



**Secretary General**

Personnel, Administration and Budget Unit

**European Ombudsman**

**Public record of processing activity<sup>1</sup>:**

**Follow-up of staff health and safety in the framework of Covid-19 pandemic crisis**

**1. Last update of this record:** 31.03.2020

**2. Reference number<sup>2</sup>:** 6/2020

**3. Name and contact details of the controller<sup>3</sup>:** European Ombudsman, 1 avenue du Président Robert Schuman, CS 30403, F-67001 Strasbourg Cedex. Contact: PAB Unit, e-mail: [EO@ombudsman.europa.eu](mailto:EO@ombudsman.europa.eu)

Responsible department: Personnel, Administration and Budget (PAB) Unit

**4. Name and contact details of the Data Protection Officer:** Mr Juliano Franco, [Dpo-Euro-Ombudsman@ombudsman.europa.eu](mailto:Dpo-Euro-Ombudsman@ombudsman.europa.eu)

**5. Name and contact details of the processor<sup>4</sup>:** N/A

**6. Name and contact details of the joint controller(s)<sup>5</sup>:**

European Parliament- DG Personnel- Medical Service- advises the EO on implementing mitigation measures (ex: quarantine) on the basis of the list of the number of EO staff members infected by COVID-19.

Email: [PERS-MedicalHotlineCoronavirus@europarl.europa.eu](mailto:PERS-MedicalHotlineCoronavirus@europarl.europa.eu)- tel.: +32 (0)2/284.21.23)

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<sup>1</sup> To be filled in by the controller. See Article 31(1) and (5) on records of processing activities of Regulation 2018/1725: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32018R1725>

<sup>2</sup> For tracking. If the office decides to keep a central register, contact the keeper of that register to obtain a reference number.

<sup>3</sup> Use functional mailboxes as far as possible to ensure business continuity.

<sup>4</sup> Where applicable. If you use a processor (contractor) to process personal data on your behalf, please indicate so (e.g. 360° evaluations, outsourced IT services or pre-employment medical checks).

<sup>5</sup> Where applicable. If you are jointly responsible with another EU institution, please indicate so here (e.g. two institutions with shared medical service). If this is the case, make sure to mention in the description who is in charge of what and who people can address for their queries.



**7. Purpose(s) of the processing<sup>6</sup>:** To establish a list of the number of staff members infected by the COVID-19 virus to carry out the necessary follow-up and implement the mitigation measures (ex: quarantine) to protect EO staff during the pandemic crisis.

This listing helps the EO and the EP Medical Service to verify the fitness to work, according to the applicable statutory obligations (see Article 1 (e) of the Staff Regulations<sup>7</sup>). The collected information enables the EO Office to implement procedures and policies to reduce the risk of infection in its premises (ex: teleworking for all staff on a 100% basis of working time).

Description of the processing:

In the framework of the spread of COVID-19, and upon request of the EP Medical service, the EO set out and submits to the EP Medical Service:

- a list of all EO staff members (officials, temporary and contract agents, trainees) in order to establish a contact tracing if necessary;
- a list of the EO staff members who have informed the office that they may be/are infected by COVID-19- (“Covideo” list).

**8. Description of the categories of data subjects and of the categories of personal data<sup>8</sup>:**

- Categories of data subjects: All staff members of the EO Office: officials, temporary and contract agents, trainees.

- Categories of personal data

- first name and last name;
- unit;
- place of employment (Brussels or Strasbourg Office);
- professional phone numbers and emails;
- medical status (COVID-19 symptoms; information on COVID-19 symptoms of household members – this last information does not mention any names);
- time of onset of COVID-19 symptoms and dates on which the EO staff member informed the Head of PAB Unit accordingly;
- list of casual or close contacts with the staff member concerned, provided by the latter, over a period to be determined on a case-by-case basis, after appearance of the first symptoms;

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<sup>6</sup> Very concise description of what you intend to achieve; if you do this on a specific legal basis, mention it as well (e.g. staff regulations for selection procedures).

<sup>7</sup> Article 1 (e) of the Staff Regulations: “*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*”.

