



Data Protection Notice

Associate membership, learning and development services offered by the Institute of Internal Auditors for REA staff members

In accordance with the Regulation (EU) 2018/1725 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 data¹ ('the Regulation'), the European Research Executive Agency ('the Agency' or 'REA') collects your personal information only to the extent necessary to fulfil a precise purpose related to our tasks.

1. WHY DO WE COLLECT YOUR PERSONAL DATA?

The purpose(s) is to administer all activities in the context of the service contract with the Institute of Internal Auditors, Belgium (IIA Belgium) – affiliated to the Institute of Internal Auditors (IIA Global) signed by the DG HR Unit C4 - Learning & Development for the services offered for the REA staff members by the IIA Belgium and the IIA Global.

In this respect, REA staff members' personal data are collected and processed in the context of the service contract with the Institute of Internal Auditors, Belgium – affiliated to the Institute of Internal Auditors (IIA Global) for:

- Administration of the services accepted/requested by REA staff members, when the service provider is the IIA Belgium and/or IIA Global. In particular,

a. Associate membership: this service contract gives REA staff members the possibility to become an associate member in the IIA Belgium, which will give them full membership services including access to the guidance and learning materials of the IIA Belgium/IIA Global, other special membership entitlements and if needed, the possibility to report on earned Continuing Professional Education/Continuing Professional Development (CPE/CPD) credits. These are required to keep staff members' IIA certification(s) or qualification(s) active, allowing them to represent themselves as a certified individual and to be listed in the IIA registry, if they have obtained a certification. REA will also update the list of associate members of REA staff.

b. External trainings/events and/or certifications: however, if as an associate member, REA staff member makes a request following HR established procedure on external training, specifically the procedure regarding "Service Interest training" (SIT) to use the following services provided by the IIA Belgium and or/IIA Global:

¹ 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 L 295 of 21.11.2018, p.39).

- a) external trainings/events and/or
- b) professional certifications

then the processing operation is covered by the record of processing related to learning and development actions established by REA unit D2. People and Workplace².

2. WHO IS RESPONSIBLE FOR THIS PROCESS?

The controller is the European Research Executive Agency. For organisational reasons, the role of the data controller has been entrusted to REA Head of Unit D.2 People and Workplace.

The data controller may be contacted via functional mailbox: REA-Training@ec.europa.eu.

The following entity processes your personal data on REA's behalf: The Institute of Internal Auditors – Belgium (IIA Belgium) Koningsstraat, Rue Royale 109-111, boîte 5 - 1000 Bruxelles Tel: +32.2.219.82.82 info@iiabelgium.org www.iiabelgium.org Institute of Internal Auditors – Global Headquarters (IIA Global) 1035 Greenwood Blvd., Suite 401. Lake Mary, FL 32746 USA <https://www.theiia.org/>.

3. WHAT IS THE LEGAL BASIS TO COLLECT YOUR DATA?

The legal basis for the processing activities are:

- Article 5(1)(a) of the Regulation 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)³;
- Article 5(b) of the Regulation because the processing is necessary for compliance with a legal obligation to which the Agency as controller is subject
- Article 5(1)(c) of the Regulation because the processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;- Article 5(1)(d) of Regulation EU 2018/1725 based on your explicit consent for your non- mandatory personal data indicated below.

It is a necessity for REA to have competent and professional staff. The above listed services offered for the REA staff members in the context of the signed service contract with the IIA Belgium– affiliated to the IIA Global, allows REA to:

- comply with its obligations under Article 117(1) (“*each Union institution shall establish an internal audit function which shall be performed in compliance with the relevant international standards*”) of Regulation (EU, Euratom) 2018/1046 (hereafter "the Financial Regulation") for fulfilling its duties and to conduct professional and high level internal audits.

² REA Learning and Development record n°8 published on [Public Central Register for Data Protection Records in REA \(europa.eu\)](https://public-ec.europa.eu/central-register-for-data-protection-records-in-rea/)

³ Act of Establishment: Commission Implementing Decision (EU) 2021/173 of 12 February 2021 establishing the European Health and Digital Executive Agency.

