

**[MODEL GENERIC PRIVACY STATEMENT]**

**NB: TEXT IN RED SHALL BE DELETED**

THE TEXT IN RED PROVIDES YOU WITH GUIDANCE ON HOW TO FILL IN THIS TEMPLATE. IT SERVES TO REMIND YOU OF THE LEGAL OBLIGATIONS RELATED TO YOUR ROLE AS DATA CONTROLLER, AS WELL AS TO HELP YOU ADAPT THE STANDARD TEXT SO THAT THE INFORMATION CONTAINED IN THE PRIVACY STATEMENT IS EXTENSIVE AND CORRESPONDS TO THE PARTICULARITIES OF THE RELEVANT PROCESSING OPERATION. AFTER YOU HAVE COMPLETED THE DRAFTING OF THE PRIVACY STATEMENT, YOU SHOULD ERASE THE GUIDANCE TEXT AND MAKE SURE THAT IT DOES NOT APPEAR IN THE FINAL VERSION THAT YOU WILL PROVIDE TO THE DATA SUBJECTS.

As data controller, you are reminded about your obligations in relation to [Regulation \(EU\) 2018/1725 \('the Regulation'\)](#). In particular vis-a-vis the data subjects you need to:

- take appropriate measures to provide any information and any communication to the data subjects in a clear, *easily understandable*, transparent and concise form, as well as **facilitate for the data subjects to the exercise his or her rights** as indicated in article 14 of the Regulation.
- to **provide the data subjects with all the necessary information** as described in articles 15 and 16 of the Regulation in order to ensure a fair and transparent processing. You must ensure this information is provided to the data subjects at the very beginning of the processing of their personal data.

Therefore, **make the privacy statement available to the data subjects at the outset** when you collect the data directly from them (article 15) or when the data are *not* collected directly from the data subjects (article 16), you must ensure to communicate it within the time period specified in article 16.3(a)-(c).

It is crucial that you make the privacy statement visible and easily accessible to the data subjects. It should be provided in the most appropriate format and place (e.g. published on the relevant website, provided as part of the online form that the data subjects have to fill in, or in the acknowledgment of receipt when a data subject exercises his/her rights via an email, etc.). You should also ensure that the data subjects are adequately directed towards the privacy statements location in order to become aware of it.

Note also that the information in the privacy statement must be consistent with the relevant sections of the record of the processing operation in the Data Protection Records Register at European Labour Authority. Please verify that the information contained in both documents is the same before submitting the record and privacy statement.

## **PROTECTION OF YOUR PERSONAL DATA**

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

**Processing operation:** ELA Public consultations/Survey/Questionnaires/Quiz

**Data Controller:** European Labour Authority, *[Name of Unit/team/sector responsible (entity)]*

**Record reference:** DPR-ELA-2022-0022

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## 1. Introduction

The European Labour Authority (hereafter 'ELA') is committed to protect your personal data and to respect your privacy. ELA 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 protection of all personal data provided, how that information is used and what rights you have in relation to your personal data in the context of *[Name of the (type of survey/quiz/questionnaire)]*. It also specifies the contact details of the responsible Data Controller with whom you may exercise your rights, the Data Protection Officer and the European Data Protection Supervisor.

The information in relation to processing operation "ELA Public consultations/Survey/Questionnaires/Quiz", in particular: *[Name of the (type of survey/quiz/questionnaire)]* undertaken by *[indicate the name of the Unit/team, i.e. the organisational entity responsible for the processing like the Unit/Sector which has determined the purpose(s) and the means of the processing of personal data. Do not indicate the name of the e.g Head of Unit.]* is presented below.

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

Purpose of the processing operation: *[Indicate the name of the Unit/team responsible for the survey/quiz/questionnaire i.e. the organisational entity]* collects and uses your personal information to obtain feedback on its work and activities from the different Authority's stakeholders. In addition, ELA may be interested to monitor and to evaluate public opinion in the Authority and/or a broad range of thematic issues relating to it and its policies. The data are used to feed the Authority's performance monitoring framework including external evaluations and performance indicators and for learning and improvement purposes.

*[In case of a targeted consultation related to human resource management addressing ELA Staff, please use the following i.e. opinion on teleworking rules, satisfaction survey, HR policies]* A targeted consultation is necessary to obtain the views of ELA staff in order to inform the ELA's human resource management necessary for the functioning of the institution.

Your personal data will not be used for an automated decision-making including profiling.

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

We process your personal data, because, according to Article 5(1)(d) of Regulation (EU)2018/1725, you have given consent to the processing of your personal data for one or more specific purposes.

We do not process **special categories of personal data**, therefore, Article 10 of the abovementioned Regulation does not apply.

*[In case of special categories of personal data being processed, please add: ]*

We do process **special categories of personal data**, therefore, Article 10 of the Regulation (EU) 2018/1725 applies. In particular, we collect: *[Specify the categories of special categories of personal data concerned, remove when not collected.]*

Data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health, data concerning a natural person's sex life or sexual orientation.

We collect special categories of personal data lawfully according to Article 10(2) (a) you have given explicit consent to the processing of your personal data for one or more specified purposes.