<sup>8</sup> In case data categories differ between different categories of persons, please explain as well (e.g.: suspects vs. witnesses in administrative inquiries)



**9. Time limit for keeping the data and, where possible, for erasure<sup>9</sup>:** The lists of EO staff members mentioned above will be deleted as soon as the current situation linked to COVID-19 ends. Health-related data are kept in the staff's member medical file in accordance with the retention period applicable to these files (30/40 years). The medical files of the EO staff members are exclusively managed by the EP Medical Service.

**10. Recipients of the data<sup>10</sup>:** the EO, the Secretary-General, the Head of PAB Unit, the Head of HR Sector (as back up of Head of PAB Unit), the EP Medical Service.

The names and other justified information of EO staff members (ex: COVID-19 symptoms) may be reported to local health authorities, in line with national requirements. The information the EO Office collects will not be given to any third party, except to the extent and for the purpose it may be required to do so by law.

**11. Are there any transfers of personal data to third countries and/or to International Organisations?<sup>11</sup>:** N/A

**12. General description of security measures<sup>12</sup>:**

The lists processed by PAB Unit are stored in an electronic folder, under a secure server. Numerous security measures are set up by the Information, Communication and Technology (ICT) sector to protect the integrity and confidentiality of the Institution's electronic property. The lists processed by PAB Unit are only accessible to the Head of PAB Unit and his back up, the Head of HR Sector.

The medical files of the EO staff members are exclusively managed by the EP Medical Service.

**13. Information on how data subjects can exercise their rights of access and rectification, and where applicable, of erasure, restriction and data portability<sup>13</sup>:**

Data subjects have the right of access to their own personal data and to relevant information concerning how the EO uses it. They have also a right to request from the EO rectification of any incomplete or inaccurate data concerning them. They have a right to object to the use of their data by the EO on grounds relating to their particular situation, at any time. Under certain conditions, they have the right to

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<sup>9</sup> Indicate your administrative retention period including its starting point; differentiate between categories of persons or data where needed (e.g. in selection procedures: candidates who made it onto the reserve list vs. those who did not).

<sup>10</sup> Who will have access to the data within the European Ombudsman? Anyone outside the office? No need to mention entities that may have access in the course of a particular investigation (e.g. OLAF, EDPS, Court of Auditors).

<sup>11</sup> If yes, include the identification of the country or International Organisation and the documentation of suitable safeguards (e.g. processor in a third country using standard contractual clauses, a third-country public authority you cooperate with based on a treaty).

<sup>12</sup> Where possible. Include a general description of your security measures that you could also provide to the public. See Article 33 on security of processing of Regulation 2018/1725: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32018R1725>

<sup>13</sup> Consider publishing the relevant part of the privacy statement and providing a link. See Articles 15 and 16 on the information to be provided to the data subject(s) and Article 17 to 22 on the rights of data subjects of Regulation 2018/1725: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32018R1725>



ask that the EO deletes their personal data or restricts its use. The EO will reply to their requests as soon as possible and within one month at the latest.

Data subjects may ask the EO information concerning the processing of their personal data by e-mail ([eo@ombudsman.europa.eu](mailto:eo@ombudsman.europa.eu)). Data subject may also contact the EO Data Protection Officer at any time: [dpo-eo-ombudsman@ombudsman.europa.eu](mailto:dpo-eo-ombudsman@ombudsman.europa.eu).

If data subjects wish to complain about the Ombudsman's handling of their personal data, they may contact the European Data Protection Supervisor: [www.edps.europa.eu](http://www.edps.europa.eu)]

A specific privacy statement is available (in attachment to the record).



# Privacy Statement

relating to the follow-up of staff health and safety in the European Ombudsman's Office in the framework of Covid-19 pandemic crisis

This privacy statement explains the reason for collecting and processing the personal data; the way the European Ombudsman collects, handles and ensures protection of the data provided; how this information is used; and what rights the candidates may exercise in relation to their data.

The controller is the European Ombudsman. The joint controller is the Medical Service of the European Parliament for the implementation of mitigation measures (ex: quarantine) on the basis of the list of the number of EO staff members infected by COVID-19.

