



PROTECTION OF YOUR PERSONAL DATA

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

1. Introduction

The European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (hereafter, 'eu-LISA' or 'the Agency') is committed to protecting your personal data and to respecting 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 the protection of all the personal data provided, how that information is used and what rights you have in relation to your personal data.

Information in relation to processing operation "COVID-19 health data" undertaken by eu-LISA, is presented below.

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

We process data as part of response measures adopted by the Agency in an attempt to limit the spread of the coronavirus (COVID-19) infection in 2020 and also as per legal requirements implemented by the competent authorities of the EU Member States. This processing allows the Agency to verify the staff's fitness to work, according to the applicable legal and statutory obligations, implement policies to promote staff health and wellbeing, reduce the risk of infection in its premises, to protect the health of its staff and to provide adequate follow up.

The process consists in the notification of eu-LISA's appointed contact points (for visitors and contractors) or line managers (for staff, SNEs, interns and intramuros) about any person accessing eu-LISA premises during the COVID-19 outbreak, traveling to COVID-19 outbreak risk areas, being in contact with a COVID-19 suspected or confirmed case or having a suspected or confirmed case of COVID-19 themselves (hereinafter "COVID-19 suspected person") and the names of eu-LISA staff they were in contact with in the past 14 days.

Following the notification, the appointed Agency personnel will 1) check the person's interactions with other staff, 2) where relevant, contact the persons with high exposure with the suspected/infected person and verify their health status and 3) recommend follow-up actions in line with ECDC recommendations from the "[Algorithm for the management of contacts of probable or confirmed COVID-19 case](#)".

In case of access to specific areas of eu-LISA premises where proof of health status is required by the National Authorities, the agency personnel and visitors may be requested to present a medical certificate. The personal and health related data will only be shared with the relevant persons with the *need to know* for the processing activity (line manager, appointed officer as contact point of the business area, contact points of the contracting company)

The processed personal data will not be used for automated decision-making including profiling.

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

We process your personal data, because:

- processing is necessary for the performance of a task carried out in the public interest or in the exercise of the official authority vested in the Union institution or body, as per Regulation (EU) 2018/1726 in particular art.2 *"the agency shall ensure [...] continuous and uninterrupted service"*, that requires eu-LISA to implement the relevant measures to ensure availability of staff during the COVID-19 outbreak and
- processing is necessary for compliance with legal obligations to which the controller is subject:
 - a. As required by Regulation (EU) 2018/1725, in particular art.10 (2b) *"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"*,
 - b. In line with Article 1 (e) of the Staff Regulations of officials according to which *"Officials in active employment shall be accorded working conditions complying with appropriate health and safety standards at least equivalent to the minimum requirements applicable under measures adopted in these areas pursuant to the Treaties"*,
 - c. [80. Verordnung des Bundesministers für Soziales, Gesundheit, Pflege und Konsumentenschutz über Maßnahmen bei der Einreise aus SARS-CoV-2 Risikogebieten](#) (*80th Ordinance of the Federal Minister for Social Affairs, Health, Care and Consumer Protection on measures for entry from SARS-CoV-2 risk areas*) requiring the processing of health personal data for entering Austrian territory,
 - d. Other legal provisions adopted by the Member States in the context of the COVID 19 pandemics.

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

In order to carry out this processing operation, eu-LISA processes the following categories of personal data: name, surname, COVID-19 related health status, travel details related to risk areas, time of onset of COVID-19 symptoms, list of close contacts with the staff member concerned over a period to be determined on a case-by-case basis after the appearance of the first symptoms, result of the test (when the need for testing has been confirmed).

The provision of personal data is mandatory in order to meet the legal requirements. If you do not provide your personal data, the possible consequences are eu-LISA not being able to protect your health or the health of other member of its staff.

We have obtained your personal data from you or from your employer/company if you are a contractor.

5. How long do we keep your personal data?

Data is stored for the period of the COVID-19 outbreak and for an additional 6 months afterwards for audit purposes.

6. How do we protect and safeguard your data?

All personal data, in electronic format, is stored on the servers of eu-LISA. 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 said data, eu-LISA has put in place a number of technical measures including appropriate actions to address online security, the 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.

Access to the electronic format of the data is allowed to eu-LISA staff through their individual account to the internal corporate infrastructure, using a user name and a password with complexity, from corporate working stations.

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

Access to your personal data is allowed based on the 'need to know' principle to:

- Internally: eu-LISA staff with the need to know in order to trace the possible spread of the virus and contain it (line manager of concerned persons, Task Force members, relevant delegated officers)
- Externally: contact points of the contracting companies who's employees might be affected, competent national authorities (e.g. border authorities, public health authorities);

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

Access to aggregated data without names can be shared for statistical purposes to other EU institutions.

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, 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 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.

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, [eulisa-security\[at\]eulisa.europa.eu](mailto:eulisa-security[at]eulisa.europa.eu).

- The Data Protection Officer of eu-LISA

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