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

In order to carry out this processing operation *[Indicate the name of the Unit/team responsible for the survey/quiz/questionnaire i.e. the organisational entity]* collects the following categories of personal data:

Only personal data necessary for participation in the targeted consultation will be collected and processed. The personal data varies from one targeted consultation to another. The specific privacy statement will provide the necessary categories of personal data and the reasons for them. *[Specify the categories of personal data concerned, remove when not collected.]*

- name and surname,
- profession, job position, function
- organisation
- country of residence,
- e-mail address and/or telephone of the respondent,
- the name of self-employed individuals (natural persons) on whose behalf the respondent is contributing,
- personal data related to the physical, economic, cultural, or social identity of the respondent, insofar as they are not falling under Article 10 of the Regulation,
- personal data included in the response or contribution to the targeted consultation, including (personal) opinions (if the targeted consultation at hand requires so);
- consent form dated and signed.

Furthermore, respondents may spontaneously provide other, non-requested personal data in the context of their reply to a targeted consultation. *In all other cases, it is the responsibility of the respondents who opted for confidentiality of their personal data to avoid any reference in the submissions that would reveal their identity.*

*[If the controller foresees the publication of any personal data, it should specify to what extent it would publish personal data and the legal basis for it (e.g. consent)., please include the following:]*

*In some specific cases, the views expressed by the respondents to a targeted consultation will be published on a Europa website, either as received, in the form of a summary report or included in a wider policy document. The identity of the stakeholder or respondent, insofar it concerns a natural person, is only published if the stakeholder or respondent consents to the publication of his/her identity. Similarly, photographs and audio- or video recordings are only published based on the explicit consent of the data subject. Should the subject matter of a targeted consultation require respondents to provide personal data in their response, these will only be published subject to explicit consent of the data subject.*

The provision of personal data is not mandatory.

#### **5. How long do we keep your personal data?**

*[Indicate the name of the Unit/team responsible for the survey/quiz/questionnaire i.e. the organisational entity]* only keeps your personal data for the time necessary to fulfil the purpose

of collection or further processing, namely for 12 (twelve) months period after the end of the survey.

In case of publication of the photographs and/or audio- or video recordings or replies to a specific survey, after obtaining explicit consent of the data subject, data could be kept for 5 years.

#### **6. How do we protect and safeguard your personal data?**

All personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored either on the servers of the European Labour Authority or of its contractors.

ELA's contractors are bound by a specific contractual clause for any processing operations of your data on behalf of ELA, and by the confidentiality obligations deriving directly from the General Data Protection Regulation in the EU Member States ('GDPR' Regulation (EU) 2016/679.)

In order to protect your personal data, ELA has put in place a number of technical and organisational measures in place. Technical measures include appropriate actions to address online security, 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. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.

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

Access to your personal data is provided to ELA staff responsible for carrying out this processing operation and to authorised staff according to the "need to know" principle. Such staff abide by statutory, and when required, additional confidentiality agreements.

*[If applicable, indicate the recipients/or categories of recipients of the data i.e. a natural or legal person, public authority, agency or another body to which personal data are disclosed, whether a third party or not. They could be internal or external entities, including processors e.g. contractors.]*

*[In case you foresee publication of the personal data, indicate this and specify to what extent you will publish personal data.]*

When explicitly agreed by you, some of your personal data (the views expressed by the respondents to a targeted consultation, identity of the stakeholder or respondent, photographs and audio- or video recordings) will be published on a publicly available website on a Europa website, either as received, in the form of a summary report, included in a wider policy document, or printed to illustrate communication material, photo albums, etc.

*Please note that pursuant to Article 3(13) of the Regulation, public authorities (e.g. Court of Auditors, EU Court of Justice) which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients. The processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.*

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

#### **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, your personal data and to rectify them in case your

personal data are inaccurate or incomplete. Where applicable, you have the right to erase your personal data, to restrict the processing of your personal data, to object to the processing, and the right to data portability.

You have consented to provide your personal data to *[Indicate the name of the Unit/team responsible for the survey/quiz/questionnaire i.e. the organisational entity]* for the present processing operation. You can withdraw your consent at any time by notifying the Data Controller. The withdrawal will not affect the lawfulness of the processing carried out before you have withdrawn the consent.

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. Their contact information is given under Heading 9 below.

Where you wish to exercise your rights in the context of one or several specific processing operations, please provide their description (i.e. their Record reference(s) as specified under Heading 10 below) in your request.

## **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, *[indicate controller entity, and (ONLY) functional mailbox]*.

### **- The Data Protection Officer (DPO) of ELA**

You may contact the Data Protection Officer ([data-protection@ela.europa.eu](mailto:data-protection@ela.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@edps.europa.eu](mailto:edps@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.

## **10. Where to find more detailed information?**

ELA Data Protection Officer (DPO) publishes the register of all processing operations on personal data by ELA, which have been documented and notified to him. You may access the register via the following link: <https://www.ela.europa.eu/en/privacy-policy>

This specific processing operation has been included in the DPO's public register with the following Record reference:

DPR-ELA-2022-0022 : ELA Public consultations/Survey/Questionnaires/Quiz