

#### SECURITY CLEARANCE PROCEDURES

#### DATA PROTECTION NOTICE

The overall purpose of the data processing is to determine whether a person is eligible for an authorisation to access classified information and to facilitate the vetting procedure for staff members who are required to have a security clearance.

In particular, the EDPS, through the services provided by EC DG HR Security Clearance Office and the investigators from your Member State National Security Authorities (NSAs), processes your personal information to ensure that a European Union Classified Information authorisation be released only to trustworthy staff having received a clearance by the relevant NSA based on a thorough vetting procedure.

Your personal data is processed in accordance with <u>Regulation (EU) 2018/1725</u> (hereinafter 'the Regulation').

We provide you with the information that follows based on Articles 15 and 16 of the Regulation.

#### Who is the controller?

This processing activity involves separate controllers.

The European Data Protection Supervisor (EDPS) is controller for supervising of security authorisations, through the help of the European Commission (EC) Security Clearance sector of the Security Directorate in DG HR and Security of the EC that liaise with the NSAs of Member States. The security authorisations are signed by the Supervisor or by the EDPS Secretary General (SG) upon delegation.

Postal address: Rue Wiertz 60, B-1047 Brussels Office address: Rue Montoyer 30, B-1000 Brussels

Telephone: +32 2 283 19 00 Email: <u>edps@edps.europa.eu</u>

Responsible department or role: EDPS Local Security Officer (LSO): <a href="mailto:edps-lso@edps.europa.eu">edps-lso@edps.europa.eu</a>

Contact form for enquiries on processing of personal data to be preferably used: <a href="https://www.edps.europa.eu/about-edps/contact\_en">https://www.edps.europa.eu/about-edps/contact\_en</a>

For more information on the EDPS please consult our website: https://edps.europa.eu.

## **Separate controller:**

**EC SECURITY CLEARANCE** 

Directorate-General Human Resources and Security

Security Directorate
Information Security Unit DS.3

<u>EC-SECURITY-CLEARANCE@ec.europa.eu</u>
For more information, please refer to the <u>DPR-EC-00681.2</u>

# What personal data do we process and who has access to this personal data? Categories of personal data

The EDPS processes the following categories of personal data:

- full name
- personal security clearance (PSC) validity date
- outcome of vetting procedure
- authorisation outcome
- date when forms were sent to the EDPS staff
- date when completed forms were sent to the EC by the EDPS staff member

For processing of personal data by the EC, refer to <a href="DPR-EC-00681.2">DPR-EC-00681.2</a>.

# Access to personal data

- Personnel of the EC Clearance (HR.DS) office of the European Commission
- EU institutions, bodies and agencies that may require a PSC certificate for certain EDPS staff

# Where did we get your personal data?

EDPS staff members fill out the form that is sent by themselves to the EC. Then, the EDPS receives from the EC the result of the inquiry.

#### Why do we process your personal data and under what legal basis?

The lawfulness of the processing is based on Article 5(1)(a) of the Regulation (EU) 2018/1725 ('processing is necessary for the performance of a task carried out in the public interest') and Article 5(1)(b) of the same Regulation ('processing is necessary for compliance with a legal obligation to which the controller is subject').

The legal basis is EDPS Decision of 9 March 2020 (adapted on 11.11.2022) on the security rules for protecting EU classified information.

## How long do we keep your personal data?

Personal data will be kept as long as the staff member is covered by a valid security authorisation and are thus destroyed, as applicable, either (i) six months after the date the security clearance is no longer deemed necessary; (ii) six months after the expiration of the validity date indicated by the NSA; or (iii) six months after the staff member has left the institution.

The electronic file is blocked (in fact inactivated so that the LSO no longer has access to this file) when the HR.DS has been notified that the person no longer needs a security clearance. The EDPS LSO will maintain only a list of the clearance released and the original of the Security Authorisations in his record in accordance to the above indicated retention periods.

# What are your rights regarding your personal data?

You have the right to request access to your personal data and to relevant information concerning how we use it. You have the right to request rectification your personal

data. You have the right to ask that we delete your personal data or restrict its processing. Where applicable, you have the right to object to the processing of your personal data, on grounds relating to your particular situation, at any time.

Please note that, in certain cases, as provided in Article 25 of the Regulation, restrictions of data subjects' rights may apply.

We will consider your request, take a decision and communicate it to you. The time limit for treating your request is one (1) month. This period may be extended by two (2) further months where necessary, taking into account the complexity and the number of the requests. In those cases, the EDPS will inform you of the extension within one (1) month of receipt of your request and will provide reasons for the delay.

You can send your request to the EDPS electronically or by post (see section on contact details below).

## **Automated decision-making**

Your personal data is not subject to automated decision-making.

# You have the right to lodge a complaint

If you have any remarks or complaints regarding the way we process your personal data, we invite you to contact the EDPS DPO (see section on contact details below).

You have, in any case, the right to lodge a complaint with the EDPS as a supervisory authority: <a href="https://edps.europa.eu/data-protection/our-role-supervisor/complaints">https://edps.europa.eu/data-protection/our-role-supervisor/complaints</a> en.

## Contact details for enquiries regarding your personal data

We encourage you to contact us using the EDPS contact form, selecting 'My personal data' as the relevant subject: https://edps.europa.eu/node/759.

If you wish to contact the EDPS DPO personally, you can send an e-mail to <a href="mailto:DPO@edps.europa.eu">DPO@edps.europa.eu</a> or a letter to the EDPS postal address marked for the attention of the EDPS DPO.

EDPS postal address: European Data Protection Supervisor, Rue Wiertz 60, B-1047 Brussels, Belgium

You can also find contact information on the EDPS website: <a href="https://edps.europa.eu/about-edps/contact\_en">https://edps.europa.eu/about-edps/contact\_en</a>.