



**Secretary General**

Personnel, Administration and Budget Unit

**European Ombudsman**

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

**Requests for permission for external activity or assignment**

**1. Last update of this record:** 16.03.2021

**2. Reference number<sup>2</sup>:** 3/2021

**3. Name and contact details of the controller<sup>3</sup>:** European Ombudsman- CS 30403  
67001 Strasbourg Cedex- Tel.: +33 3 88 17 23 13- Unit Personnel, Administration  
and Budget (PAB)-Sector Human Resources (HR)

Email: [EOPersonalFile@ombudsman.europa.eu](mailto:EOPersonalFile@ombudsman.europa.eu)

**4. Name and contact details of the Data Protection Officer:** Ms Francesca Pavesi-  
Deputy DPO: Mr Nicholas Hernanz

Email: [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 Commission (DG "DIGIT") which manages ARES, the IT tool used by the  
EO staff to circulate the documents concerning staff members' requests for  
permission before engaging in outside activities or assignments while in active  
service or on leave on personal grounds.

Email: [sg-edomec@ec.europa.eu](mailto:sg-edomec@ec.europa.eu)

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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 manage requests for permission to engage in external activity or assignment- see Articles 12b, 15 of the Staff Regulations and 11 and 81 of the Conditions of Employment of Other Servants of the European Union and the [Decision of the European Ombudsman on internal rules concerning outside activities and assignments](#) of 4 March 2021.

**Short description of the processing:**

Staff members wishing to engage in a paid or unpaid outside activity or to carry out any assignment must request permission from the Appointing Authority (AA). Staff members must submit their request, accompanied by the necessary supporting documents (including a detailed description of the activity or assignment, contract, and indication of the expected remuneration, if any) to the AA or its delegate two months before the beginning of the activity or assignment, and at the latest two weeks before undertaking a one-off activity. Staff members should submit their applications and supporting documents to the HR Services, which carry out a preliminary assessment, if necessary, following consultation with the staff member's line manager.

Staff members must submit a new application to the AA for any new activity or assignment, and for any change in an activity or assignment for which they have already received permission. Permission to engage in an outside activity or assignment is granted for the period set out in the authorisation, which in principle is not more than one year. A new application for prolonging or renewing the permission must be submitted at least two months before the initial period expires. The AA responds to this request at the latest within one month of receipt of the application. If the application concerns a one-off activity, the AA replies within a week.

**8. Description of the categories of data subjects and of the categories of personal data<sup>7</sup>:**

- **Categories of data subjects:** Staff members of the EO Office in active employment or seconded in the interest of the service and staff members on leave on personal grounds (see Article 12b of the Staff Regulations)

- **Categories of personal data:** the form on requests for permission for external activity or assignment includes the following data:

- identification data of the staff member concerned: forename, surname, personal number, grade;
- function and duties exercised at the EO Office of the staff member concerned<sup>8</sup>;
- entity/organisation for which the external activity is exercised (name, address and telephone number);

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

<sup>8</sup> For requests introduced by staff members on leave on personal grounds, they have to provide a description of their activity during the last three years of active service at the EO Office.



- information on the activity to be exercised (including information about: where the activity takes place; duration of activity (total number of hours /weeks/months); whether the activity is carried out outside working hours or during working hours; number of day(s) the staff member needs to be absent (if applicable), and whether this entity/organisation receives funding from the EU);
- information on the expected remuneration, if applicable (ex: amount for the activity itself, travel costs, accommodation costs);
- information on the publication and the expected remuneration (if applicable);
- HR preliminary assessment on the activity's compatibility with the interests of the institution and the reasons if this is not the case ;
- the Appointing Authority's decision whether the activity is compatible with the interests of the institution and the reasons if this is not the case.

**9. Time limit for keeping the data and, where possible, for erasure<sup>9</sup>:** The forms are archived in the personal files of the relevant staff members. They are kept 5 years after the end of exercise of the external activity or assignment. Documents in ARES are kept according to the retention periods set out by the EC which owns the tool ARES.

**10. Recipients of the data<sup>10</sup>:** the European Ombudsman, the Secretary-General (SG), the Head of Personnel, Administration and Budget Unit (PAB), the Head of HR sector, the staff member(s) of HR sector in charge of handling the requests for permission for external activity or assignment.

**11. Are there any transfers of personal data to third countries and/or to International Organisations?<sup>11</sup>:** No

**12. General description of security measures<sup>12</sup>:** The electronic files (request forms and supporting documents) are stored on the Ombudsman's servers with restricted access limited to staff members of the PAB unit on a need to know basis (Head of PAB unit, Head of HR sector and the staff member(s) of HR sector in charge of handling the requests). Electronic files are also circulated on ARES where the same restrictions apply. The EO and the SG also have access to the ARES electronic files.

