

01 - Name of processing	Use of mobile phone for the ERA staff
02 - Reference	40
03 - Submission Date	15-06-12
04 - Last update	30-06-20
05a - Controller	RICOTTA Salvatore
05b - Unit-Sector	ITFM
05c - Controller's email	HoUResouresandSupport@era.europa.eu
06 - DPO	DataProtectionOfficer@era.europa.eu 120 Rue Marc Lefrancq, 59300 Valenciennes, France Tel.+33 (0) 32 70 96 500
07 - Name and contact details of joint controller (where applicable)	
08a - Who is actually conducting the processing? (Article 31.1(a))	The data is processed by ERA (responsible unit) itself
08b - Name and contact details of processor (where applicable)	N/A

09 - Purpose of processing

In order to facilitate the contacts between the ERA staff (on mission) and the Agency, the ERA purchased a number of mobile phones. These mobile phones are managed by the ITFM Sector.

ERA staff members sign a form and in turn received the mobile device. Check on invoices

On monthly basis, the contractor France Telecom Orange provides the Agency with invoices related to the subscribed services, where the level of details refers to the number of type of calls (fixed, mobile, international received and placed), volume of data traffic (national, international) and number of SMS-MMS sent (national, international).

In case of unusual consumption exceeding the defined user target (refer to chapter 5.2) the Head of ITFM requires the user to confirm if the device was always under user's control and if the mobile telephony services have been used in compliance with the general rules as defined in the Guidelines of the Annex 1 of the mobile phone policy. If necessary, and after having informed the user, the Head of ITFM can ask France Telecom Orange to provide the details of the traffic consumption. Following the results of the traffic analysis, the Head of the Administration Unit is informed about the findings, for further initiatives that may lead to ask the staff member to reimburse the cost of the communication not related to ERA business. Orange France is bound to be compliant with the content of the article L34-1 of the French "Codes des Postes et des communications électroniques" (link to:<http://www.legifrance.gouv.fr/affichCode.do?cidTexte=LEGITEXT000006070987&dateTexte=20081216>)

10a - Data Subjects

ERA Officials, Officials from other European Institutions, "Seconded National Experts", subcontractors, European & world citizens.

10b - Personal data

Data relating to the assignment of the mobile device: name, surname, position, serial number of the device, SIM number

Data relating to the evaluation of personal aspects of the data subject (e.g. conduct); Traffic data ; Billing data (phone numbers dialed by the users).

No dialed number is displayed in the monthly invoices that report only the total consumption in terms of duration of the calls per type (national, international, roaming, data traffic).

The invoice displays the monthly cost associated with the subscribed SIM.

The detail, on request, can be asked to the service provider.

11 - Time limit for keeping the data

As long as the Data Subject has the ERA assigned device, all accounting related electronic data are kept without time limit. This is necessary to enable queries on financial, contractual and accounting matters and individual transactions that sometimes go back many years, and also for audit trail reasons.

For original supporting documents reference is made to ERA's Financial Regulation and Implementing rules (see below).

Article 38§6 of ERA's Financial Regulation states: "4. The authorising officer by delegation shall put in place, in compliance with the minimum standards adopted by each institution and having due regard to the risks associated with the management environment and the nature of the actions financed, the organisational structure and the internal management and control procedures suited to the performance of his/her duties, including where appropriate ex post verifications".

and

Article 35 of the Implementing rules states:

The management systems and procedures concerning the keeping of original supporting documents shall provide for:

- (a) such documents to be numbered;
- (b) such documents to be dated;
- (c) registers, which may be computerised, to be kept identifying the exact location of such documents;
- (d) such documents to be kept for at least five years from the date on which the European Parliament grants discharge for the budgetary year to which the documents relate.

Documents relating to operations not definitively closed shall be kept for longer than provided for in point (d) of the first subparagraph, that is to say, until the end of the year following that in which the operations are closed."

12 - Recipients of the data

- The contracting authority of the ERA;
- The authorising officer validating the telecoms expenditures;
- The designated staff in the ITFM sector;
- In particular circumstances data may be disclosed on a temporary basis to: Judges of the Civil Service Tribunal, at their request, or The Prosecutor's office by request, or OLAF and/or the IDOC within the frame of their inquests, or The Ombudsman, at his request, or The European Data Protection Supervisor, at his request

13 - Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?

N/A

14 - How is data stored? What are the security measures implemented?

Form signed with allocated device information stored in IT Service Desk
Access to the scanned invoices is restricted, given only to the ITFM Secretariat, the IT Systems Administrator, and the Head of ITFM.

15 - For more information, including how to exercise your rights to access, rectification, object and data portability (where applicable) see the data protection notice

(a) See:
 - Note to the Staff "Use of the ERA's ICT owned resources (end-user computing equipment, e-mail and internet access systems, telephone, fax and mobile phones)"
 -Policy 2.0 Use of the ERA ICT owned resources
 -Policy 13.2 Mobile Telephony Policy"

The above mentioned policies are published on the ERA intranet.

(b)As per information provided with the policies:

1. Policy 2.0 Use of the ERA ICT owned resources
2. Policy 13.2 Mobile Telephony Policy

When a staff member receives the assigned device he/she is informed of Regulation (EC) 45/2001 safeguarding the right to access data and to require the Controller to rectify without delay any inaccurate or incomplete personal data. The data subject also has the right to require the Controller to erase data if the processing is unlawful. For this, the data subject needs to contact the Controller by email (put in copy the designated ITFM staff). The Controller shall deal with the request for rectification of data within one month from the introduction of the request. As far as requests for blocking and erasure, the Controller disposes of three calendar months to give follow up to the request from the moment of its reception. Furthermore, the data subject is also free to address to the ERA Data Protection Officer at any time, using the following contact address:
 DataProtectionOfficer@era.europa.eu.

15a - Data subject rights	Right to have access; Right to object
16 - Legal Basis	EC Regulation No. 881/2004 (ERA's statutory Regulation);Policy 13.2 Mobile Telephony Policy; Rules 2.0 Use of the ERA ICT owned resources;#51
17 - Lawfulness of processing	Article 5 a) of Regulation (EU) 2018/1725according to which traffic data may be processed also for verification of the authorised use of the telecommunications system.
18 - Data minimisation	All data are needed to control/monitor the use of telecommunication systems
19 - Accuracy	Data are linked to SIM card

20 - Access and other rights of persons whose data is processed NA

21 - Special category data

22 - DPIA

23 - Link to the Threshold assessment-Risks

24 - Other related documents