



EMA/435083/2019

Record of data processing activity for administrative inquiries and disciplinary proceedings (public)

1.	Last update of this record, version number:	16 December 2019, version 1
2.	Reference number:	A15
3.	Name and contact details of controller:	European Medicines Agency Internally: Head of Administration and Corporate Management Division datacontroller.administration@ema.europa.eu
4.	Name and contact details of DPO:	dataprotection@ema.europa.eu
5.	Name and contact details of joint controller (where applicable)	N/A
6.	Name and contact details of processor (where applicable)	N/A
7.	Purpose of the processing	<p>EMA processes the data for the preliminary assessment stage (pre-inquiry), when the Executive Director or a Head of Division is informed of a situation with a possible disciplinary dimension.</p> <p>An administrative inquiry is opened at the request of the Executive Director or a Head of Division. After a consultation with OLAF, that no investigation takes place for its own purposes, the Executive Director appoints normally an internal investigator to carry out an inquiry. A disciplinary file is created collecting facts and witnesses of the events.</p> <p>On the basis of the report produced by the investigator the Executive Director might decide to initiate a disciplinary proceeding before the Disciplinary Board.</p>
8.	Description of categories	All staff members involved in events with a possible disciplinary

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	of persons whose data EMA processes and list of data categories	dimension. Types of data processed: <input type="checkbox"/> Basic personal information about the staff member and other staff members involved, i.e. surname, first name, gender, age, name of line manager, hiring date, contractual category and grade, organisational entity to which one belongs; <input type="checkbox"/> Events, facts and witnesses about the situation with a possible disciplinary dimension. <input type="checkbox"/> Names of the administrative investigator and of the members of the Disciplinary Board
9.	Time limit for keeping the data	Disciplinary files are stored for a maximum of 10 years if, following an administrative inquiry, a charge is brought against the person concerned, and for a minimum of 5 years for administrative inquiries without a disciplinary follow up or where there is no charge against the staff member. Further processing for historical, scientific or statistical purposes is not envisaged. A brief summary of the events without mentioning any names might be published after some time.
10.	Recipients of the data	Personal data processed in the frame of administrative inquiries and disciplinary proceedings may be disclosed to the Head of Administration, the Executive Director, the Disciplinary Board and the investigator. If the staff member concerned contests the disciplinary decision, the disciplinary file may be referred to the Court of Justice of the European Union. Data may be sent to the Ombudsman, if the staff member concerned addresses a complaint. Personal data are also transferred to OLAF as mentioned above to ensure that no parallel inquiry is pending.
11.	Are there any transfers of personal data to third countries or international organisations?	N/A
12.	General description of security measures, where possible.	Paper copies are stored in locked cabinets Electronic copies can be accessed only through PC password
13.	For more information, including how to exercise your rights to access, rectification, object and data portability (where applicable), see the privacy statement:	Details concerning the processing of your personal data are available on the Agency's website at: https://www.ema.europa.eu/en/about-us/legal/general-privacy-statement , where you may find the EMA General Privacy Statement as well as the privacy statements on specific data processing operations.