



**RECORD OF DATA PROCESSING**

Record of EFCA activities processing personal data, based on Article 31 of Regulation (EU) 2018/1725 <sup>1</sup>

1. TITLE	WHISTLE-BLOWING PROCEDURE
2. REF NUMBER	<b>DPR-48</b>

**PART I (PUBLIC)**

CONTROLLER/S OF THE DATA PROCESSING OPERATION	
3. CONTROLLER	<b>HEAD OF UNIT RESOURCES AND IT</b> EUROPEAN FISHERIES CONTROL AGENCY (EFCA) AVDA. GARCÍA BARBÓN, 4, E-36201 VIGO
ORGANISATIONAL UNIT	Unit Resources and IT Sector HR & Legal
CONTACT PERSON/S	EFCAHR at efca.europa.eu + FUNCTIONAL MAILBOX
4. DATA PROTECTION OFFICER (DPO)	Stefano DONADELLO +34 986 12 06 24 EFCA-DPO at efca.europa.eu

WHERE APPLICABLE:

5. JOINT CONTROLLER	N/A
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WHERE APPLICABLE:

6. PROCESSOR	N/A
EXTERNAL CONTACT	

7. PURPOSE/S	The purpose of the processing operation is to enable the reporting of fraud, corruption or other serious professional wrongdoing in the European Fisheries Control Agency (EFCA), to establish reporting channels for whistle-blowers, to manage and follow-up reports, and to ensure protection and adequate remedies for whistle-blowers, in accordance with Article 22(c) of the Staff Regulations, as well as Articles 11 and 81 of the Conditions of Employment of Other Servants of
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<sup>1</sup> 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

	the European Union.		
8. CATEGORIES OF DATA SUBJECTS	<input checked="" type="checkbox"/>	EFCA STAFF (TA, CA, SNE)	
	<input checked="" type="checkbox"/>	EXTERNAL SERVICE PROVIDERS, TRAINEES	
		OTHER. PLEASE SPECIFY:	
8BIS. CATEGORIES OF PERSONAL DATA	Further details: Third Parties (for instance, contractors, sub-contractors and their employees)		
	<input checked="" type="checkbox"/>	NAME AND SURNAME	
	<input checked="" type="checkbox"/>	CONTACT DETAILS	
		EDUCATION, TRAINING, EMPLOYMENT	
		FAMILY, LIFESTYLE, SOCIAL CIRCUMSTANCES	
		FINANCIAL DETAILS	
		OTHER. PLEASE SPECIFY:	
Further details: The personal data contained in the report submitted by the whistle-blower and any subsequent document drawn up in response to that initial report. These documents may contain names, contact details and data relating to the conduct, action or inaction of the accused person(s).			
9. TIME LIMIT	<p>Files which do not lead to the opening of an inquiry ('non-case') will be kept for a period of 2 years from the date on which the EFCA decides to close the file without follow up.</p> <p>Files on the basis of which an administrative enquiry or disciplinary procedure are opened should be kept in line with the retention periods foreseen for those files, namely:</p> <p>a) Files which have led to the opening of a disciplinary procedure will be stored for a period of 20 years starting from the date of the Executive Director's decision concluding the procedure;</p> <p>b) Files where the Executive Director decides that no case can be made against the staff member or where a warning is issued shall be stored for a period of 5 years.</p> <p>Files and all related information may be deleted upon request of the staff member after a period of:</p> <p>a) Eighteen months in the case of a warning;</p> <p>b) Three years in the case of the penalty of a written warning or reprimand;</p> <p>c) Six years in the case of another penalty.</p> <p>The decision to grant the request is taken by the Executive Director. If the Executive Director denies the request, his/ her decision must be duly justified.</p>		
10. RECIPIENTS	<input checked="" type="checkbox"/>	DESIGNATED EFCA STAFF	
		CONTRACTORS	
	<input checked="" type="checkbox"/>	EU INSTITUTIONS AND BODIES	
	<input checked="" type="checkbox"/>	MEMBER STATES AUTHORITIES	
		OTHER. PLEASE SPECIFY:	
Further details: It may happen that data are transferred to the competent national authorities such as a national Court where there is an infringement of national law. In such instances, if data are transferred at the request of a national authority, it must establish the 'necessity' for the transfer. If, on the other hand, data are transferred on the sole initiative of EFCA, it will be for the latter to establish the 'necessity' for the transfer in a reasoned decision.			
11. ARE THERE ANY TRANSFERS OF PERSONAL DATA <u>OUTSIDE THE EU/EEA</u> ?			
YES	NO		
	<input checked="" type="checkbox"/>	TO THIRD COUNTRY RECIPIENTS	N/A
	<input checked="" type="checkbox"/>	TO INTERNATIONAL ORGANISATIONS	N/A
	<input checked="" type="checkbox"/>	PUBLISHED ON THE INTERNET	N/A
IF YES, ON WHAT GROUNDS?			
N/A			
12. GENERAL DESCRIPTION OF SAFEGUARDS TAKEN			
A number of technical and organisational measures have been put in place by the Agency. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.			
13. SPECIFIC PRIVACY STATEMENT (WHERE APPLICABLE)			

