



EUROPEAN COMMISSION
Audit Progress Committee Secretariat

PROTECTION OF YOUR PERSONAL DATA

This privacy statement provides information about the processing and the protection of your personal data.

Processing operation: *Audit Progress Committee Secretariat (APCS)*

Data Controller: *IAS.01.APCS – Audit Progress Committee Secretariat*

Record reference: *DPR-EC-00545*

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1. Introduction

The European Commission (hereafter ‘the Commission’) is committed to protect your personal data and to respect your privacy. The Commission collects and further processes personal data pursuant to [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 (repealing Regulation (EC) No 45/2001).

This privacy statement of the Audit Progress Committee Secretariat explains the reason for the processing of your personal data, the way we collect, handle and ensure 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 responsible Data Controller with whom you may exercise your rights, the Data Protection Officer and the European Data Protection Supervisor.

The information in relation to the processing operation “*Audit Progress Committee Secretariat*” undertaken by IAS.01.APCS or the ‘APC Secretariat’ is presented below.

2. Why and how do we process your personal data?

Purpose of the processing operation: The APC Secretariat collects and uses personal information to assist the Audit Progress Committee in meeting the requirements of the EU Financial Regulation and the APC Charter (see Heading 3).

The APC Secretariat processes your personal data for one the following sub-purposes:

- To effectively monitor the implementation of audit recommendations issued by the IAS and the ECA as well as to fulfil other tasks assigned to the APC in the Charter;
- To effectively organise and conduct PG/APC meetings and to report on the outcome of these meetings;
- To manage contracts and mission expenses of the APC External Members;
- To ensure effective management of the APC Secretariat.

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

3. On what legal ground(s) do we process your personal data

In order to fulfil our role, the Secretariat directly collects and uses identification, contact and HR data of Commission and other EU staff members or external members (recruited as Special Advisers assigned to a Commissioner’s cabinet).

Although the APC Secretariat’s work does not target external individuals as such, we may come across personal data within the meaning of Article 3(1) of Regulation (EU) 2018/1725 when collecting documents from the Commission’s Internal Audit Service or the European Court of Auditors.

We process this personal data, 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;*
- *processing is necessary for compliance with a legal obligation to which the controller is subject.*

The Audit Progress Committee (APC) of the Commission is an oversight body assisting the College of Commissioners in fulfilling its obligations under the Treaties and under other statutory instruments and agreements to monitor the implementation of internal (issued by the Commission's Internal Audit Service) and external (issued by the European Court of Auditors) audit recommendations and the quality of internal audit work as well as to ensure the independence of the Internal Auditor.

Although the Audit Progress Committee has no management powers, audit committees generally enhance public trust that organisations are well-managed and strengthen the independence and value of the internal audit activity¹.

Legal basis

The legal obligation for EU institutions to have an Audit Progress Committee was enshrined in article 123 of the Financial Regulation² in 2018. The responsibilities of the APC are set out in a Communication to the Commission called the 'APC Charter'³. The APC Charter also establishes the APC Secretariat that services all the members of the APC and its Preparatory Group (PG).

To achieve an open and fully transparent internal communication that will enhance that trust and increase the engagement of the staff to achieve results⁴ and to ensure effective management of the APC Secretariat⁵ the Secretariat presents the APC members and their Cabinet members (names, CVs of the Special Advisers, publication of photos) as well as the APC Secretariat (names, e-mail addresses, publication of photos - if authorised by member in Sysper2) on the internal APC website⁶ (on MyIntraComm).

4. Which personal data do we collect and further process?

In order to carry out this processing operation, the APC Secretariat collects the following categories of personal data:

- For the transmission/making available of IAS and ECA reports: these reports are collected by the Secretariat and transmitted to or made available to APC/PG members for them to fulfil their statutory tasks. The reports may contain identification data for internal and external data subjects, but personal data is generally anonymised, in particular for external data subjects;
- For APC/PG meetings and related communication: identification data (name, gender, signature, job title, contact details); HR data (CVs of external members);
- For the management of external members (Special Advisers): identification data (name, title, signature, personnel numbers, postal address, private home phone number,

¹ Communication to the Commission from Commissioner Reynders in agreement with the President update of the charter of the APC C(2020)1165 final of 27 February 2020

² Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union [...].

³ C(2020)1165 final of 27 February 2020.

⁴ The Communication to the Commission on an Internal Communication and Staff Engagement Strategy adopted by the College on 4 July 2007 (SEC/2007/0912)

⁵ Audit Progress Committee Charter C(2020)1165 final of 27 February 2020.

⁶ <https://myintracomm.ec.europa.eu/net/apc/composition/Pages/members.aspx>

private mobile phone number, private e-mail address, photo), HR data (CVs) and financial data (bank account reference, expense declarations, declarations of interests);

- For APC Secretariat Unit Management: identification data (name, title, signature, personnel numbers, postal address, private home phone number, private mobile phone number, private e-mail address, photo) and HR data (CVs).

The personal data collected directly by the APC Secretariat and used for APC/PG meetings, the management of external experts and the Unit Management of the APC Secretariat generally concerns data collected from internal data subjects and is collected solely to enable those persons concerned to exercise their duties.

However, we may have indirectly collected and internally disseminated (anonymised) personal data if that personal data was included in IAS or ECA audit reports or similar documents. ECA audit reports collected and disseminated by the Secretariat internally are generally also publicly accessible at the ECA website.

