

PRIVACY STATEMENT

for processing of personal data for the provision of language training by the BEREC Office

The Agency for Support for BEREC (BEREC Office, Agency) processes the personal data of a natural person in compliance with Regulation 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 data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.

This privacy notice explains the BEREC Office policies and practices regarding its collection and use of your personal data, and sets forth your privacy rights. We recognize that information privacy is an ongoing responsibility, and we will update this notice where necessary.

1. What is the purpose and legal basis for processing your personal data?

The purpose of the processing of personal data is to plan, organize and deliver language training to the BEREC Office staff (including statutory staff and SNEs), trainees, interim workers and Liaison Office staff, in order to ensure compliance with the following legal basis:

Thus, we collect personal data to comply with the provisions of:

- Article 45(2) of the Staff Regulations as well as Articles 54 and 85 of the CEOS;
- Articles 8(3) and 9 of Decision No MC/2017/07 of the BEREC Office Management Committee on the Framework for Learning and Development;
- Article 21 of Decision No MB/2020/03 of the Management Board on the secondment to the BEREC Office of national experts and national experts and national experts in professional training;
- Article 4(4) of Decision No MC/2016/08 as amended by Decision No MC/2018/02 of the BEREC Office Management Committee on the Rules Governing the Traineeship Programme of the BEREC Office.

The processing of personal data of staff and trainees is necessary for the performance of a task carried out in the public interest and in the exercise of official authority vested in the BEREC Office and for compliance with a legal obligation to which the controller is subject.

Consequently, the processing operation is lawful under Article 5 (a) and (b) of Regulation (EU) 2018/1725.

In order to facilitate the integration of the spouses/ recognized partners of the BEREC Office staff in the host member state, as well as to increase their competitiveness to the labour market, the

BEREC Office offers the possibility to the staff spouses and recognized partners to take part in the language classes organized by the Agency. Additionally, to ensure the best possible use of the EU budget and with the objective to find synergies in their operation, the BEREC Office has reached informal agreement with the European Commission (EC) Representation in Latvia and with the European Parliament (EP) Liaison Office in Latvia to open its language training to their staff on budgetary neutral basis. Therefore, under certain conditions, their staff may also request to register for the available places in the groups for language classes established by the Agency.

Consequently, BEREC Office, in order to plan and organise training activities for the category of person above-indicated, will have also to process their personal data.

The processing of personal data of staff, spouses/recognized partners of staff members, interim workers, liaison office staff as well as of EC/EP staff is undertaken following consent given by respective data subject.

Thus, processing of personal data is lawful based on Article 5 (d) of Regulation (EU) 2018/1725.

2. What personal data is collected and processed?

BEREC Office organises language training via a Service Provider, which delivers on-line language courses through video teleconference tools (VTC tool).

The categories of data processed are the following:

- Identification data: names and surnames of staff and non-staff enrolling in the language trainings;
- Contact data: work e-mail address for enrolling staff and private e-mail address for enrolling non-staff, work telephone number for enrolling staff and private telephone number for enrolling non-staff;
- Signature for requesting enrolment in the training (for staff and non-staff);
- Signature certifying the training attendance (only for staff);
- Certificate of attendance
- (upon request) Certificate of completion following the assessment of the level of the language knowledge
- reasons for absence, no medical reasons are required

In addition to the data required for the activities detailed above, additional personal data may be processed for which the data subject may be required to consent. For example, voice and image for recording of online training delivered via VCT tool, e.g. Microsoft Teams or other.

Microsoft Teams processes user data according to its corporate privacy policy <https://www.microsoft.com/en-gb/privacy/privacystatement>

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

Personal data are accessed by the:

- Entity in charge of HR, incl. its head - the Head of Administration and Finance;
- Authority authorised to conclude contracts of employment (AACCC);
- Financial actors including the Authorizing Officer;
- The line manager of the staff concerned;
- Representatives of the services provider of the language training;
- Participants of the language sessions on a need-to-know basis (as concerns the recording of the language session).

4. How long are your personal data kept?

The time limit for storing the supporting documents concerning attendance is 5 years¹ after the receipt of the discharge for the year during which the last payment on the framework contract is done.

In line with the EC Common Retention List, all language certificates are kept in staff member's personal file and retained 8 years after the extinction of all rights of the person concerned and 120 years after the date of birth of the person concerned.

Recordings of language sessions will be kept by the Service Provider for the time necessary to fulfil the purpose of collection or further processing, namely for as long as the content of any recording is up-to-date and relevant for enrolled participants.

After the retention period mentioned above all personal data are eliminated by deleting.

5. What are your rights?

You have the right to request from the controller access to and rectification or erasure of your personal data or restriction of processing.

You also have the right to object to processing of personal data. You also have the right to withdraw your consent.

The controller shall provide information on action taken on a request within one month of receipt of the request. That period may be extended by two further months where necessary, taking into account the complexity and number of the requests.

¹ <https://www.berec.europa.eu/en/document-categories/berec-office/decisions-of-the-management-board/decision-no-mb201913-of-the-management-board-of-the-berec-office-on-the-financial-regulation-applicable-to-the-berec-office>

6. Who is the data controller and how to exercise your rights?

The BEREC Office shall exercise the tasks of the data controller for the purpose of these processing operations.

To exercise the mentioned rights, you can contact the controller as follows:

talent-managment@bereg.europa.eu

If you feel your data protection rights have been breached, you can always lodge a complaint with the BEREC Office's Data Protection Officer (dpo@bereg.europa.eu) or with the European Data Protection Supervisor: edps@edps.europa.eu.

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