- conduct professional and high-level audits and through them, fulfil its duties as provided in Articles 117 to 123 of the Financial Regulation. These provisions are applicable by analogy to Agency staff responsible for ex post audits and controls, who must also be compliant with the relevant international standards and conduct professional and high-level audits and through them fulfil their duties.
- Furthermore, in line with the Internal Control Principle 4 of the Internal Control Framework, the Agency demonstrates a commitment to competence. Staff members designated by the Agency to perform ex post audits and controls are chosen on the grounds of their knowledge, skills and particular qualifications as evidenced by diplomas or by appropriate professional experience, or after having followed an appropriate training programme. They should follow continuing professional training and development to maintain the required level of competence over time. Staff responsible for ex post should have a sufficient knowledge of the relevant rules and regulations, as well as of the auditing profession.

Other legal bases:

- Article 24(a) and 45(2) of the Staff Regulations and Articles 11 and 81 of the Conditions of Employment of Other Servants of the European Communities
- REA/SC(2017)1.5.2: [Steering Committee decision adopting implementing rules to the Staff Regulations on Learning and Development](#)
- C(2016) 3828 final: [Commission decision on implementation of the Learning and Development strategy of the European Commission](#)
- C(2016) 3855 final: [Annex to the Commission decision on training on the own initiative of the member of staff](#)
- C(2016) 3827 final: [Commission decision repealing existing rules on learning and development](#)

4. WHICH PERSONAL DATA ARE COLLECTED?

In the context of an associate membership in the IIA Belgium – affiliated to the Institute of Internal Auditors (IIA Global), the following personal data may be processed:

- contact details of individual IIA members, such as title, name and surname, affiliation number (these data are entered into the global membership database);
- name of organisation, country, city, address, email address, phone number, password (when members log on to the IIA website, they will be asked to create a unique password to authenticate their membership);
- CPE/CDP credits such as information on attended trainings, and information on practicing to be reported by REA staff member each year in order to maintain their certification(s) if these are obtained.

All personal data are mandatory for the purpose(s) outlined above. Additional non-mandatory personal data may be provided based on your explicit consent.

5. WHO WILL HAVE ACCESS TO YOUR PERSONAL DATA?

a. WHO WILL HAVE ACCESS TO THE DATA WITHIN THE AGENCY?

- Within REA: authorised staff, in particular those responsible for learning and development, Head of Unit D.2 People and Workplace, Head of Unit/Head of Sector of the IIA Belgium staff member, authorised finance staff, legal affairs, staff in charge of Internal control and reporting and the Director of REA.

b. WHO WILL HAVE ACCESS TO THE DATA OUTSIDE THE AGENCY?

- Outside REA: **IIA Belgium – affiliated to the IIA Global-**, staff who administers and provides the associate membership services for the REA staff members.

The privacy policy of the IIA Belgium: <https://iiabelgium.org/privacy-statement/>

The privacy policy of the IIA Global: <https://www.theiia.org/en/Privacy-Policy/>.

They are bound by confidential agreements, when required.

On a need to know basis and in compliance with the relevant current legislation, bodies charged with monitoring or inspection tasks in application of EU law (e.g. EC internal audit, Court of Auditors, European Anti-fraud Office (OLAF), the European Ombudsman, the European Data Protection Supervisor, the European Public Prosecutor).

In particular, for invitation purposes, your email address will be processed and disclosed to: IIA Belgium/IIA Global. If you accept the invitation to become an associate member, you will be requested to complete directly an online form of the IIA Belgium.

Then, you will give access to your personal data to:

- IIA Belgium/IIA Global: your contact details (such as title, name and surname, affiliation number, name of organisation, country, city, address, email address, phone number, password) for registration purpose. If you are an associate member in the IIA Belgium and have obtained professional certification(s), you will report your earned (CPE/CPD) credits directly via online form of IIA Global.
- IIA Belgium/IIA Global: your obtained (CPE/CPD) credits (such as information on attended trainings and information on practicing to be reported by you each year) in order to maintain certifications, if any obtained.

The IIA Global headquarters are located in Florida, the United States (USA). Therefore, its services involve the transfer of personal data to the USA.

