

## DATA PROTECTION NOTICE

### on the use of Microsoft 365

Eurofound embraces the need to protect your personal data. We, therefore, undertake to process it, as data controller, with respect to the applicable law<sup>1</sup>.

If after reading this notice you still have questions on the processing of your data, please contact us at [dataprotectionofficer@eurofound.europa.eu](mailto:dataprotectionofficer@eurofound.europa.eu). We will reply to you within one month.

#### Who are the data subjects?

Data subjects of this processing operation include Eurofound staff members as well as any natural person whose personal data is being processed using M365 (e.g., a participant in a Teams call; an email recipient; a participant in a survey).

#### Why do we process your personal data?

M365 is used transversally across Eurofound to enable security functions, data analyses, project work, real-time communication, social networks, among others. Said use is aligned with the Eurofound Strategic ICT Plan and Cloud Strategy 2018-2020, which follow the corresponding European Commission's Digital and Cloud Strategies.

Given the broad spectrum of M365 use, Eurofound processes your personal data for a variety of different purposes, namely:

- Creation of all M365 accounts;
- Communication and collaboration using Teams<sup>2</sup>;
- Collaboration on documents using Microsoft SharePoint Online and OneDrive;
- Sending and receiving emails using Microsoft Outlook Online;
- Use of integrated Office 365 functionality within these tools;
- MS Forms for contact forms on website and events registration; and

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<sup>1</sup> [Regulation \(EU\) 2018/1725 of the European Parliament and of the Council 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](#) (or the EUDPR).

<sup>2</sup> For more information on the internal use of Microsoft Teams and the corresponding processing of personal data, please read the specific data protection notice available [here](#).

- Management of projects planned in the Programming Document.

Ultimately, Microsoft processes your personal data to deliver the agreed-upon services<sup>3</sup>.

Please note that none of these purposes carried out by Eurofound involves the need to make a decision solely by automated means and without any human intervention.

### **Which personal data do we collect and process?**

The following personal data are processed:

- Identification data: e.g. title, name, email address, birthday, profile photo (if applicable);
- Contact details: e.g. office telephone number, mobile and home telephone number (optional);
- Personal characteristics: e.g. gender, hobbies and interests, skills and expertise, school and education (all optional);
- Professional data: e.g. current position and unit, line manager, current responsibilities / projects involved;
- Contacts data (Third party contacts are processed in Outlook and MS Teams)
- Electronic communications data: e.g. IP addresses, cookies and connection data;
- User patterns: e.g. media utilisation, methods of communication;
- Content data: any data content generated and controlled by Eurofound staff members, including chat messages (one-to-one as well as group messages) and any other personal information, voluntarily posted on the platform;
- Multimedia: e.g. image and sound recording;
- Support/Feedback data: information related to troubleshooting tickets or feedback submission to Microsoft; and
- Diagnostic and service data: diagnostic data related to service usage. This personal data allows Microsoft to deliver the service (troubleshoot, secure and update the product and monitor performance) as well as perform some internal business operations, such as:

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<sup>3</sup> The services provided by Microsoft consist of (i) delivering functional capabilities as licensed, configured, and used by Eurofound and its users, including providing personalised user experiences and processing data as necessary to fulfil contractual obligations to Eurofound or to otherwise comply with law; (ii) troubleshooting (preventing, detecting, and repairing problems affecting the operation of online services); and (iii) ongoing improvement (installing the latest updates and capabilities, and making improvement to user productivity, reliability, efficacy, and security).

- Determine revenue;
- Develop metrics;
- Determine service usage; and
- Conduct product and capacity planning.
- Other categories of data related to the above-mentioned purposes.

In some specific procedures special categories of personal<sup>4</sup> data may be processed by Eurofound.

### What is the legal basis for processing your personal data?

The processing of your personal data is necessary for:

- the Agency to carry out its mandate<sup>5</sup> and, therefore, for the day-to-day functioning and management of the Agency and for the performance of tasks that Eurofound, as an EU Agency, carries out in the public interest<sup>6</sup>; and
- to implement Eurofound's Strategic ICT Plan and Cloud Strategy 2018-2020 and updates.

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

Access to your personal data will be given to the following categories of recipients:

- Eurofound staff members on a need-to-know basis. Staff abide by statutory confidentiality obligations;
- Eurofound's M365 administrators for configuration purposes;
- Eurofound's contractors for configuration and troubleshooting purposes. Contractors' staff abide by contractual confidential obligations; and

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<sup>4</sup> As defined in Article 10(1) of the EUDPR: *personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.*

<sup>5</sup> According to Article 1 of [Regulation \(EU\) 2019/127 of the European Parliament and of the Council of 16 January 2019 establishing the European Foundation for the improvement of living and working conditions \(Eurofound\), and repealing Council Regulation \(EEC\) No 1365/75.](#)

<sup>6</sup> Article 5(1) (a) and recital (22) of the EUDPR.



