

PRIVACY NOTICE - Ex-ante and ex-post controls (audits)

The European Institute for Gender Equality (EIGE) informs You about processing of Your personal data in compliance with Regulation 2018/1725 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.

Purpose of processing of personal data

EIGE collects personal data in order to implement Institute's ex-ante and ex-post control operations, as prescribed by EIGE's Financial Regulation. The Regulation provides for the conduct of audits and controls, performed after the execution of payments or before the execution of the payments, as well as actions related to the implementation of EIGE's internal controls framework. The ex-post controls aim at verifying that the financial transactions carried out by EIGE comply with the applicable contractual and regulatory provisions, thus, assessing whether appropriations whose management was entrusted to EIGE and the underlying transactions are legal and regular. Moreover, controls are aimed at providing reasonable assurance to EIGE's management and to its budgetary authority that measures are properly taken for the prevention, detection, correction and follow-up of fraud and irregularities and for the safeguarding of assets and information.

Legal basis

- I. Establishment Regulation of EIGE (EC) No 1922/2006;
- II. EIGE's Financial Regulation adopted by Management Board Decision No MB/2019/024 of 20 December 2019;
- III. 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;
- IV. Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union
- V. EIGE's Internal Control Framework (ICF) adopted by Management Board Decision No MB/2019/018 of 12 June 2012;
- VI. Director Decision No 20 of 15 February 2012 (No EIGE NL/np D/2012/65) the Procedure on Financial Circuits and amended by Director Decision No 57 of 08 November 2013 (No EIGE NL/Is D/2013/760).
- VII. Director's Decision No 203 of 10 March 2021 on implementing an ex-post control system;
- VIII. Director's Decision No 204 of 18 March 2021 adopting the procedure for performing ex-post controls.

Lawfulness of processing

Processing is necessary for the performance of a task carried out in the public interest on the basis of the Treaty Functioning the EU (TFEU) and the Establishment Regulation of EIGE (EC) No 1922/2006.

The possibility carried out within the framework of ex-ante controls and ex-post audits is provided for in the relevant articles of the procurement contract signed between EIGE and the beneficiary or service provider. These contractual provisions are determined by the provisions included in Article 74 (6) of the Financial Regulation applicable to the General Budget of the EU.

Data categories

I. Personal data is collected and processed in the context of controls and audits prescribed in Article 45 and Article 78 of EIGE's Financial Regulation. Personal data collected and further processed will concern the applicant who applies for open vacancies and calls for tenders. Candidates are free to provide personal information on a voluntary basis, although failure to provide data in the mandatory fields may lead to disqualification.

The personal data processed are the ones provided in the form used for the application, in particular:

- Name (title, first name, surname) and function;
- Other personal data (e.g. sex, place and date of birth, nationality);
- Salary or remuneration of the concerned data subject;
- **information on goods or services provided;**
- Bank account details;
- Data that may be included in documentation related to the execution of the work programme and in particular, timesheets of staff employed by the external contractors, documents related to their professional status, data pertaining to subcontractors.

Data Controller

In general, EIGE's internal auditor and persons assigned by EIGE's Director to conduct specific controls process personal data which is relevant for a specific control/audit task. That processing aims to identify, assess, evaluate and record any relevant information for assurance activities. Any personal data that falls within the scope of these activities is collected from the business units of the Institute.

The function of internal auditor at EIGE is exercised by the Internal Audit Service (IAS) of the European Commission. The data controller for audit missions is thus the IAS¹.

EIGE is overall the legal entity responsible for the processing of your personal data for control purposes and determines the objective of this processing activity. The Data Controller at EIGE is primarily the Head Administration Unit who ensures the proper implementation of these processing operations.

Access and storage of the data

Recipients of the data related to the ex-ante and ex-post controls are EIGE staff employed in the Administration Unit dealing with internal controls and financial matters.

Authorised staff of the following EU institutions may have access to relevant personal data for audit control or investigation purposes: Court of Auditors, Internal Audit Service of the European Commission, European Anti-Fraud Office (OLAF). For the purpose of handling

¹ For reference please see the IAS privacy notice [here](#)

review procedures and litigation, access to the personal data may be granted also to the European Ombudsman, the European Data Protection Supervisor, the General Court and the European Court of Justice upon request and to the extent necessary for handling the review procedure and litigation.

EIGE has several security controls in place to protect data subject's personal data from unauthorised access, use or disclosure. EIGE keeps the data stored on computer systems with limited access to a specified audience only. EIGE does not intend to share data to Third Countries/International Organisations.

When processing starts

When the information is received through filling out specific template according to ICF and the Financial Circuits Procedures on timelines and annexes or any other possible means of reporting, along with possible enclosed documents in physical or electronic form.

Retention policy

EIGE keeps the data in relation to ex-ante and ex-post controls and audits (including the documents containing personal data) for the time necessary to fulfil the purpose of collection or further processing. Audit reports are kept for 10 years and audit working documents for 7 years.

The data subject has specific rights as a 'data subject' under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725

Right to access data – data subjects have the right to access data at any time by sending an email request to head.admin@eige.europa.eu. Furthermore, you can have access to such data, as well as obtain copies of your data undergoing processing, at any time and free of charge, by sending an email request to the mentioned email.

Right to rectify – data subjects have the right to rectify their data without delay of inaccurate or incomplete personal data.

Right to restrict – data subjects have the right to restrict the processing at any moment by sending an email request to head.admin@eige.europa.eu; and the right to be informed before personal data are disclosed for the first time to third parties or before they are used on their behalf for the purposes of direct marketing, and to be expressly offered the right to object free of charge to such disclosure or use.

Right to erasure – data subjects have the right to obtain from the controller the erasure of data if their processing is unlawful by sending an e-mail to head.admin@eige.europa.eu.

If the data subjects have any queries concerning the processing of their personal data, they may address them to the Data Protection Officer or to the Data Controller of EIGE by contacting information at dpo@eige.europa.eu.

Other rights – Where applicable, you also have the right to object to the processing or the right to data portability. You have the right to object to the processing of your personal data, which is lawfully carried out pursuant to Article 5 (1)(a) on legitimate compelling

grounds by sending an e-mail to dpo@eige.europa.eu. No automated decision making, including profiling is made.

Data subjects are also entitled to have recourse at any time to the European Data Protection Supervisor:

Website: <http://www.edps.europa.eu>

Email: edps@edps.europa.eu

Contact information

Data Protection Officer of EIGE, e-mail dpo@eige.europa.eu

EIGE, e-mail head.admin@eige.europa.eu