EUROPEAN COMMISSION

☐ By checking this box, I confirm that I have read the below Privacy Statement and agree with the processing of my personal data for the purposes stated therein. I acknowledge that my views could be anonymised and shared with the European Commission and published with attribution to the type of the organisation for which I submit information, to which I hereby give my consent.

PROTECTION OF YOUR PERSONAL DATA

This privacy statement provides information about the processing and the protection of your personal data.

Processing operation: support the analysis of possible amendments of Directive 2004/37/EC on the protection of workers from the risks related to exposure to carcinogens, mutagens or reprotoxic substances at work

Data Controller: Directorate-General for Employment, Social Affairs and Inclusion, Unit C2 Health and Safety at Work, EU-OSHA (EMPL-C2-UNIT@ec.europa.eu)

Record reference–: DPR-EC-01011.

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1. Introduction

The European Commission (hereafter 'the Commission') is committed to protect your personal data and to respect your privacy. The Commission 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.

This privacy statement concerns the processing of information collected during a stakeholder engagement via online survey, interviews and site visits. The stakeholder engagement will target organisations potentially impacted by new or amended Occupational Exposure Limit values for the following substances: 1,2-Dichloropropane (1,2-DCP), 1,2,3-Trichloropropane (1,2,3-TCP), 2-Chloro-1,3-butadiene (Chloroprene), 2,3-Epoxypropyl methacrylate (glycidyl methacrylate), Nitrosamines, Respirable crystalline silica (RCS), and Chromium VI (Cr(VI)) compounds.

The stakeholder engagement will be carried out by the contractor, Risk & Policy Analysts Ltd (hereafter 'RPA'), on behalf and for account of the European Commission. For the purpose of the completion of the stakeholder engagement, the contractor shall act as Data Processor. RPA are working alongside Viegand Maagøe (Denmark) and FoBiG Forschungs- und Beratungsinstitut Gefahrstoffe (Germany), EPRD (Poland), NOVA (Portugal) and associated RPA companies in this study.

The results from the stakeholder engagement will be used by the Commission to support the analysis of possible amendments of Directive 2004/37/EC.

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

Purpose of the processing operation:

The purpose is to obtain the views of concerned stakeholders in order to support the analysis of possible amendments of Directive 2004/37/EC. It is indispensable for the European Commission to receive input and views from those concerned by the topic.

The online survey, interviews and site visits might require you to provide personal data in your response. Nevertheless, only information on the type of the organisation on whose behalf you are contributing will be included in the study report. For reasons of transparency and openness, your views (clean of any personal data) might be published on a Europa website, or in a summary report, or wider policy document.

The interviews and site visits might be audio-recorded for the purposes of processing the information obtained by the study team, but such recordings will not be published. To avoid misuse, anonymous contributions are not accepted in the form of interviews. Notwithstanding, no related personal data will be published.

The survey part of the consultation activity uses the Commission's online questionnaire tool EUSurvey.

The personal data processed may be reused for the purpose of procedures before the EU Courts, national courts, the European Ombudsman or the European Court of Auditors.

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

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

We process your personal data, because:

it is based on your consent, for one or more specified purposes:

- processing is necessary for the completion of the stakeholder engagement and for drafting the report concerning the 'Study on collecting the most recent information on substances to analyse health, socio-economic and environmental impacts in connection with possible amendments of Directive 2004/37/EC on the protection of workers from the risks related to exposure to carcinogens, mutagens or reprotoxic substances at work'. In preparing the reports (which, subsequently, may be published), care will be taken to ensure that specific responses cannot be linked to individual companies or persons.

The Union law which is the basis for the processing based on Articles 5(1)(a) and (b) of Regulation (EU) 2018/1725 is the Treaty of the European Union, and more specifically its Articles 1 and 11, as well as the Protocol 2 on the application of the principles of subsidiarity and proportionality.

