part of the Office 365 suite of applications. The core capabilities in Teams include business messaging (chat), calling, video meetings and file sharing, and offering channels. Teams can integrate enterprise voice capability (telephony). Teams offers a desktop app (for use on laptop), can be used on the web, and is also accessible from a mobile app on iOS and Android.
Exchange Online (EXO) (to be implemented soon)	Microsoft Exchange Online is a hosted messaging solution that delivers the capabilities of Microsoft Exchange Server as a cloud-based service. It gives users access to email, calendar, contacts, and tasks from PCs, the web, and mobile devices. It integrates fully with Active Directory of the organisation, enabling administrators to use group policies, as well as other administration tools, to manage Exchange Online features across their environment.
Product Terms	The **Product Terms** contains all the terms and conditions governing the use of Microsoft Products and Professional Services acquired through Microsoft licensing programs. The terms were formerly contained in the "Online Services Terms" (OST).

Personal data for the following services will be hosted in the following locations based on the billing address provided[4][5]:

Service name	Location for tenants created with a billing address in France	Location for tenants created with a billing address in Germany	Location for tenants created with a billing address in all other EU countries
Exchange Online	France	Germany	European Union
Microsoft Teams	France	Germany	European Union
Exchange Online Protection	France	Germany	European Union

---

[4] https://docs.microsoft.com/en-us/microsoft-365/enterprise/eu-data-storage-locations?view=o365-worldwide
[5] Certain Azure services do not enable the customer to specify the region where the service will be deployed. These services may store or process Customer Data in any Microsoft datacenter within Azure public regions, unless otherwise specified: https://azure.microsoft.com/en-us/global-infrastructure/data-residency/#select-geography

EUROPEAN PARTNERSHIP   Co-funded by the European Union

According to Microsoft's [Data Protection Addendum](#) (DPA) to the [Product Terms,](#) Microsoft operates as a processor on behalf of SESAR 3 JU:

1. To provide SESAR 3 JU the Products and Services in accordance with its documented instructions, and
2. For business operations incident to providing the Products and Services to SESAR 3 JU.

Business operations consist of the following:

a) Billing and account management;
b) Compensation (e.g., calculating employee commissions and partner incentives);
c) Internal reporting and business modeling (e.g., forecasting, revenue, capacity planning, product strategy);
d) Combatting fraud, cybercrime, or cyber-attacks that may affect Microsoft or Microsoft Products;
e) Improving the core functionality of accessibility, privacy or energy-efficiency; and
f) Financial reporting and compliance with legal obligations.

These six purposes are inherent to the provision of the contracted services and in line with standing business practice of IT service providers. In addition to these purposes, Microsoft commits not to process Personal Data for: (1) user profiling, or (2) advertising or similar commercial purposes or (3) any other purpose, other than those set out in the DPA. When processing data for Microsoft's business operations a, b, c, e and f, Microsoft de-identifies the data (generally by relying on aggregated statistical data based on data containing pseudonymous identifiers).
See https://www.sesarju.eu/dataprotection for more information.

How do we protect and safeguard your information?

- Staff dealing with this processing operation is designated on a need-to-know basis
- Access control and technical measures such as physical locks and/or secure connections and firewalls
- Appropriate technical and organisational security measures, giving due regard to the risks inherent in the processing and to the nature of the personal data concerned
- Secure transfer of data
- Secure communication channel between server and client
- Back-ups, update and monitoring services as well as corrective and periodic maintenances
- A DPIA addressing all possible risks scenarios and relevant mitigation measures was completed prior to the service roll-out of M365 in SESAR 3 JU
- Multi Factor Authentication is approved and will be enabled soon after implementation of Teams

Who can access your personal data and to whom is it disclosed?

- Designated SESAR 3 JU staff members
- Processors and Joint Controllers mentioned above

EUROPEAN PARTNERSHIP

Co-funded by
the European Union

What are your rights and how can you exercise them?

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. In addition, you have the right not to be subject to a decision based solely on automated processing of data, including profiling, if such decision has legal effect on you, except for certain situations, such as entering into a contract (as required by articles 14-16 & 24 of the Regulation).

Information on action taken on the data subject's request to exercise her/his rights shall be provided without undue delay and in any case within one month of receipt of the request. In case of complex or voluminous requests, this period may be extended by another two months, in which case the SESAR 3 JU will inform the data subject.

The content of these rights is detailed in the Data Protection Notice page in SESAR 3 JU website which contains also information about the contact points and recourse (including EDPS http://www.edps.europa.eu and edps@edps.europa.eu, and SESAR 3 JU DPO SESAR 3 JU.dataprotection@sesarju.eu) as well as detailed information on the exercise of the rights.

In accordance with Article 25(1) of Regulation (EU) 2018/1725 restrictions of data subjects' rights may be provided for by internal rules adopted at the highest level of management of the SESAR 3 JU, i.e. the Governing Board. The SESAR 3 JU Governing Board with its Decision GB(D)06-2021 laid down the internal rules concerning the restrictions of certain rights of data subjects in the framework of the functioning of the SESAR 3 JU. The Decision is publicly available in the Official Journal in all the EU official languages.

How long is the data retained?

- Identification data are stored for as long as the user account is active
- Customer data are stored for up to 180 days upon expiration/termination of the subscription
- Service Generated Data (SGD) are stored for up to six months
- Diagnostic data are stored for up to five years

Complaints, concerns and recourse

Should you have any complaint or concern you may contact:

➢ the Data Protection Officer of the SESAR 3 JU: sju.data-protection@sesarju.eu and
➢ the ICT team at: ict-coordination@sesarju.eu

As a data subject, you have a right to recourse to the European Data Protection Supervisor (EDPS) at any time by e-mail to edps@edps.europa.eu or a letter to the EDPS postal address marked for the attention of the EDPS DPO: European Data Protection Supervisor, Rue Wiertz 60, B-1047 Brussels, Belgium
For more information on the EDPS, please consult their website: https://edps.europa.eu

Additional information
More information on Data Protection at the SESAR 3 JU can be obtained in the SESAR 3 JU register of data processing operations and in the privacy notices published in the SESAR 3 JU website. This privacy notice will be included in the invitations of all Teams meetings.

EUROPEAN PARTNERSHIP

Co-funded by the European Union