- Eurofound's processors, including Microsoft<sup>7</sup> and Microsoft's processors<sup>8</sup>.

No other third parties will have access to your personal data, except if required by law.

### How long do we keep your personal data?

The following retention periods by Eurofound apply:

- a) Your personal data (e.g., name, e-mail address and profile photo) will be replicated to M365 from on-premise Active Directory (AD) and will be deleted when the replication is stopped, or the account is deactivated from AD after departure from the Agency;
- b) For retention periods applied to the processing of personal data on meetings in MS Teams please read the specific data protection notice available [here](#);
- c) For retention periods applied to the processing of personal data in events read the specific data protection notice available [here](#);
- d) Content data will be kept until it is necessary to fulfil the purpose of collection or further processing. Additional information is provided under the specific data protection notices available [here](#); and
- e) Log data will be kept for 90 days.

Microsoft will retain personal data that remains stored in Online Services in a limited function account for 90 days after expiration or termination of Customer's subscription so that Customer may extract the data. After the 90-day retention period ends, Microsoft deletes the data.

### How do we protect and safeguard your data?

Microsoft has implemented appropriate security measures to ensure the protection of your personal data, including, but not limiting to:

- All data in transit over public networks between Eurofound and Microsoft, or between Microsoft data centres, is encrypted by default using strong encryption;

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<sup>7</sup> Microsoft Ireland, an affiliate of Microsoft Corporation, acts as Eurofound's data processor. Appropriate agreements have been concluded to regulate this relationship (see section 9). Microsoft Ireland can be contacted at South County Business Park, One Microsoft Place, Carmanhall, Leopoldstown, Dublin, D18 P521, Ireland.

<sup>8</sup> A list of Microsoft processors is available at <https://www.microsoft.com/en-us/download/details.aspx?id=50426>

- Microsoft maintains Access Control mechanisms;
- Microsoft has appointed one or more security officers responsible for coordinating and monitoring the security rules and procedures;
- Microsoft performed a risk assessment before processing data on behalf of Eurofound;
- Microsoft maintains records of the incoming and outgoing media containing data processed on behalf of Eurofound, including the kind of media, the authorised sender/recipients, date and time, the number of media and the types of data they contain; and
- Microsoft is certified in the following ISO standards:
  - ISO 9001:2015 Quality Management Systems Standards;
  - ISO 22301:2012 Business Continuity Management Standard;
  - ISO/IEC 27001:2013 Information Security Management Standards;
  - ISO/IEC 27017:2015 Code of Practice for Information Security Controls;
  - ISO/IEC 27018 Code of Practice for Protecting Personal Data in the Cloud; and
  - ISO/IEC 27701 Privacy Information Management System (PIMS).

Eurofound has a documented Electronic Information Security Policy<sup>9</sup>, which defines the generic ICT infrastructure security measures that are in place. Eurofound permits guest users and has disabled all third-party apps. We also have a contract with external consultants to understand, configure and document all governance and security decisions related to Microsoft365 implementation, including the use of SharePoint. Staff are advised to ensure that any devices that access the information from the SharePoint site or on which information is downloaded are appropriately encrypted and possess appropriate network security safeguards, such as up-to-date virus protection, firewalls and security patches.

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<sup>9</sup> GR-19-1041.



## **Do we transfer any of your personal data to third countries or international organisations (outside the EU/EEA)?**

Pursuant to the new Inter-institutional Licensing Agreement signed between the EU institutions and agencies and Microsoft<sup>10</sup>, customer data processed by Microsoft on behalf of Eurofound – including the content of any file and communication, diagnostic data, service generated data and data that Microsoft uses to provide professional support – will stay in the EU/EEA territory<sup>11</sup>.

Please note that Microsoft does not control or limit the regions from which the customer or its end users may access or move customer data. Therefore, in case a staff member travels outside the EU/EEA and uses the services, personal data may be processed outside the EU/EEA to enable the user access to the online services from their location. Staff members should refrain, as much as possible, from accessing Microsoft functionalities, for work purposes, outside the EU/EEA area.

### **10. What are your rights as a data subject and how can you exercise them?**

Within the limits set by the EUDPR, you have the right to access, rectify, erase and/or port your personal data, to restrict or object to the processing of your personal data, and to withdraw your consent (if obtained). Just note that withdrawal of your consent does not affect the lawfulness of processing while your consent was valid.

You may contact the Head of Information & Communication Technology at [Jim.Halpenny@eurofound.europa.eu](mailto:Jim.Halpenny@eurofound.europa.eu) with your request. Your request is free of charge. However, if it is manifestly unfounded or excessive, Eurofound may refuse to act on it.

You also have the right to raise a complaint with the European Data Protection Supervisor should you consider that this processing is in violation of the law. You will find more information [here](#).

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<sup>10</sup> Which will enter into force in 1 June 2021.

<sup>11</sup> For more information read [here](#).