

<b>Privacy Statement CEPOL Exchange and Mentoring Programme</b>	Document number: FO.DAPR. 007-5
	Approval date: 14/12/2023



## Privacy Statement for Processing Data in the CEPOL Exchange and Mentoring Programme

This privacy statement, in line with Articles 15 and 16 of [Regulation \(EU\) 2018/1725](#)<sup>1</sup>, provides information to the data subjects relating to the processing of personal data of individuals carried out by the European Union Agency for Law Enforcement Training (CEPOL) in fulfilling its tasks.

The purpose of this document is to describe how CEPOL complies with its obligations to protect personal data under Regulation (EU) 2018/1725 and to provide individuals with information about CEPOL's processing of personal data and their rights under the Regulation.

### What is the purpose of the processing?

The purpose of processing is to enable the implementation of the CEPOL Exchange and Mentoring Programme (CEP), in particular the management of the submission of applications, the selection of candidates, the matching process of the candidates for exchange, the submission of the Stakeholder Mapping as pre-assignment, the feedback in relation to the exchange and the post-assignment as European cascading activity in relation to the implemented exchange.

The management of the process in relation to candidates exercising judiciary duties takes place in the context of a CEPOL-EJTN Joint Exchange Programme.

The management of the project process in relation to candidatures submitted by the European Eastern Partnership countries<sup>2</sup> and their EU member state counterparts/exchangees, taking place in the context of projects funded by the European Union.

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

Regulation (EU) 2018/1725 and in particular Article 5 (1)(d) thereof.

Regulation (EU) 2015/2219 of the European Parliament and of the Council of 25 November 2015 on the European Union Agency for Law Enforcement Training (CEPOL) and in particular Article 4(2)(d) thereof.

Working arrangement and a finalised work plan about joint training activities between the European Judiciary Training Network (EJTN) and the European Union Agency for Law Enforcement Training (CEPOL) for the implementation of a Joint Exchange Programme in 2021, dated 15 February 2017.

The INTERNATIONAL COOPERATION UNIT (ICU) EU funded projects subject to CEPOL Exchange Programme in 2024 are regulated by the following agreements: TRAINING AND OPERATIONAL PARTNERSHIP AGAINST ORGANISED CRIME PROJECT (TOPCOP) by DG NEAR ENI/2020/415.

### Who is the data controller?

The data controller is the Head of Training and Research Unit, [headoftru@cepol.europa.eu](mailto:headoftru@cepol.europa.eu).

In the case of the Joint Exchange Programme with EJTN, EJTN acts as data controller for personal data for the final matching of the participants. The data controller from the side of EJTN is the Head of Exchange Programme Unit, [exchangeprogramme@ejtn.eu](mailto:exchangeprogramme@ejtn.eu).

In the case of the ICU Exchange Programmes (TOPCOP) the data controller is the Head of International Cooperation Unit, [HeadofICU@cepol.europa.eu](mailto:HeadofICU@cepol.europa.eu).

<sup>1</sup> 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39–98.

<sup>2</sup> Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine

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### Who are the data subjects?

All applicants to the CEPOL Exchange and Mentoring Programme; law enforcement officials, including police, customs, tax authority, prosecutors, border and coast guards, Financial Investigation Unit officers, judiciary<sup>3</sup> and other law enforcement related officials, from all EU Member States, EU Candidate Countries, Western Balkans, Eastern Partnership countries.

Supervisors of the candidates in their role as reporting line of the candidates;

National Exchange Coordinators (NECs), National Contact Points (NCPs) and Single Point of Contacts (SPOCs) in accordance with their role as coordinator.

### Which types of data are being processed?

In the context of the preparation of the exchange, the data are collected via an application form with the following fields:

- Title/Rank, First name, Family name, date of birth, mobile phone, e-mail, specialisation, mother tongue, foreign languages, name of organisation, address, city, country, work phone, alternate e-mail, section of exchange programme applied for (i.e General Exchange Programme, CEPOL-EJTN Joint Exchange Programme, CEPOL ICU Exchange Programme, CEPOL pilot Mentoring Programme), thematic areas/sub-thematic areas of professional experience, country preference along with justification for the interest in the preferred country, information on agreed pre-match, indication as per capacity to host exchanges, description of expectations/comment on application from applicant, indication of consent for transfer of data to third countries, consent of supervisor (along with contact details of supervisor) for the exchange, declaration on accepting the applicable User Guide for the CEPOL Exchange Programme and the CEPOL General Mentoring Programme. The application form is further accompanied by a Europass CV.