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

In order to carry out this processing operation, the Data Processor on behalf and for the account of the Data Controller could collect the following categories of personal data:

- name and surname,
- position in the organisation,
- country in which the organisation is based,
- e-mail address of the respondent,
- telephone number of the respondent (if applicable),
- the name and type of the organisation on whose behalf the respondent is contributing,
- personal data included in the response or contribution to the stakeholder engagement (if the survey, interview or site visits requires so or the respondent does so voluntarily).

Furthermore, you may spontaneously provide other, non-requested personal data in the context of your input to the stakeholder engagement.

5. How long do we keep your personal data?

The Data Controller as well as the Data Processor only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing, namely for a maximum of five years after the closure of the file to which the present targeted consultation belongs. A file is closed at the latest once there has been a final outcome in relation to the initiative to which the targeted consultation contributed. This retention period is without prejudice to an earlier elimination of personal data not part of the file or cases of administrative elimination.

This administrative retention period of five years is based on the retention policy of European Commission documents and files (and the personal data contained in them), governed by the common Commission-level retention list for European Commission files SEC(2019)900. It is a regulatory document in the form of a retention schedule that establishes the retention periods for different types of European Commission files. That list has been notified to the European Data Protection Supervisor.

The administrative retention period is the period during which the European Commission departments are required to keep a file depending on its usefulness for administrative purposes and the relevant statutory and legal obligations. This period begins to run from the time when the file is closed.

In accordance with the common Commission-level retention list, after the 'administrative retention period', files including (the outcome of) targeted consultations (and the personal data contained in them) can be transferred to the Historical Archives of the European Commission for historical purposes (for the processing operations concerning the Historical Archives, please see notifications DPO-1530.4 ARES-NOMCOM. ARES (Advanced Records System) et NOMCOM (Nomenclature Commune), DPO-3871-3 Notification for the digital archival repository and ARCHIS scanning' and 'DPO-2806-5 Gestion des dossiers papier structurés par nom de personnes et transférés aux Archives Historiques'.).

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 on the servers of the European Commission *(or of its contractors (processors), if contractors are engaged to assist the controller)*. All processing operations are carried out pursuant to Commission Decision (EU, Euratom) 2017/46 of 10 January 2017 on the security of communication and information systems in the European Commission.

In order to protect your personal data, the Commission 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.

The Commission's processors (contractors) are bound by a specific contractual clause for any processing operations of your personal data on behalf of the Commission. The processors have to put in place appropriate technical and organisational measures to ensure the level of security, required by the Commission.

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

Access to your personal data might be provided to the Commission staff and external contractor, Risk & Policy Analysts Ltd (oels7@rpa-studies.com) responsible for carrying out this Study and to authorised staff according to the "need to know" principle, in particular to follow-up on the

targeted consultation. Such staff abide by statutory, and when required, additional confidentiality agreements.

Certain personal data may be made public on the Europa website, namely:

- any personal data on which you consented to their publication;
- personal data spontaneously provided by you in your contribution (without it being required by the consultation activity).

Please note that pursuant to Article 3(13) of Regulation (EU) 2018/1725 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.

RPA may share personal data details with Viegand Maagøe, FoBiG, EPRD, NOVA and RPA associated companies only for the core purposes of this exercise. RPA, with Viegand Maagøe, FoBiG, EPRD, NOVA and RPA associated companies are the data processor.

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. Under certain conditions, 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.

Insofar you have consented to the certain processing of your personal data by the Data Controller and by the Data Processor, Risk & Policy Analysts Ltd (oels7@rpa-studies.com), for the present processing operation, you can withdraw your consent at any time by notifying the Data Controller. The withdrawal will not affect the lawfulness of the processing carried out before you have withdrawn the consent.

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 in your request.

Any request for access to personal data will be handled within one month. Any other request mentioned above will be addressed within 15 working days.

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 of the European Commission, Directorate-General for Employment, Social Affairs and Inclusion, Unit C2 Health and Safety at Work, EU-OSHA at EMPL-C2-Unit@ec.europa.eu

- **The Data Protection Officer (DPO) of the Commission**

You may contact the Data Protection Officer (DATA-PROTECTION-OFFICER@ec.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) 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.

- **Project manager for the study**

In the first instance, contact the project manager at RPA (oels7@rpa-studies.com)