



European Union Aviation Safety Agency

FO Personal data processing records and compliance checklist - Public	Ref # 086
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Nr.	Item	Explanation
Whistleblowing procedure		
1.	Last update of this record	08.11.2022
2.	Reference number	086
Part 1 – Article 31 of Regulation (EU) 2018/1725 - Record (recommendation: Publicly available)		
3.	Name and contact details of the controller and of the staff member responsible	Controller: European Union Aviation Safety Agency (EASA) Staff member responsible: Section Manager - Internal Audit & Assurance
4.	Name and contact details of DPO	dpo@easa.europa.eu
5.	Name and contact details of joint controller (where applicable)	N/A
6.	Name and contact details of processor (where applicable)	N/A
7.	Purpose of the processing	The purpose of the processing is to carry out the procedure defined in Article 22a and 22b of the Staff Regulation and Articles 11 and 81 of CEOS, together with the EASA Management Board Decision 15-2018 laying down the guidelines on whistleblowing.
8.	Description of categories of persons whose data are processed by EASA and list of personal data categories	Categories of persons whose data are processed by EASA: <ul style="list-style-type: none"> - all members of staff (irrespective of their administrative position) - seconded national experts





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		<ul style="list-style-type: none">- trainees- interim staff- local agents <p>Although the whistleblowing rules do not strictly speaking apply to seconded national experts, trainees, interim staff and local agents, these categories of staff are also encouraged to make use of the arrangements set out in EASA MB Decision 15-2018.</p> <p>Categories of personal data processed:</p> <ul style="list-style-type: none">- name- surname- personnel number- job title- office address & telephone- office email address- private e-mail address- private address- date and signature
9.	Time limit for keeping the data	<p>Upon the closing of an initial and internal investigation led by EASA, the data gathered to build the investigation will be either sent to OLAF / EPPO if it concerns fraud or if not relating to fraud, dealt with through the appropriate channels within EASA.</p> <ul style="list-style-type: none">- If a case is sent to OLAF / EPPO and an investigation is opened, EASA will keep the information as long as the investigation is open.- If a case is on-going before the Courts, EASA will keep the information as long as as the legal proceedings are pending.





		<ul style="list-style-type: none">- If a case is sent to OLAF / EPPO and an investigation is not opened, EASA will retain the information up to 3 months and 10 days after the final feedback on the actions taken by EASA has been sent out to the whistleblower.- When the investigation has dismissed a report of whistleblowing, the data gathered to build the investigation will be retained up to 3 months and 10 days after the final feedback has been sent out to the reporter.- After the above referred period of 3 months and 10 days has elapsed, EASA will delete all personal data and will keep the file anonymized for statistical and historical archiving purposes.
10.	Recipients of the data	The recipients of the data are: <ul style="list-style-type: none">- EASA Anti-Fraud officer- EASA Legal Department, legal adviser in charge of anti-fraud files- EASA Human Resources Department, the officer in charge of anti-fraud files and/or personal files- The AIPN (EASA's Executive Director)- The reporter's superior hierarchy- OLAF / EPPO where needed- EASA DPO/deputy DPO, the IAS, the European Court of Auditors and the Court of Justice where necessary
11.	Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?	NO
12.	General description of security measures, where possible.	Paper files are stored in locked cupboard (in specific paper file for background information). Electronic files are stored in a protected folder.
13.	For more information, including how to exercise	Privacy statement is published on EASA intranet





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your rights to access, rectification, object and data portability (where applicable), see the below privacy statement.	
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PRIVACY STATEMENT

WHISTLEBLOWE PROCEDURE [Ref #084]

1. What personal data do we collect?

Categories of personal data processed:

- name
- surname
- personnel number
- job title
- office address & telephone
- office email address
- private e-mail address
- private address
- date and signature

2. For what purpose do we collect personal data and on which legal basis?

The purpose of the processing is to carry out the procedure defined in Article 22a and 22b of the Staff Regulation and Articles 11 and 81 of CEOS, together with the EASA Management Board Decision 15-2018 laying down the guidelines on whistleblowing.

The legal basis therefore for the processing of your personal data is Article 5(1)(b) of Regulation (EU) 2018/1725 and Article 22a and 22b of the Staff Regulation and Articles 11 and 81 of CEOS, together with the EASA Management Board Decision 15-2018 laying down the guidelines on whistleblowing.





3. Who may receive your personal data?

The recipients of the data are:

- EASA Anti-Fraud officer
- EASA Legal Department, legal adviser in charge of anti-fraud files
- EASA Human Resources Department, the officer in charge of anti-fraud files and/or personal files
- The AIPN (EASA's Executive Director)
- The reporter's superior hierarchy
- OLAF / EPPO where needed
- EASA DPO/deputy DPO, the IAS, the European Court of Auditors and the Court of Justice where necessary.

Your personal data may be further processed for archiving purposes in the public interest and subject to appropriate safeguards.

4. How long are your personal data kept?

Upon the closing of an initial and internal investigation led by EASA, the data gathered to build the investigation will be either sent to OLAF / EPPO if it concerns fraud or if not relating to fraud, dealt with through the appropriate channels within EASA.

- If a case is sent to OLAF / EPPO and an investigation is opened, EASA will keep the information as long as the investigation is open.
- If a case is on-going before the Courts, EASA will keep the information as long as the legal proceedings are pending open.
- If a case is sent to OLAF / EPPO and an investigation is not opened, EASA will retain the information up to 3 months and 10 days after the final feedback on the actions taken by EASA has been sent out to the whistleblower.
- When the investigation has dismissed a report of whistleblowing, the data gathered to build the investigation will be retained up to 3 months and 10 days after the final feedback has been sent out to the reporter.
- After the above referred period of 3 months and 10 days has elapsed, EASA will delete all personal data and will keep the file anonymized for statistical and historical archiving purposes.

5. What are your rights?

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





EASA should 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.

A breach concerning your personal data should be communicated to you under certain circumstances. EASA should also ensure the confidentiality of electronic communications.

You should be informed that by virtue of Article 25 of Regulation (EU) 2018/1725 and of the Internal Rules laid down under Management Board Decision No 5/2020 of 21 October 2020 on internal rules concerning restrictions of certain data-subject rights in relation to the processing of personal data in the framework of activities carried out by the European Union Aviation Safety Agency, one or several of these rights may be restricted for a temporary period of time inter alia on the grounds of prevention, investigation, detection and prosecution of criminal offences, when investigating serious irregularities, when conducting administrative inquiries, when conducting internal audits, or when providing or receiving assistance to or from other Union institutions, bodies, offices and agencies or cooperating with them, especially with OLAF and EPPO. Any such restriction will be limited in time, proportionate and respect the essence of the above-mentioned rights. It will be lifted as soon as the circumstances justifying the restriction are no longer applicable. You will receive a more specific data protection notice when this period has passed.

As a general rule you will be informed on the principal reasons for a restriction unless this information would cancel the effect of the restriction as such.

You have the right to make a complaint to the European Data Protection Supervisor (EDPS) concerning the scope of the restriction.

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

EASA should exercise the tasks of the data controller for the purpose of these processing operations.

To exercise the mentioned rights, you can contact the controller by sending an email to: [Section Manager - Internal Audit & Assurance at](#)

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

