



Data Protection Notice

Requests for assistance under Article 24 of the Staff Regulations

The European Banking Authority (EBA) processes your personal data to *[insert reason of processing]*. The EBA processes your personal data based on [Regulation \(EU\) 2018/1725](#) (EUDPR).

The following information is provided as established in Articles 15 and 16 of the EUDPR.

Who is the controller?

The EBA is the controller with regard to the data processing activities described in this data protection notice. It can be contacted at the following email address: ExecutiveOffice@eba.europa.eu.

For more information on the EBA, please consult the EBA website <https://eba.europa.eu>.

What personal data do we process, for what purpose, who can access it and how long do we keep them?

The purpose of this processing is to collect the facts in order to allow the Executive Director to assess the request for assistance and, where applicable, to establish whether there is prima facie evidence to launch an administrative inquiry.

The following personal data may be collected: name, surname, gender, address, age, hiring date, name of line manager, contact details, information regarding your career, allegations, declarations, sensitive data (such as data concerning health), e-mails exchanged by the affected individuals if necessary. The EBA may also collect personal data concerning other person who could bring information relevant to the request for assistance (such as witnesses).

Personal data processed in the context of a request for assistance may be disclosed to the Executive Director and the staff member responsible for handling this request in the Legal and Compliance Unit. Data may also be disclosed to a limited number of staff in the Human Resources Unit on a 'need to know' basis. If the staff member concerned contests a decision rejecting a request for assistance, the file may be referred to the Court of Justice of the European Union. Data may also be sent to the Ombudsman if the staff member concerned addresses a complaint.

If the request for assistance is rejected by the Executive Director, data processed in this context are kept for as long as necessary subject to a maximum of 10 years after the rejection of the request, in order to allow a harmonised application of the Staff Regulations. Should the Legal and

Compliance Unit consider it necessary to retain the electronic files beyond the 10 years, personal data contained in those files shall be anonymised.

If as a result of the request for assistance an administrative inquiry is launched, the data processed shall become part of the inquiry file.

Why do we process your personal data and under what legal basis?

The legal bases for the processing activities are:

- Article 5(1)(b) of Regulation EU 2018/1725: processing is necessary for compliance with a legal obligation to which the controller is subject;
- Article 24 of the Staff Regulations¹;
- Articles 11 and 127 of the Conditions of Employment of Other Servants;
- Decision of the EBA's Management Board on the policy on protecting the dignity of the person and preventing psychological harassment and sexual harassment (EBA DC 178 of 04 April 2017).

Will the processing of your personal data involve any transfer outside of the EU?

Your personal data is processed within the EU/EEA and will not leave that territory.

What are your rights regarding your personal data?

You have the right of access to your personal data and to relevant information concerning how we use it. You have the right to rectify your personal data. Under certain conditions, you have the right to ask that we delete your personal data or restrict its use. You have the right to object to our processing of your personal data, on grounds relating to your particular situation, at any time. We will consider your request, take a decision and communicate it to you. For more information, please see Articles 14 to 21, 23 and 24 of the Regulation.

You can send your request by post in a sealed envelope or via email (see section on contact details below).

Possible restrictions: Please note that in some cases restrictions under Article 25 of Regulation (EU) 2018/1725 may apply, in accordance with the [Decision laying down Internal rules on restrictions of certain rights of data subjects in relation to processing of personal data in the framework of the functioning of European Banking Authority \(EBA\) \(EBA/DC/2021/377\)](#). In cases where the EBA decides to apply a restriction, such a decision will be taken strictly on a case by case basis and the reasons for taking such decision will be documented (i.e. motivated decision). These reasons must prove that the restriction is necessary to protect one or more of the interests and rights listed in the Regulation, and they must be documented before the decision to apply any restriction or deferral is taken.

You have the right to lodge a complaint

If you have any remarks or complaints regarding the way we process your personal data, we invite you to contact the Data Protection Officer (DPO) of the EBA (see section on contact details below).

You have, in any case, the right to [lodge a complaint with the European Data Protection Supervisor](#), our supervisory authority for data protection matters.

Contact details for enquiries regarding your personal data

Should you wish to contact the EBA, we encourage you to do so by email: (provide functional email of the unit that is in charge of the processing of the personal data) by stating in the subject “Data Protection Enquiry”.

If you wish to contact the DPO of the EBA personally, you can send an e-mail to dpo@eba.europa.eu or a letter to the postal address of the EBA marked for the attention of the DPO of the EBA.

The postal address of the EBA is DEFENSE 4 – EUROPLAZA, 20 Avenue André Prothin, CS 30154, 92927 Paris La Défense CEDEX, France.

You can also find contact information on the EBA’s website: <https://eba.europa.eu/contacts>