



EUROPEAN LABOUR AUTHORITY

**Processing operation:** ELA E-learning Platform for Cooperation and Support Unit (*hereinafter* 'ELA E-learning Platform')

**Data Controller:** The European Labour Authority, Cooperation Support Unit (*hereinafter* 'COP Unit')

**Record reference:** DPR-ELA-2023-0003

## Table of Contents

1. Introduction
2. Why and how do we process your personal data?
3. On what legal ground(s) do we process your personal data?
4. Which personal data do we collect and further process?
5. How long do we keep your personal data?
6. How do we protect and safeguard your personal data?
7. Who has access to your personal data and to whom is it disclosed?
8. What are your rights and how can you exercise them?
9. Contact information
10. Where to find more detailed information?

## **1. Introduction**

The European Labour Authority (hereafter 'ELA') is committed to protect your personal data and to respect your privacy. ELA collects and further processes personal data pursuant to [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 (repealing Regulation (EC) No 45/2001).

This privacy statement explains the reason for the processing of your personal data, the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you have in relation to your personal data. It also specifies the contact details of the responsible Data Controller with whom you may exercise your rights, the Data Protection Officer and the European Data Protection Supervisor.

The information in relation to processing operation '*ELA E-learning Platform*', undertaken by the European Labour Authority, Cooperation Support Unit, is presented below.

## **2. Why and how do we process your personal data?**

Purpose of the processing operation: The COP Unit collects and uses your personal information to provide specialised trainings on the main areas covered by the Authority to various stakeholders (e.g. national authority officials in EU Member States (MS), social partners, civil society and general public).

In this particular case, the users of ELA E-learning Platform will have access to a software-based learning management system, provided by an external contractor. The system requires personal data listed in section 4 to create a user account and to:

- Grant access to the ELA E-Learning Platform
- Provide training material, e-learning courses and certificates of achievement

Your personal data will not be used for an automated decision-making including profiling.

## **3. On what legal ground(s) do we process your personal data**

We process your personal data, because, according to Article 5(1) of Regulation(EU)2018/17125:

(a) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body;

(b) processing is necessary for compliance with a legal obligation to which the controller is subject.

Legal basis:

Regulation (EU) 2019/1149 of the European Parliament and of the Council of 20 June 2019 establishing a European Labour Authority, Article 11.

We do not process **special categories of personal data**, therefore Article 10 of the Regulation does not apply.

#### **4. Which personal data do we collect and further process?**

In order to carry out this processing operation the COP Unit collects the following categories of personal data:

*Mandatory data: Username, Password, Name, Surname, Email Address*

*Optional data: City/town, Country and Institution (Employer)*

*The ELA E-learning Platform also follows your course progress and issues a certificate for selected courses upon their successful completion.*

The participation in the training is voluntary, but once you have accepted to take part in the training, we need your personal data to comply with our legal obligations.

The provision of personal data is mandatory to meet a *legal* requirement: ELA Regulation [[Regulation \(EU\) 2019/1149](#)] of the European Parliament and of the Council of 20 June 2019 establishing a European Labour Authority. If you do not provide your personal data, we will not be able to fulfil our obligations.

Information related to **cookies** is specified in *Cookies Notice* tab located on the ELA E-learning login page.

#### **5. How long do we keep your personal data?**

The COP Unit only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing, namely for **2 years** following the user account inactivity. After this year only aggregated data will be kept for stated purposes. Users of inactive profiles will receive an automatic email to their registered email address, informing them about their inactivity **30 days** prior to deletion of their user profile.

#### **6. How do we protect and safeguard your personal data?**

All personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored either on the servers of the European Labour Authority or of its contractors.

ELA's contractors are bound by a specific contractual clause for any processing operations of your data on behalf of ELA, and by the confidentiality obligations deriving directly from the General Data Protection Regulation in the EU Member States ('GDPR' [Regulation \(EU\) 2016/679](#).)

In order to protect your personal data, ELA has put in place a number of technical and organisational measures. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. 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.

#### **7. Who has access to your personal data and to whom is it disclosed?**

Access to your personal data is provided to ELA staff responsible for carrying out this processing operation and to authorised staff according to the "need to know" principle. Such staff abide by statutory, and when required, additional confidentiality agreements.

**ELA staff and the external provider (contractor) of the ELA E-learning Platform, eDaktik GmbH, Moeringgasse 20/5A, 1150 Vienna, Austria,** will have access to the participants data mentioned in section 4 and their course participation history on "a need-to-know basis".

**Developer of the Moodle software, Moodle HQ, PO Box 303, West Perth, 6872 Western Australia, Australia**, will have no access to any data on ELA E-learning Platform.

*Please note that pursuant to Article 3(13) of the Regulation, public authorities (e.g. Court of Auditors, EU Court of Justice) which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients. The processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.*

The information we collect will not be given to any third party, except to the extent and for the purpose we may be required to do so by law.

#### **8. What are your rights and how can you exercise them?**

You have specific rights as a 'data subject' under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725, in particular the right to access, your personal data and to rectify them in case your personal data are inaccurate or incomplete. Where applicable, you have the right to erase your personal data, to restrict the processing of your personal data, to object to the processing, and 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 grounds relating to your particular situation.

You can exercise your rights by contacting the Data Controller, or in case of conflict the Data Protection Officer. If necessary, you can also address the European Data Protection Supervisor. Their contact information is given under Heading 9 below.

Where you wish to exercise your rights in the context of one or several specific processing operations, please provide their description (i.e. their Record reference(s) as specified under Heading 10 below) in your request.

#### **9. Contact information**

- **The Data Controller**
- If you would like to exercise your rights under Regulation (EU) 2018/1725, or if you have comments, questions or concerns, or if you would like to submit a complaint regarding the collection and use of your personal data, please feel free to contact the Data Controller: [capacity@ela.europa.eu](mailto:capacity@ela.europa.eu). **The Data Protection Officer (DPO) of ELA**

You may contact the Data Protection Officer ([data-protection@ela.europa.eu](mailto:data-protection@ela.europa.eu)) with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725.

- **The European Data Protection Supervisor (EDPS)**

You have the right to have recourse (i.e. you can lodge a complaint) to the European Data Protection Supervisor ([edps@edps.europa.eu](mailto:edps@edps.europa.eu)) if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Data Controller.

#### **10. Where to find more detailed information?**

ELA Data Protection Officer (DPO) publishes the register of all processing operations on personal data by ELA, which have been documented and notified to him. You may access the register via the following link: <https://www.ela.europa.eu/en/privacy-policy>.

This specific processing operation has been included in the DPO's public register with the following Record reference: DPR-ELA-2023-0003 ELA E-Learning Platform.