



Eurojust record of processing activity

Record of processing personal data activity, based on Article 31 of 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC

Part I –Article 31 Record (this part is publicly available)

Nr.	Item	Description
Processing of personal data in the context of the identification and management of (potential) Conflicts of interests as regards staff covered by the Staff Regulations and the CEOS and Seconded National Experts		
1.	Last update of this record	
2.	Reference number	AD-05 (March 2021)
3.	Name and contact details of controller	<p>Administrative Director of Eurojust</p> <p>Postal address: <i>P.O. Box 16183 – 2500 BD The Hague The Netherlands</i></p> <p>Office address: <i>Johan de Wittlaan, 9 2517 JR The Hague The Netherlands</i></p> <p>Email: ADConfidential@eurojust.europa.eu</p>
4.	Name and contact details of DPO	dpo@eurojust.europa.eu
5.	Name and contact details of joint controller (where applicable)	N/A
6.	Name and contact details of processor (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).]	Staff responsible for assisting the Administrative Director in the Legal Affairs Unit (ls-admin-external@eurojust.europa.eu) and in the Human Resources Unit (hohrconfidential@eurojust.europa.eu).

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7.	<p>Purpose of the processing</p> <p>[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).]</p>	<p>The purpose of the data processing is to identify and manage conflicts of interests (CoI) in order to ensure that Eurojust's decision-making is independent and impartial. This includes the identification and management of the appearance of CoI, since this can constitute a reputational risk to Eurojust, even if it turns out to be unsubstantiated. This relates in particular to the management of:</p> <ol style="list-style-type: none"> 1. <i>Interests disclosed in the process of being recruited (Article 11(3) of the Staff Regulations),</i> 2. <i>Interests disclosed by a staff member in the performance of his/her duties (Article 11a of the Staff Regulations),</i> 3. <i>Potential CoI between the nature of the employment of the staff member and that one of his/her spouse/registered partner (Article 13 of the Staff Regulations),</i> 4. <i>Potential CoI arising from the intention to engage in an occupational activity during active employment or during leave on personal grounds (Article 12b of the Staff Regulations),</i> 5. <i>Potential CoI arising from the intention to engage in an occupational activity after leaving the service (Article 16 of the Staff Regulations),</i> 6. <i>Potential CoI in the context of selection procedures,</i> 7. <i>Potential CoI arising within the framework of procurement procedures,</i> 8. <i>Potential CoI arising within the framework of the evaluation of applications for financial assistance to JITs,</i> 9. <i>Potential CoI arising in the context of the annual reclassification exercise (Articles 54 and 87(3) of the CEOS).</i> 10. <i>Potential CoI arising in the context of the performance of the duties of a seconded national expert.</i> <p>Legal basis for the processing of the data:</p> <ul style="list-style-type: none"> - The Staff Regulations of Officials of the European Communities in particular, Articles 11, 11a, 12, 12b, 13, 15, 16 thereof and conditions of employment of other servants of the European Communities, in particular, Articles 11, 54, 81, 87(3) and 124 thereof; - Commission Decision C(2013) 9051 of 16 December 2013 on leave, as amended by Commission Decision (2020)1559 of 16 March 2020. - Commission Decision C(2018) 4048 of 29 June 2018 on outside activities and assignments and on occupational activities after leaving the service;

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		<ul style="list-style-type: none"> - Financial Regulation applicable to the General Budget of the European Communities (Regulation (EU, Euratom) 2018/1046) as implemented by College Decision 2019-09 of 17 September 2019 on the Financial Regulation applicable to Eurojust. - Administrative Director Decision 2020-44 adopting Eurojust's updated Standard Operating Procedure on the management of conflicts of interests. - College Decision 2013-06 on implementing arrangements for the secondment to Eurojust of national experts.
8.	<p>Description of categories of persons whose data are processed and list of data categories</p> <p>[In case data categories differ between different categories of persons, please explain as well.]</p>	<p><u>Categories of persons:</u> The data subjects are Eurojust staff members during employment at Eurojust, as well as after leaving the service (during two years after leaving the service), candidates for vacant posts and national experts seconded to Eurojust by the public administrations of the Member States.</p> <p><u>Data categories:</u></p> <ul style="list-style-type: none"> - Name and surnames - Personnel number - Entry date in Eurojust - Job title - Office address and telephone/Private address - Office and/or private Email address - Description of the interests that could actually or potentially impair the (former) staff member, candidate or national expert's independence - Date and signature <p>In principle, special categories of data (such as sensitive data) should not be included. Information that is of no interest or relevance for the identification and management of the CoI will not be processed.</p>
9.	<p>Time limit for keeping the data</p> <p>[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).]</p>	<p>Data relating to the identification and management of CoI are to be retained by Eurojust for as long as necessary subject to a maximum period of 3 years after the receipt of the data. All declaration of interests' forms via which data was collected at Eurojust and any other related correspondence will be destroyed/deleted after 3 years.</p>

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10.	<p>Recipients of the data</p> <p>[Who will have access to the data within Eurojust? Who outside Eurojust will have access? Note: no need to mention entities that may have access in the course of a particular investigation (e.g. OLAF, EO, EDPS).]</p>	<ul style="list-style-type: none"> - Hierarchical superior - Authorising Officer by delegation; - Supervisor of the seconded national expert; - Where necessary, declarations of CoI may be transferred to bodies in charge of a monitoring or inspection task in conformity with Union Law, including the European Court of Auditors, the Internal Audit Service, OLAF, the European Ombudsman and the European Data Protection Supervisor. These bodies however shall not be regarded as recipients in accordance with Article 9(3) of Regulation (EU) 2018/1725.
11.	<p>Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?</p> <p>[E.g. processor in a third country using standard contractual clauses, a third-country public authority you cooperate with based on a treaty. If needed, consult DPO for more information on how to ensure safeguards.]</p>	No
12.	<p>General description of security measures, where possible.</p> <p>[Include a general description of your security measures that you could also provide to the public.]</p>	<p>All processing operations are carried out pursuant to existing policies describing access control to different Eurojust applications.</p> <p>Organisational measures include restricting access to the personal data solely to authorized persons of the relevant Department/Unit with a legitimate need to know in relation with the identification and management of the (potential) CoI.</p> <p>The final decision of the Administrative Director is stored in the personal file. This paper file is stored in a cupboard in a locked office to which only a restricted number of staff from the Human Resources Unit have access on a need-to-know basis. The staff members in charge of assisting the Administrative Director in the management of the CoI shall deliver all documents of the personal file, if applicable, back to the Human Resources Unit and shall delete any electronic files which may have been produced during the examination of the case.</p>

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13.	<p>For more information, including how to exercise your rights to access, rectification, object and data portability (where applicable), see the data protection notice:</p> <p>[While publishing the data protection notice is not strictly speaking part of the record, doing so increases transparency and adds no administrative burden, since it already exists.]</p>	<p>Please refer to data protection notice.</p>