As result, your personal data are transferred to a third country outside EU/EEA for which there is no adequacy decision (The United States). The level of protection of personal data will depend on the law or practice of this third country. However, the rights as regards data protection might not be equivalent to those in and EU/EEA country or a country with an adequacy decision. The information we collect will not be given to any other party located in a third country outside EU/EEA, except to the extent and for the purpose, which may be required by the national law of the country in question.

The transfer is subject to appropriate safeguards (Article 48(2) and (3)).

- Standard data protection clauses adopted by:
 - The European Commission;

- The European Data Protection Supervisor and approved by the Commission, pursuant to the examination procedure referred to in Article 96(2).
- Contractual clauses between the entity of the operational controller or processor and the entity of the operational controller, processor or the recipient of the personal data in the third country or international organisation.

REA considers that a derogation under Article 50 - Derogations for specific situations of the Regulation (EU) 2018/1725 and, in particular, Art. 50.1 d) be applied, as required for important reasons of public interest, in line with Article 117 of the Financial Regulation. The need for a derogation is justified by the fact that it is a necessity for REA to have competent and professional staff to:

- comply with its obligations under Article 117(1) of the Financial Regulation (“each Union institution shall establish an internal audit function which shall be performed in compliance with the relevant international standards”);
- conduct professional and high-level audits and through them, fulfil its duties as provided in Articles 117 to 123 of Regulation (EU, Euratom) 2018/1046 ('Financial Regulation').

In this regard, REA helps the Commission in accomplishing its objectives by bringing a systematic, disciplined approach in order to evaluate and improve the effectiveness of risk management, control and governance processes. Its tasks include assessing and making appropriate recommendations for improving the risk management, control and governance process. Consequently, it is in the public interest and common good to ensure that the service provided by REA is of a high standard and provided by competent and certified staff members.

In addition, there is no adequate or similar service provider in the EU/EEA that would allow auditors to become members of similar professional organisation, obtain certifications, follow necessary external trainings and maintain their professional qualifications. The application of a derogation for specific situations based on Regulation (EU) 2018/1725 Article 50(1)(d) for the service contract with the IIA Belgium – affiliated to the Institute of Internal Auditors (IIA Global) would allow REA to benefit, on a voluntary basis, from the Full Membership package offered by the IIA, including those implying the transfer of personal data to the US. The derogation is a temporary measure until a legally binding and enforceable instrument is agreed with the IIA Belgium – affiliated to the IIA Global and which has signed the Standard Contractual Clauses with the IIA Global for sharing the data.

6. How long do we keep your personal data?

Your personal data will be kept for a maximum period of 10 years following the last payment under the signed agreement. Data will be deleted at the end of this period.

7. What are your rights regarding your personal data?

You may have access to your personal data and may exercise your right of information / access / rectification / erasure / restriction / data portability / objection / withdrawal of consent by contacting the data controller at: REA-Training@ec.europa.eu.

Any request from a data subject to exercise a right will be dealt within one month from receipt of the request. This period may be extended pursuant to Article 14(3) of Regulation (EU) 2018/1725.

Your right to information, access, rectification, erasure, restriction or objection to processing, communication of a personal data breach or due to confidentiality of electronic communications may be restricted only under certain specific conditions as set out in the applicable Restriction Decision in accordance with Article 25 of Regulation (EU) 2018/1725.

If you have any queries concerning the processing of your personal data or wish to exercise any of the rights described above, you can contact REA Head of Unit D2. People and Workplace (entity acting as data controller) via: REA-Training@ec.europa.eu and/or REA DPO REA-DATA-PROTECTION-OFFICER@ec.europa.eu.

You shall have right of recourse at any time to the European Data Protection Supervisor at EDPS@edps.europa.eu.

8. CONTACT INFORMATION

In case you have any questions about the collection/processing of your personal data, you may contact the data controller who is responsible for this processing activity by using the following email address: REA-Training@ec.europa.eu.

Further to the above, the following instances can be addressed to:

REA Data Protection Officer (DPO): REA-DATA-PROTECTION-OFFICER@ec.europa.eu

You shall have right of recourse at any time to the European Data Protection Supervisor at EDPS@edps.europa.eu.