

SPECIFIC PRIVACY NOTICE – *Audits to SJU Members/beneficiaries*

Processing personal data in the course of an audit involves processing of personal data, which shall comply with Regulation (EU) N° 2018/1725¹ (the “Regulation”).

This data protection notice explains how the SESAR JU (here after referred to as the SJU) 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. The SJU 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 Article 15 of the Regulation.

What is the purpose of the processing?

Processing personal data in the framework of an on-the-spot audit or desk review of financial statements claimed for co-financing by the SJU Members and beneficiaries of EU funds.

Which personal data do we process?

The following categories of personal data are processed:

- Personal details (name, address, IP address, etc.)
- Professional details
- Financial information
- Payrolls, payslips, bank statements, contracts, time records (timesheets) and any personal data contained in documents and files that are consulted / accessed / collected as part of the evidence during the audit

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

The legal basis of the processing is the public interest as well as the compliance with a legal and contractual obligation under Article 5 a) b) and c) of Regulation 2018/1725.

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

- **Controller:** The SESAR JU
- **Processor(s) of personal data:** External Audit Firms that are selected through a procurement procedure and are appointed by the SJU or the Common Audit Service (CAS) of the EC to carry out audits (financial, compliance, etc) bound by a Framework Contract.
- **Joint controller(s):** European Court of Auditors and European Commission (CAS).

How is SESAR JU processing the personal data?

The processing operation is conducted both manually and electronically.

- Manual processing:

Personal data as part of an audit assignment is stored in the Project Audit archives. Access to these archives is limited to the Project Auditor.

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”).



➤ Automated processing:

All processing operations have an automated part. This point covers front-office automated processing operations and supporting IT systems for Applicants/Beneficiaries.

All EC IT systems are compliant with the Commission Decision of 16 August 2006 C (2006) 3602² concerning the security of information systems used by the European Commission.

The processing of personal data in the frame of the selection and management of experts is mainly automated.

How do we protect and safeguard your information?

Organisational measures: workflows, access rights and access control.

Technical measures: use of secured equipment and IT tools, e.g. locked cupboards, secure connections, firewalls, etc.

Electronic system being put into place for the storage of personal data in the SJU shared drive (on the home computer network) and the management of the access rights: specific folders per audit report and containing the hereto related personal data (name, position, hourly rate, hours worked in the project.) has been created. For each audit report, by default, the access rights (read & write) are limited to the following persons: person(s) appointed as project auditor and back-up.

In principle, personal data contained in documents and files that are consulted / accessed / collected as part of the evidence during the audit will not be mentioned in the final Report (unless relevant for the purpose of the audit / for the understanding of the findings).

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

- EU institutions and bodies
- Designated SJU staff members

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 him or her, except for certain situations, such as entering into a contract (as required by articles 14-16 & 24 of EU DPR 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 SJU will inform the data subject.

² http://ec.europa.eu/internal_market/imi-net/docs/decision_3602_2006_en.pdf



In case data subjects wish to exercise their rights, they should send an email to the SJU Data Protection Officer at sju.data-protection@sesarju.eu.

How to withdraw your consent and the consequences of doing this

Data subjects have the right to withdraw their consent at any time by sending a written request to the above-mentioned email address. Please note that withdrawing your consent does not affect the lawfulness of any processing based on your consent before this consent is withdrawn.

Possible restrictions as laid down in Article 25 of the EU DPR Regulation may apply upon adoption of a dedicated Decision on Restrictions by the SJU.

How long is the data retained?

Five (5) years as from the closing of the case file, unless legal proceedings require keeping them for a longer period.

Complaints, concerns and recourse

Should you have any complaint or concern you may contact:

- the data protection officer of the SJU: sju.data-protection@sesarju.eu , and
- *Administration Affairs – Project Audit* at project-audit@sesarju.eu

In addition, 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 JU can be obtained in the Data Protection Register and in the privacy notices published in the SESAR JU web site.