



Data Protection Notice

Handling of European Ombudsman inquiries and complaints

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 Research Executive Agency ('the Agency' or 'REA') collects your personal information only to the extent necessary to fulfil a precise purpose related to its tasks.

1. WHY DO WE COLLECT YOUR PERSONAL DATA?

In the context of its activities, the Legal Affairs sector of the Agency processes personal data when handling complaints submitted to or inquiries from the European Ombudsman related to investigations in possible cases of maladministration received directly from the European Ombudsman or Commission services.

The purpose of this processing activity is to handle, coordinate and follow-up complaints submitted to or inquiries from the European Ombudsman related to investigations in possible cases of maladministration received directly from the European Ombudsman or Commission services, to reply to the European Ombudsman, the complainant and involved Commission services, if applicable.

2. WHO IS RESPONSIBLE FOR THIS PROCESS?

The controller is the European Research Executive Agency (REA). For organisational reasons, the role of the data controller has been entrusted to REA Head of Unit D.1 "Planning, Knowledge and Compliance" (the delegated controller).

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

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

The legal basis for the processing are based on:

- Article 5(1) of Regulation (EU) 2018/1725:
 - (a) the 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 body²;

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 295/39 of 21.11.2018).

² Commission Implementing Decision (EU) 2021/173 of 12 February 2021 establishing the European Climate, Infrastructure and Environment Executive Agency, the European Health and Digital Executive Agency, the European Research Executive Agency, the European Innovation Council and SMEs Executive Agency, the European Research Council Executive Agency, and the European Education and Culture Executive Agency and repealing Implementing Decisions 2013/801/EU, 2013/771/EU, 2013/778/EU, 2013/779/EU, 2013/776/EU and 2013/770/EU; and, Commission Decision C(2021)952 of 12.2.2021 delegating powers to the European Research Executive Agency with a view to the performance of tasks linked to the implementation of Union programmes in the field of Research and Innovation, Research of the Fund for Coal and Steel and Information Provision and Promotion Measures concerning Agricultural

- (b) the processing is necessary for compliance with a legal obligation to which the controller is subject;
- (d) the data subject has given consent to the processing of his or her personal data for one or more specific purposes;

- Regulation (EU, Euratom) 2021/1163 of the European Parliament of 24 June 2021 laying down the regulations and general conditions governing the performance of the Ombudsman's duties (Statute of the European Ombudsman) and repealing Decision 94/262/ECSC, EC, Euratom

4. WHICH PERSONAL DATA ARE COLLECTED?

We process the following data:

- Identification and contact data, various personal data communicated by the complainant in the complaint or inquiry to the European Ombudsman in the context of an investigation.
- Identification and contact data of Agency or Commission staff involved in the handling of the complaint or inquiry.
- Any other personal data spontaneously provided by the complainant in his/her complaint, which may include personal data of individuals other than the complainant, or
- Personal data held by the Agency relating to the subject matter of the complaint or inquiry.
- Sensitive personal data in the sense of Article 10 of Regulation 2018/1725 may be contained in the complaint or the underlying documents.

The above-mentioned personal data are mandatory for the purpose outline above. Any additional personal data provided and not relevant for the processing will be disregarded.

5. WHO WILL HAVE ACCESS TO YOUR PERSONAL DATA?

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

Within the Agency, recipients of the data are:

- The Director of the Agency, the competent Head of Department, Head of Unit, Head of Sector, team leader, legal/financial/administrative advisor, Data Protection Officer of the Agency;
- Authorised staff of the Agency responsible for the handling of the European Ombudsman inquiry or complaint.

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

Outside the Agency, recipients of the data are:

- The European Ombudsman and its competent staff;
- The Commission services and its competent staff, notably the lead-DG, concerned parent-DG, the Secretariat General, the Legal Service and, in any case with a financial impact, DG Budget, as well as any other DG concerned.

Products comprising, in particular, implementation of appropriations entered in the general budget of the Union.

- If appropriate, access will also be given to:

The European Commission's Internal Audit Service (IAS); the European Court of Justice (ECJ); the Anti-Fraud Office of the European Commission (OLAF); the European Public Prosecutor's Office (EPPO); the European Court of Auditors (ECA); the European Data Protection Supervisor (EDPS); competent national authorities.

6. HOW LONG DO WE KEEP YOUR PERSONAL DATA?

Data will be stored as long as necessary to carry out REA's tasks, including procedures involving the before-mentioned recipients, for archiving and statistical purposes.

However, the personal data concerned will be kept for a maximum period of 5 years after closure of the file, as stated in the Common Commission-Level Retention list for European Commission Files - SEC(2019)900/2. A file is considered closed if the European Ombudsman has closed its enquiry in relation to the complaint without any need for further action.

7. WHAT ARE YOUR RIGHTS?

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

Your request 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.

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-OMBUDSMAN@ec.europa.eu.

Further to the above, your requests can be addressed to REA Data Protection Officer (DPO): REA-DATA-PROTECTION-OFFICER@ec.europa.eu

In case of conflict, complaints can be addressed to the European Data Protection Supervisor: EDPS@edps.europa.eu.