

PRIVACY NOTICE

Handling of Complaints by the Controller of procedural guarantees

The Controller of procedural guarantees ('the Controller') shall ensure the application of Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons regarding 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.

The Secretariat of the Supervisory Committee ('the Secretariat'), represented by the Head of the Secretariat, assists the Controller in the complaint handling and acts as Data Controller for the purpose of Regulation (EU) 2018/1725.

This privacy statement explains the reason for the processing of your personal data, the way the Controller and the Secretariat collects, handles and ensures protection of all personal data provided, how that information is used and what rights you have in relation to your personal data. It also specifies the contact details of the Data Controller with whom you may exercise your rights, the Data Protection Officer and the European Data Protection Supervisor.

1. DESCRIPTION OF THE PROCESSING OPERATION

Persons concerned in investigations conducted by the European Anti-Fraud Office ('OLAF') are entitled to lodge a complaint with the Controller. Complaints shall be about OLAF's compliance with the procedural guarantees, provided in Article 9 of Regulation 883/2013, as well as infringements of the rules applicable to the OLAF investigations, in particular procedural requirements and fundamental rights. The Controller, assisted by the Secretariat, will examine the complaint and all relevant documentation, including, if necessary, from the relevant OLAF case-file, and decide whether further action should be taken. The Controller may invite and/or recommend the Director-General of OLAF to take action to resolve the complaint.

The purpose of handling complaints, including personal data/information contained therein, is to enable the Controller to carry out his/her tasks under Article 9a of Regulation 883/2013 and to ensure that OLAF protects and complies with procedural guarantees and fundamental rights.

Your personal data will not be used for an automated decision making, including profiling.

2. LEGAL BASIS FOR THE PROCESSING

The legal basis for this processing is Article 5 (a) paragraph of Regulation (EU) 2018/1725 and Articles 9a and 9b of Regulation 883/2013.

3. CATEGORIES OF PERSONAL DATA COLLECTED

The Controller and the Secretariat collect the following categories of personal data: identification and contact information of the complainant, (name, postal address, e-mail, telephone), case involvement data, and information related to the complaint.

The Controller and the Secretariat receive data from the complainant and from the Director-General of OLAF. Exceptionally, in duly-justified cases, the complaints or the related OLAF case files may contain special categories of data falling under Article 10 of Regulation (EU) 2018/1725.

4. WHO HAS ACCESS TO YOUR INFORMATION AND TO WHOM IS IT DISCLOSED?

The Controller and the staff members of the Secretariat who are responsible for assisting the Controller in the specific case, the Director-General of OLAF and OLAF staff in charge of responding to complaints. The members of the Supervisory Committee of OLAF may have access to personal data, in case the Controller decides to issue a recommendation to the Director-General of OLAF and has, therefore, to consult the Committee in this respect (Article 9b paragraph 5 of Regulation 883/2013).

5. HOW DO WE PROTECT AND SAFEGUARD YOUR INFORMATION?

To protect your personal data, several technical and organisational measures have been put in place. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the data being processed. Organisational measures include restricting access to the data to authorised persons on a need to know basis.

6. HOW LONG DO WE KEEP YOUR DATA?

Case files are subject to a retention period of 10 years.

7. WHAT ARE YOUR RIGHTS AND HOW CAN YOU EXERCISE THEM?

You have the right to obtain access to, rectification or erasure, or restriction of processing of your personal data and to object to their processing on grounds relating to your particular situation.

Please send your request exercising one of those rights to:

Secretariat of the Supervisory Committee of OLAF
Rue Joseph II, 30
B -1049- Brussels, Belgium

The controller may apply exceptions in accordance with Regulation (EU) 2018/1725 and restrictions based on Article 25 thereof in accordance with the Commission Decision (EU) 2018/1962 of 11 December 2018.

8. CONTACT DETAILS OF THE DATA PROTECTION OFFICER

You may contact the Data Protection Officer of the Secretariat of the Supervisory Committee (OLAF-FMB-DPO@ec.europa.eu) regarding issues related to the processing of your personal data under Regulation (EU) 2018/1725.

**Data Protection Officer
European Anti-Fraud Office (OLAF)
Rue Joseph II, 30
B -1049- Brussels, Belgium**

9. RIGHT OF RECOURSE

You have the right to have recourse to the European Data Protection Supervisor (edps@edps.europa.eu) if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Supervisory Committee.