## 1. What personal data will the European Ombudsman process?

The categories of personal data dealt with are the following:

- first name and last name;
- unit;
- place of employment (Brussels or Strasbourg Office);
- professional phone numbers and emails
- medical status (COVID-19 symptoms; information on COVID-19 symptoms of household members – this last information does not mention any names);
- time of onset of COVID-19 symptoms and dates on which the EO staff member informed the Head of PAB Unit accordingly;
- list of casual or close contacts with the staff member concerned, provided by the latter, over a period to be determined on a case-by-case basis, after appearance of the first symptoms;

## 2. Why does the European Ombudsman process these personal data?

The purpose of the data processing is to establish a list of the number of staff members who have informed the office that they may be/are infected by COVID-19, to carry out the necessary follow-up and implement the mitigation measures (ex: quarantine) to protect the EO staff during the pandemic crisis. This listing helps the EO and the EP Medical Service to verify the fitness to work, according to the applicable statutory obligations (see Article 1 (e) of the



Staff Regulations). The collected information enables the EO Office to implement procedures and policies to reduce the risk of infection in its premises (ex: teleworking for all staff on a 100% basis of working time).

### 3. What is the legal basis and necessity for processing this data?

The legal basis is Article 1 (e) of the Staff Regulations<sup>14</sup>.

Processing is necessary for the performance of a task carried out in the public interest (Article 5(1)(a) of Regulation 2018/1725) . The EO processes medical data indicated in point 8, because the processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subjects in the field of employment and social security and social protection law (Article 10 (2) (b) of the Regulation 2018/1725).

### 4. Who is responsible for processing the data?

The responsible department in the EO Office is the Personnel, Administration and Budget (PAB) Unit.

### 5. Who will be the recipients of the data?

The EO, the Secretary-General, the Head of PAB Unit, the Head of HR Sector (as back up of Head of PAB Unit), the EP Medical Service.

The names and other justified information of EO staff members (ex: COVID-19 symptoms) may be reported to local health authorities, in line with national requirements. The information the EO Office collects will not be given to any third party, except to the extent and for the purpose it may be required to do so by law.

### 6. How long will the data be kept?

The listing of EO staff members will be deleted as soon as the current situation linked to COVID-19 ends. Health-related data concerning a presumed infected EO staff member by COVID-19 are kept in the staff member's medical file in accordance with the retention period applicable to these files (30/40 years). The medical files of the EO staff members are exclusively managed by the EP Medical Service.

### 7. How do we protect the data subject's data?

The lists processed by PAB Unit are stored in an electronic folder, under a secure server. Numerous security measures are set up by the ICT sector to

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<sup>14</sup> Article 1 (e) of the Staff Regulations: "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".



protect the integrity and confidentiality of the Institution's electronic property. The lists are only accessible to the Head of PAB Unit and his back up, the Head of HR Sector.

The medical files of the EO staff members are exclusively managed by the EP Medical Service.

## 8. What are your rights and how can you exercise them?

You have the right of access to your own personal data and to relevant information concerning how the EO uses it. You have also a right to request from the EO rectification of any incomplete or inaccurate data concerning you. You have a right to object to the use of your data by the EO on grounds relating to your particular situation, at any time. Under certain conditions, you have the right to ask that the EO deletes your personal data or restricts its use.

The EO will reply to your requests as soon as possible and within one month at the latest.

## 9. Who to contact in case of queries or complaints concerning data protection issues?

At any time, you may send data protection related questions concerning the follow-up of staff health and safety within the EO Office in the framework of Covid-19 pandemic crisis, at the following address: [eo@ombudsman.europa.eu](mailto:eo@ombudsman.europa.eu)

Head of Personnel, Administration and Budget Unit  
European Ombudsman  
1 avenue du Président Robert Schuman  
CS 30403  
F-67001 Strasbourg Cedex

You also may contact the Data Protection Officer of the European Ombudsman at the following address: [DPO-Euro-Ombudsman@ombudsman.europa.eu](mailto:DPO-Euro-Ombudsman@ombudsman.europa.eu)

You may lodge a complaint with the European Data Protection Supervisor at any time at the following address: [EDPS@edps.europa.eu](mailto:EDPS@edps.europa.eu)