



## PRIVACY STATEMENT

### Administrative inquiries and disciplinary procedures - Ref 032

#### 1. What personal data do we collect?

EASA processes the data of Temporary agents, Contract Agents and Seconded National Experts (SNEs).

The categories of personal data may be:

- First name, surname; personnel number; job title; administrative status, grade, function and duties; telephone number, address; assignment
- data relating to suspected offences, offences, criminal convictions or security measures (e. g. police certificates)
- data being used to evaluate personal aspects of the data subject (ability, efficiency, conduct)

Other personal data that may also be collected and subsequently processed includes:

- contact details (e-mail address, landline and mobile number, address at work and at home, place of residence, IP address)
- bank details
- identity documents (passport, identity card).

In exceptional circumstances categories of personal data revealing:

- racial or ethnic origin (e. g. photos)
- political opinions (e. g. external activities)
- religious or philosophical beliefs (e. g. switch of holiday)
- trade-union membership
- health (including disabilities)
- marital status (e. g. name of partner)

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





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The purpose of the personal data processing is the collection of data to produce a file that enables the Authority authorised to conclude contracts of employment (AACC) to determine whether a staff member or a former staff member has failed to fulfil his/her obligations under the Staff Regulations and, where appropriate, to issue a warning or impose a penalty on them in accordance with the relevant provisions of the Staff Regulations.

In cases where the Executive Director of EASA might be subject to an administrative inquiry or disciplinary proceeding the role and tasks of the AACC are performed mutatis mutandis by the Chair of the Management Board.

In this regard, we process your personal data based on Article 5(1)(a) of Regulation (EU) 2018/1725 of the European Parliament and of the Council 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (hereinafter “the Regulation”) and in accordance with EASA Management Board Decision No 04-2022 of 2 June 2022 laying down general implementing provisions on the conduct of administrative inquiries and disciplinary proceedings.

### 3. Who may receive your personal data?

The Authority authorised to conclude contracts of employment (AACC), the Head of Human Resources Department and authorised staff members with the HR Department, the Legal Department, the staff members responsible for the investigation (“investigators”) in case of an administrative inquiry, the Disciplinary Board members nominated if disciplinary proceedings before the Disciplinary Board are initiated.

The managers (Director, Head of Department, Section Manager) of the organisational structure to which you are assigned will be informed of the outcome of the disciplinary procedure. The departments responsible for ensure the implementation and follow-up of the disciplinary decision (EASA Personnel Administration Section, PMO) will be informed of the penalty imposed. OLAF will be informed if the disciplinary procedure was preceded by an OLAF investigation.

The data may also be disclosed to a judicial authority that requests it for the purpose of national procedure.





#### 4. How long are your personal data kept?

Collected data are kept for as long as it is needed for the purpose for which it was gathered and subsequently processed.

Files that resulted in:

- an administrative inquiry and were closed without further action are kept for 5 years
- a pre-disciplinary procedure and that were closed without further action or files that resulted in a warning are kept for 5 years
- a disciplinary procedure are kept for 20 years.

Cases that did not lead to an inquiry or disciplinary sanction are kept for 2 years.

#### 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.

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<sup>1</sup>, one or several of these rights may be restricted for a temporary period of time. Such restriction may only occur in the strict context of the situations listed in Article 2 (2) and (3).

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<sup>1</sup> [MANAGEMENT BOARD DECISION No 5/2020 of 21 October 2020<sup>1</sup> 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](#)





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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: [hr.info@easa.europa.eu](mailto:hr.info@easa.europa.eu)

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](mailto:dpo@easa.europa.eu)) or with the European Data Protection Supervisor: [edps@edps.europa.eu](mailto:edps@edps.europa.eu).

