

PRIVACY NOTICE FOR SELECTIONS

1. DESCRIPTION OF THE PROCESSING OPERATION

New incoming information of possible investigative interest may arrive at OLAF from:

1. a private party:

- anonymously, online via the Fraud Notification System (FNS);
- providing name and e-mail address, online via a webform (https://ec.europa.eu/anti-fraud/contacts/fraud-reporting-form_en);
- via e-mail or post, via the general enquiries email address or to an OLAF staff member;
- In particular in the framework of other ongoing investigations, orally, to an OLAF staff member who should record the information in a note;
- a whistleblower, via e-mail sent to a dedicated functional mailbox (OLAF-FMB-SPE@ec.europa.eu) or through regular mail;

2. an EU institution, body, office or agency or Member State authority;

3. any other source;

4. following OLAF's own initiative (media review, other information which comes to OLAF's attention).

During the selection phase, Unit 0.1 considers the incoming information of possible investigative interest in order to provide an opinion to the Director-General on whether an investigation or a coordination case should be opened, or whether the case should be dismissed. Such opinion is based on an analysis of whether the information falls within OLAF's competence to act, and whether the information provides sufficient grounds for suspicion to open an investigation or coordination case. Unit 0.1 also verifies the proportionality of opening an OLAF investigation, the efficient use of investigative resources, and whether OLAF is best placed to conduct the investigation and can add value. During this analysis, Unit 0.1 also considers whether the information falls within the Investigative Policy Priorities (IPP) established by the Director-General annually. Unit 0.1 provides the selection opinion within 2 months of OLAF's receipt of the incoming information, after performing various verification activities. The selection process is described in Chapter 1 of the OLAF Guidelines on Investigation Procedures.

When, following a selection procedure, OLAF decides that there is no need to open an investigation or a coordination case (e.g. the matter can be dealt with by another competent authority or the suspicions are not sufficient), the matter is dismissed. Where a case is dismissed, the information may be transmitted to other services of the Commission, EU Institutions, authorities in the Member States, third countries or international organisations for whom such information may be relevant for their anti-fraud activities.

2. LEGAL BASIS FOR THE PROCESSING

The legal basis for this processing operation is Regulation (EU, EURATOM) 883/2013. OLAF performs this processing operation in accordance with Article 5 paragraph 1 (a) of Regulation (EU) 2018/1725.

3. CATEGORIES OF PERSONAL DATA COLLECTED

During a selection, OLAF may collect identification data, professional data and case involvement data. The office may receive special categories of data, falling under Article 10 of Regulation 2018/1725.

4. WHO HAS ACCESS TO YOUR INFORMATION AND TO WHOM IS IT DISCLOSED?

Responsible OLAF staff has access. In addition, if a case is dismissed or after the completion of an investigation, the file containing your data may be transferred to designated persons in the EU institutions, bodies offices and agencies, international organisations and/or the relevant authorities in Member States or third countries if it falls within their respective competence. For example, OLAF may transfer to a Member State authority information relating to a dismissed case on possible offences not affecting the EU's financial interests but to the financial interests of the Member State in question.

Personal data collected in the course of this processing operation may be transferred to the OLAF Supervisory Committee when necessary for its monitoring of the implementation of OLAF's investigative function.

5. HOW DO WE PROTECT AND SAFEGUARD YOUR INFORMATION?

In order to protect your personal data, a number of technical and organisational measures have been put in place. 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 data being processed. Concerning unauthorised access to equipment and data, the OLAF secure premises, protected by OLAF-specific physical security measures, host all hardware; network firewalls protect the logic perimeter of the OLAF IT infrastructure; and the main computer systems holding the data are security hardened.

Organisational measures include restricting access to the data to authorised persons with a legitimate need to know for the purposes of this processing operation.

6. HOW LONG DO WE KEEP YOUR DATA?

Your personal data may be retained in OLAF's files which are stored for a maximum of 15 years after the dismissal or, where an investigation or coordination case was opened, after the closure thereof.

7. WHAT ARE YOUR RIGHTS AND HOW YOU CAN EXERCISE THEM?

You have the right to request access to, rectification, erasure or restriction of processing of your personal data and you can object to their processing on grounds relating to your particular situation.

Any request to exercise one of those rights should be directed to the Controller (OLAF-FMB-DATA-PROTECTION@ec.europa.eu). Where you wish to exercise your rights in the context of one or several specific processing operations or files, please provide their description and reference(s) in your request.

Exceptions and restrictions based on Regulation (EU) 2018/1725 and relevant Commission Decisions may apply.

8. CONTACT DETAILS OF THE DATA PROTECTION OFFICER

You may contact the Data Protection Officer of OLAF (OLAF-FMB-DPO@ec.europa.eu) with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725.

9. RIGHT OF RECOURSE

You have the right to have recourse to the European Data Protection Supervisor (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 OLAF.