5. How long do we keep your personal data?

The APC Secretariat only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing. The Secretariat adheres to the Commission's e-Domec policy for electronic archiving and document management and uses the corporate IT tools to implement these rules. The common retention list for the European Commission files specifies the retention periods applicable to documents governed by the e-Domec policy. APC and APC Secretariat formal documentation has a retention period of 5 years, whereas the IAS applies a formal retention period of 10 years for its own audit reports.

The following retention periods or review intervals apply for other sub-processes and data categories:

- New mailing lists and e-mail invitations (identification and contact data) are compiled for each new mandate of the APC (5 years) or when members rotate/change (2.5 years for internal PG/APC members and as necessary for special advisers). Mailing lists and e-mail invitations are subject to standard Commission policies in Microsoft Outlook to delete items after six months;
- Photos on the Commission's APC intranet website are kept and updated as necessary if any changes in composition occur;
- CVs and applications of the candidates for APC Secretariat Staff are deleted once the selection process is completed;
- CVs and unsuccessful applications of Special Advisers are stored on an Encrypted USB memory stick and are kept for 5 years under lock and key in Commission premises and are only accessible by APC Secretariat staff. These files are kept for potential appeals to the outcome of the selection procedure or to launch a new selection procedure if the reserve list of successful applicants is exhausted;
- CVs of successful Special Advisers are kept throughout the APC mandate and up to 5 years after expiration of their contract;
- Supporting documents of external members to justify reimbursable expenses are maintained for 10 years in accordance with internal Commission rules for financial documents;
- APC SharePoint access rights are reviewed on a quarterly basis. Any obsolete rights are erased on this basis.

6. How do we protect and safeguard your personal data?

All personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored on the servers of the European Commission. All processing operations are carried out pursuant to the [Commission Decision \(EU, Euratom\) 2017/46](#) of 10 January 2017 on the security of communication and information systems in the European Commission.

In order to protect the personal data processed, the Commission has put in place a number of technical and organisational measures. 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 personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.

7. Who has access to your personal data and to whom is it disclosed?

Access to your personal data is provided to the Commission staff responsible for carrying out this processing operation and to authorised staff according to the “need-to-know” principle. This includes other Commission services:

- DG HR - for the purpose of administrative recruitment of Special Advisers;
- PMO - for the purpose of reimbursement of travel expenses of the external members).

Such staff abide by statutory, and when required, additional confidentiality agreements.

The APC Secretariat, in view of the APC mandate, do not disclose any information or documentation outside the Commission and its agencies other than a summary of its annual work in an annual report inserted in the Commission’s Annual Management and Performance Report (AMPR). This report does not contain personal data or data concerning identifiable persons. The Secretariat submits APC minutes/conclusions to the European Court of Auditors. The minutes contain identification data of Commission and agency staff and of external members that have attended the APC meetings.

The APC Secretariat manages an Intranet website about its activities. Information on this website is only accessible through MyIntraComm to Commission and agency staff, national experts, trainees, external contractors, retired staff working in the Commission (including Delegations), in OPOCE, in Joint Research Centres, other EU institutions and agencies and Special Advisers and Members of the European Commission. The website contains identification data for Commission Staff involved in the operations of the PG and APC as well as some HR data (i.e., CVs) of Special Advisers.

The information we collect will not be given to any third party, except to the extent and for the purpose we may be required to do so by law.

8. What are your rights and how can you exercise them?

You have specific rights as a ‘data subject’ under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725, in particular the right to access your personal data and to rectify them in case your personal data are inaccurate or incomplete. Where applicable, you have the right to erase your personal data, to restrict the processing of your personal data, to object to the processing, and the right to data portability.

You have the right to object to the processing of your personal data, which is lawfully carried out pursuant to Article 5(1)(a) on grounds relating to your particular situation.

In order to protect our own activities, audits of public authorities of Member States, Internal Audit Service audit tools and methods, as well as the rights of other persons related to its activities, we may, in exceptional cases and for a limited period of time, restrict data subjects' rights. Such restriction would concern the provision of information, the application of the rights to access, erasure, restriction of processing, and the communication of a data breach, in line with Article 25(1)(c), (g) and (h) of Regulation (EU) 2018/1725. We will document each case, including an assessment of its necessity and proportionality, and it will not keep any restriction for longer than the reasons justifying it remain applicable, in accordance with Commission Decision (EU) 2018/1961 of 11 December 2018.

You can exercise your rights by contacting the Data Controller, or in case of conflict, the Data Protection Officer. If necessary, you can also address the European Data Protection Supervisor. Their contact information is given under Heading 9 below.

Where you wish to exercise your rights in the context of one or several specific processing operations, please provide their description (i.e., their Record reference(s) as specified under Heading 10 below) in your request.

9. Contact information

- The Data Controller

If you would like to exercise your rights under Regulation (EU) 2018/1725, or if you have comments, questions or concerns, or if you would like to submit a complaint regarding the collection and use of your personal data, please feel free to contact the Data Controller (IAS-Data-Protection-Coordinator@ec.europa.eu).

- The Data Protection Officer (DPO) of the Commission

You may contact the Data Protection Officer (DATA-PROTECTION-OFFICER@ec.europa.eu) with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725.

- The European Data Protection Supervisor (EDPS)

You have the right to have recourse (i.e., you can lodge a complaint) 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 Data Controller.

10. Where to find more detailed information?

The Commission Data Protection Officer (DPO) publishes the register of all processing operations on personal data by the Commission, which have been documented and notified to him. You may access the register via the following link: <https://ec.europa.eu/dpo-register/>.

This specific processing operation has been included in the DPO's public register with the following Record reference: DPR-EC-00545.