The paper versions of the forms are kept in the staff members' personal files in a locked cupboard in the HR Sector with restricted access limited to staff members of the PAB unit on a need to know basis.

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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>



**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 may ask information concerning the processing of their personal data by e-mail ([EOPersonalFile@ombudsman.europa.eu](mailto:EOPersonalFile@ombudsman.europa.eu)). Requests from data subjects will be dealt within one month at the latest. They may also contact the Ombudsman's Data Protection Officer 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)

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<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>



# Privacy Statement

## relating to the requests for permission for external activity or assignment

This privacy statement explains the reason for the processing, the way the European Ombudsman (EO) collects, handles and ensures protection of all personal data provided, how that information is used and what rights the data subjects may exercise in relation to their data.

The data controller is the European Ombudsman (EO). The joint controller is the European Commission (Directorate General “DIGIT”) which manages ARES, the IT tool used by the EO staff to circulate the documents concerning staff members’ requests for permission before engaging in outside activities or assignments while in active service or on leave on personal grounds.

### 1. What personal data will the EO process?

We process personal data of the staff members of the EO Office in active employment or seconded in the interest of the service and staff members on leave on personal grounds. The form on requests for permission for external activity or assignment includes the following data:

- identification data of the staff member concerned: forename, surname, personal number, grade;
- function and duties exercised at the EO Office of the staff member concerned<sup>14</sup>;
- entity/organisation for which the activity is exercised (name, address and telephone number);
- information on the activity to be exercised (including information about: where the activity takes place; duration of activity (total number of hours /weeks/months); whether the activity is carried out outside working hours or during working hours; number of day(s) the staff member needs to be absent (if applicable), and whether this entity/organisation receives funding from the EU);
- information on the expected remuneration, if applicable (ex: amount for the activity itself, travel costs, accommodation costs);
- information on the publication and the expected remuneration (if applicable);
- HR preliminary assessment on the activity’s compatibility with the interests of the institution and the reasons if this is not compatible;

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<sup>14</sup> Staff members on leave on personal grounds have to provide a description of their activity during the last three years of active service at the EO Office.



- the Appointing Authority's decision whether the activity is compatible with the interests of the institution and the reasons if this is not compatible.

## 2. Why does the EO process these personal data?

Personal data is collected and further processed to manage requests for permission to engage in external activity or assignment from EO staff members.

## 3. What are the legal bases and necessity for processing this data?

Processing is necessary for the performance of a task carried out in the public interest (Article 5(1) (a) of Regulation 2018/1725). It is also necessary on the basis of Article 5(1) (b) of the Regulation (necessary for compliance with legal obligation incumbent on controller).

The legal basis are Articles 12b, 15 of the Staff Regulations and 11 and 81 of the Conditions of Employment of Other Servants of the European Union and the [Decision of the European Ombudsman on internal rules concerning outside activities and assignments](#) of 4 March 2021.

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

The EO is responsible for processing the data. Data is processed more specifically by the Unit Personnel, Administration and Budget (PAB), Human Resources (HR) sector.

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

The EO, the Secretary-General (SG), the Head of Personnel, Administration and Budget Unit (PAB), the Head of HR sector, the staff member(s) of HR sector in charge of handling the requests for permission for external activity or assignment.

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

The forms are archived in the personal files of the relevant staff members. They are kept for a period of 5 years after the end of exercise of the external activity or assignment, in case of an appeal before the EU Courts or audit procedures. After this period, data is destroyed. Documents in ARES are kept according to the retention periods set out by the EC which owns the tool ARES.



## 7. How do we protect your data?

The electronic files (request forms and supporting documents) are stored on the EO servers with restricted access limited to staff members of the PAB unit on a need to know basis (Head of PAB unit, Head of HR sector and the staff member(s) of HR sector in charge of handling the requests). Electronic files are also circulated on ARES where the same restrictions apply. The EO and the SG also have access to the ARES electronic files.

The paper versions of the forms are kept in the staff members' personal files in a locked cupboard in the HR Sector with restricted access limited to staff members of the PAB unit on a need to know basis.

## 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 rectification of any incomplete or inaccurate data concerning you. You can rectify identification data at any time. 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 restrict its use.

The EO will reply to the 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 procedure for dealing with requests for permission for external activity or assignment to the European Ombudsman, at the following address:

Head of Personnel, Administration and Budget Unit  
European Ombudsman  
1 avenue du Président Robert Schuman  
CS 30403  
F-67001 Strasbourg Cedex  
[EOPersonalFile@ombudsman.europa.eu](mailto:EOPersonalFile@ombudsman.europa.eu)

They 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)

They 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)