

## **PROTECTION OF YOUR PERSONAL DATA**

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

### **1. Introduction**

The European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (hereafter, 'eu-LISA') is committed to protect your personal data and to respect your privacy. eu-LISA 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 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

The information in relation to processing operation "Health and Safety accidents and incidents register" undertaken by CSU is presented below.

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

The OH&S specialist collects and uses your personal information to investigate the cause of the incident / accident you've been the victim.

The personal data is processed in order to ensure that all prevention/protective measures are taken in order to avoid any incidents/accidents, thus ensuring the safety of the Agency's workers.

In case of accident or incident, the OH&S specialist contacts the victim who will explain what happened and where he/she has pain or injuries.

The data necessary for the investigation are collected manually in order to fulfil the documents requested by law (Estonian regulation: Procedure for registering, reporting and investigating occupational accidents and occupational diseases (The Regulation is established on the basis of § 24 (10) of the Occupational Health and Safety Act .): § 4. Investigation and registration of an occupational accident by the employer Occupational Health and Safety Act : § 15. Risk of accident and accident).

The data is collected manually and stored in an Excel file "Health and Safety accidents and incidents register" encrypted with a password, and stored in a specific CSU folder with restrictive access.

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

Your personal data processed may be reused for the purpose of procedures before the EU Courts, national courts, or the European Court of Auditors.

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

We process your personal data, because:

(b) processing is necessary for compliance with a legal obligation to which the controller is subject;

The personal data is processed for the purpose of ensuring the compliance with:

- the applicable legislation (Estonian regulation: Procedure for registering, reporting and investigating occupational accidents and occupational diseases (The Regulation is established on the basis of § 24 (10) of the Occupational Health and Safety Act.): § 4. Investigation and registration of an occupational accident by the employer Occupational Health and Safety Act : § 15. Risk of accident and accident).
- the eu-LISA OH&S Policy which imposes that the Agency complies with the strictest regulation from EU, Estonia, Belgium or France in terms of Health and Safety.

We process special categories of personal data indicated in Section 4, because:

(b) the processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law insofar as it is authorised by Union law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;

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

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

- Type of work accident
- Location of the accident
- Date of registration of the accident
- Date of the accident
- Time of the accident
- Unit/sector/employer
- Activity
- Witnesses name
- Type of contract
- Danger
- Risk
- Location of lesions
- Nature of lesions
- Age
- Gender
- With or without work stoppage
- Date start of work stoppage
- Date of re entry
- Duration of work stoppage
- Investigation done
- Date of entry
- First aid administrated

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The provision of personal data is mandatory to meet a statutory requirement (Estonian regulation: Procedure for registering, reporting and investigating occupational accidents and occupational diseases (The Regulation is established on the basis of § 24 (10) of the Occupational Health and Safety Act.): § 4. Investigation and registration of an occupational accident by the employer Occupational Health and Safety Act : § 15. Risk of accident and accident).

And to meet the eu-LISA OH&S Policy which imposes that the Agency complies with the strictest regulation from EU, Estonia, Belgium or France in terms of Health and Safety.

If you do not provide your personal data, possible consequences are a fault for non-compliance with the instructions at eu-LISA.

### **5. How long do we keep your personal data?**

CSU only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing, namely for 10 years. If the information received by email are not subject to be registered as work incident, the retention period is 6 months. The data are then deleted from the email after six months.

When determining the maximum retention periods, the Agency takes also into account possible legal recourses, legal, auditing, archiving and reporting obligations.

### **6. Who has access to your personal data and to whom is it disclosed?**

Access to your personal data is provided to eu-LISA staff responsible for carrying out this processing operation and to authorised staff according to the “need to know” principle. Such staff abide by statutory, and when required, additional confidentiality agreements.

Your personal data are disclosed to HoCSU; HoGESS due to hierarchical reporting needs and business continuity reasons.

Your name and surname will be hidden in case any report is requested by OH&S committee or HRU, and only visible for the OH&S specialist who has to investigate and ask you questions.

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.

### **7. 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, rectify or erase your personal data and the right to restrict the processing of your personal data. Where applicable, you also have the right to object to the processing or 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).

You have consented to provide your personal data to CSU for the present processing operation. You can withdraw your consent at any time by notifying the Data Controller. The withdrawal will not affect the lawfulness of the processing carried out before you have withdrawn the consent.

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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.

### **8. 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, [OHS@EULISA.EUROPA.EU](mailto:OHS@EULISA.EUROPA.EU).

#### **- The Data Protection Officer of eu-LISA**

You may contact the Data Protection Officer ([dpo@eulisa.europa.eu](mailto:dpo@eulisa.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](mailto: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.