



EUROPEAN
COURT
OF AUDITORS

Data Protection – Privacy Statement

Information request on the use of the available cohesion funds and CARE regulations – EUSurvey tool

This privacy statement concerns the European Court of Auditors' (ECA) processing of personal data in the context of the audit on CARE 23CH2003.

The manner in which the ECA processes and protects your personal data is described below.

Your contact details (name and email address) have been obtained from the Commission in order to invite you to respond to this information request and send out any reminders).

Participating in and replying to the information request is **mandatory (Article 287 TFEU)**.

By replying to this information request, you give your consent to the processing of your personal data by the ECA as described in this privacy statement.

Who is responsible for handling your data?

Data processing operations are under the responsibility of the ECA Reporting Member responsible for the audit.

Why do we process your data?

The audit Team will use your personal data for the purpose of the audit.

Your personal data will not be processed for any purpose other than that for which they have been collected.

What are the rules governing the use of your data?

[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 (the “**EUDPR**”) is the legal framework for the processing of personal data within the Court.

The legal basis for the processing of your personal data is Article 287 TFEU.

The following categories of data will be used:

- Your replies to the questions of the information request.

How long do we keep your data?

Your personal data will be retained for 7 years as defined in the Financial Regulation and, in any case no longer than is necessary for the purposes for which the personal data are processed, after which they will be destroyed.

Your personal data will be uploaded into the survey tool to be able to invite you to participate and provide your input. Considering that we would need to contact you after the information request to discuss your replies, we must retain your personal data for 7 years as defined in the first paragraph in this section.

Who has access to your data and to whom will your data be disclosed?

The audit Team have access to your data according to the “need to know” principle.

If you lodge a complaint, your personal data may be transferred to the European Ombudsman and/or the European Data Protection Supervisor and/or the ECA Data Protection Officer.

The audit directorate and the audit team have access to your data according to the “need to know” principle. Staff from the ECA’s Directorate for Audit Quality Control may also access your data in the exercise of its audit quality control work.

Your personal data may be transferred to the ECA’s Legal Service if legal advice is required or to the ECA’s translation directorate if translation is required.

If the processing activity is, at a later stage, audited by the ECA Internal Audit Service (IAS), please note that your personal data will only be processed if necessary in order to fulfil the obligations of the IAS and in line with this [privacy statement](#) (for all IAS recurrent tasks) or a specific privacy statement you will be provided with for special/non-recurrent tasks. Access to personal data by IAS will be restricted to what is absolutely necessary and legally permitted.

How do we safeguard against possible misuse of or unauthorised access to your data?

Data sets are stored securely in the EU Commission’s data centre in the EU and are therefore covered by the numerous measures taken to protect the availability, integrity and confidentiality of the institution’s electronic assets.

Access to personal data is restricted to a specific user group. Access rights are granted on a “need to know” basis, taking account of the role, post and responsibilities of the user concerned. These rights are continually updated as staff assignments change.

The ECA’s Secretary-General has overall responsibility for implementation of the rules on access rights and compliance with the rules on data protection but has delegated responsibility in these areas to different entities. The Court has an information security policy, and an Information Security Officer who ensures that the policy is implemented correctly and that the related checks are tested for efficiency.

To conduct this information request, the ECA uses EUSurvey, a multilingual online survey management system built for the creation and publication of surveys. EUSurvey is a tool provided to ECA, as controller, by the European Commission, as processor. The EU Commission does not use sub-processors, and all personal data are stored on the servers of the European Commission’s Data Centre. The European Commission has implemented security measures to protect server hardware, software and the network from accidental or malicious manipulations and loss of data. All data is managed by DG DIGIT in line with the technical security provisions laid down in the Commission Decision (EU, Euratom) 2017/46 of 10 January 2017 on the security of communication and information systems in the European Commission, its subsequent versions, its implementing rules (as adapted from time to time) and the corresponding security standards and guidelines, as well as the Commission Decision (EU,

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Euratom) 2015/443 of 13 March 2015 on the security in the Commission, its implementing rules and the corresponding security notices. These documents (as adapted from time to time) are available for consultation at the following address: https://ec.europa.eu/info/publications/security-standards-applying-all-european-commission-information-systems_en.

EUSurvey uses the Europa Analytics service for traffic statistics and analytics. For further information see the [Europa Analytics](#) website. Europa Analytics is based on the open source analytics platform “Matomo” (source: [EUSurvey Record](#)).

We will evaluate your responses and use them for audit purposes and keep them strictly confidential, but we intend to publish the overall results in a special report. Should your individual response be of particular interest to us we may follow up directly with you.

EUSurvey allows the information request creator (“Information Request Owner”) to see which persons invited to take part in the information request have participated, and who have not; thus, allowing the sending out of targeted reminders.

What are your rights?

Your rights in respect of your personal data are set out in Articles 17 to 24 of the EUDPR. You have the right to access your personal data and to have them rectified without undue delay if they are inaccurate or incomplete. Under certain conditions, you have the right to ask us to erase your personal data or to restrict use of the data. Where applicable, you have the right to object to the processing of your personal data, at any time, on grounds relating to your particular situation, and the right to data portability.

You can request that we communicate, insofar as possible, any changes to your personal data to other parties to whom your data have been disclosed.

We will consider your request, take a decision and communicate it to you without undue delay and in any event within one month of receipt of the request. This period may be extended by two further months where necessary.

As specified in Court decision No 42-2021¹, your rights may be restricted in certain circumstances, (for example when carrying out audits, conducting administrative inquiries, etc.).

You can exercise your rights by contacting the data controller, using the contact information given below.

Who should you contact if you have a query or complaint?

The first point of contact is the data controller at ECA-INFO@eca.europa.eu.

You may contact the ECA’s Data Protection Officer (ECA-Data-Protection@eca.europa.eu) at any time if you have any concerns/complaints about the processing of your personal data:

Data Protection Officer
European Court of Auditors
12 Rue Alcide de Gasperi
1615 Luxembourg
LUXEMBOURG

¹ Decision No 42-2021 of the ECA of 20 May 2021 adopting internal rules concerning restrictions of certain rights of data subjects in relation to the processing of personal data in the framework of activities carried out by the European Court of Auditors ([link](#)).

You have the right to lodge a complaint, at any time, with the European Data Protection Supervisor (edps@edps.europa.eu) concerning the processing of your personal data.