



EUROPEAN
COURT
OF AUDITORS

Data Protection – Privacy Statement

Processing of accounting data

This privacy statement concerns the European Court of Auditors' (ECA's) processing of personal data in the context of accounting.

Regulation (EU) 2018/1725 of 23 October 2018 (the EUDPR) is the legal framework for processing personal data. The manner in which the ECA processes and protects your personal data is described below.

Provision of your personal data is necessary and mandatory to enable the ECA to process payments and reimburse costs. Without your personal data, the ECA cannot pay wages, reimburse costs or pay invoices.

Who is responsible for processing your data?

Data processing operations are the responsibility of the ECA accountant, Secretariat-General – SG1 – BAC – Budget & Accounting.

Why do we collect your data?

Personal data are collected for the following purposes:

- to process and execute payments and reimbursements in SAP (ECA accounting system);
- to enable payments and recovery orders executed by the ECA's bank;
- to manage and maintain vendor and staff details in SAP;
- to allow cost accounting and control;
- for statistical purposes; and
- to provide an audit trail.

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?

The legal bases for the processing of your personal data are:

- Article 5(a) of the EUDPR (personal data is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the ECA); and
- Article 5(b) of the EUDPR (processing is necessary for compliance with a legal obligation to which the ECA is subject, namely the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Union, and Council Regulation (EU) 2016/300 of 29 February 2016 determining the emoluments of EU high-level public office holders).

What personal data do we process?

The following categories of data will be collected:

- **For physical persons who have or have previously had a statutory link or employment contract with the ECA:**
 - o identification data (full name, signature);
 - o contact details (personal number);
 - o professional data (status, NUP);
 - o bank details (bank domiciliation, IBAN number, SWIFT reference and name of account holder).
- **For external contractors:**
 - o identification data (full name, signature);
 - o contact details (postal address);
 - o professional data (VAT number);
 - o bank details (bank domiciliation, IBAN number, SWIFT reference and name of account holder).

How long do we keep your data?

Bank account details are retained permanently, in accordance with ECA archiving decisions.

Other personal data are retained only as long as necessary for the purposes for which the personal data are processed, and never for more than 10 years after the end of the contract or the end of the relevant financial year.

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

To protect your personal data, the ECA has put in place a number of technical and organisational measures, including restricting access to authorised persons with a legitimate need to access the data for the purposes of processing operations.

The following groups of people are authorised to access all or part of your personal dataset:

- the ECA's accounting team;
- the ECA's IT services (technical aspects and support);
- the ECA's internal audit team;
- the relevant ECA managing departments.

Certain groups of people outside the ECA may also access part of your personal dataset, as follows:

- the PMO (European Commission) has limited access to SAP under the service level agreement signed with the ECA for the management of the payroll process;
- the IT staff at the Secretariat-General of the European Council have access to SAP data on a need-to-know basis only, as part of their role as SAP service provider;
- the ECA's external auditors;
- external bodies and departments responsible for monitoring or inspection under EU law.

In addition to the above, your personal data may be transferred to other recipients as follows:

- the ECA's legal service if legal advice is required or a legal procedure is launched;
- the ECA's bank for payments;
- the European Ombudsman and/or the European Data Protection Supervisor and/or the ECA Data Protection Officer if you lodge a complaint.

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

Datasets are stored securely in the ECA's data centre in Luxembourg, and are therefore covered by the numerous measures taken to protect the availability, integrity and confidentiality of the institution's electronic assets.

Data protection is ensured via internal regulations and contractual terms with the PMO/BCEE for staff, and contractual terms and data processing agreements between the ECA and other EU institutions (European Parliament, European Commission, European Council). They have their own data protection policies.

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 ECA 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.

What are your rights?

Your rights in respect of your personal data are set out in Articles 17 to 24 EUDPR. This [document](#) contains further details about your rights. In short:

- you have the right to access your personal data and have them rectified where they are inaccurate or incomplete;
- under certain circumstances (e.g. when data are no longer necessary for the purpose for which they were collected or processed, or if you withdraw consent to processing), you have the right to ask us to erase your personal data;
- you also have the right to restrict processing in certain circumstances (e.g. when we no longer need your personal data, but you require them for preparing, exercising or defending legal claims);
- where applicable, you have the right to object to the processing of your personal data on grounds relating to your situation, and the right to data portability;
- where the processing of your personal data is based on your consent, you may withdraw that consent at any time, following which your personal data will be irrevocably removed from our records without undue delay and you will be informed thereof, unless such deletion is prevented by a legal/contractual obligation.

We will consider your request, take a decision, and notify you of this decision without undue delay, and always within one month of receiving the request. This period may be extended by two further months, where necessary (based on the complexity and number of requests).

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

The first point of contact is the data controller at ECA-ACCOUNTING_Team@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 data¹:

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

You have the right to lodge a complaint, at any time, with the European Data Protection Supervisor (edps@edps.europa.eu)² concerning the processing of your personal data.

¹ Article 7(3) of [Decision No 40-2021](#) adopting implementing rules concerning the Data Protection Officer pursuant to Article 45(3) of Regulation (EU) 2018/1725 states: "Consultation and complaints: (3) A person who has questions or complaints concerning data protection at the Court should in the first instance address these to the DPO, without prejudice to their right to contact the EDPS directly. The DPO may launch an investigation as described in Article 8 of this Decision upon such a question or complaint."

² Article 63 EUDPR – Right to lodge a complaint with the European Data Protection Supervisor: "1. Without prejudice to any judicial, administrative or non-judicial remedy, every data subject shall have the right to lodge a complaint with the European Data Protection Supervisor if the data subject considers that the processing of personal data relating to him or her infringes this Regulation."