In order to facilitate the exchange, data are collected via a travel request form and an activity plan form with the following fields:

- Travel Request form: First name, family name, title/function, Nationality, passport information (Number, issuing country, validity period) or ID number, date of birth, sending country, mobile phone, email, name of organisation, address, work phone, alternate email, date of departure and return, travel details including mode of transport (international flight, train, bus, ferry, car), accommodation details (including city, name of hotel, dates, split nights if applicable), dietary requirements, declaration on accepting the applicable User Guide for the CEPOL Exchange Programme and the CEPOL General Mentoring Programme.
- Activity Plan form: First name, family name, country of the exchange, first name, family name of the host, country where the exchange takes place, hosting organisation, host's planned exchange period (in traveller's country), exchange period in hosting country, learning outcomes of the exchange, activities and their locations during the exchange, accommodation proposals, activity related special wishes of the exchangee, cascading plan.

<sup>3</sup> Only in case of CEPOL ICU Exchange Programme

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After the exchange takes place, the participants submit:

- Stakeholder mapping with the following fields: counterpart's organisation's name, country, organisation's type, website, contact person, e-mail, phone number, facilities of organisation (name, address, closest international airport, e-mail, phone, note), programmes in the organisation (programme title, description of the programme, contact person, e-mail, phone, themes, details on training activities, training institutions, international cooperation, centers of excellence, any specific training facilities, also an essay of minimum 200 words on fundamental rights).
- Feedback
- Narrative report

Additionally, after the exchange takes place, the participants take part in:

- Post-assignment in a form of webinar, podcast or research bulletin article, where the following data will be shared: name, surname, country, e-mail, phone number, organisation, rank.

Identification data of the National Exchange Coordinator/National Contact Point/Single Point of Contact as follows:

- Country, First Name, Last Name, Telephone No, Mobile No., E-mail address and Postal Address of the Organisation.

### How is data processed?

The data processing will take place on an operational and administrative needs basis. More precisely (1725/2018) Article 5 para 1 (a): a task carried out in the public interest or in the exercise of official authority vested in the Union institution.

The processing is mainly managed on an online platform. Initially, the candidates submit an application form on an online platform (CEPOL LEEd platform's Exchange plugin) developed specifically for this Programme. Applications and further submitted documents are accessible for CEPOL, and the applicants' respective NEC. CEPOL stores the applications on this platform and on a network drive in a folder with restricted access rights to specific staff members. Matching process is also managed on the platform. Approved applicants can chat with each other on the platform to establish contact. Third country participants are unable to connect to the chat due to restrictions, therefore EU MS applicants' email addresses will be shared with them upon request and vice versa. Matching happens by exchangees requesting an exchange with a chosen counterpart, and in a second phase by CEPOL Exchange Team matching unmatched exchangees if applicable. Approved applicants have access to other approved applicants' data (name, surname, country, section of the Exchange Programme, law enforcement sector, thematic/subthematic area, duration of exchange, chosen country and its justification, pre-match information, short summary and user comment) who match their exchange expectations partially or fully, in order to find a suitable counterpart themselves. After CEPOL has concluded the so-called 'matching' phase, the NECs/NCPs/SPOCs are informed about their selected candidates and their counterparts.

In the case of the joint CEPOL-EJTN exchange, the applications are downloaded from the online platform and the matching process is performed jointly and manually. Storing the applications happens on the platform as well as on the network drive. Participants of the CEPOL-EJTN exchange programme subsequently send the activity plan and travel request form via their NECs. After the exchange takes place, feedback is provided in the format of an on-line electronic survey on the CEPOL LEEd platform. A narrative report is submitted by the participants to CEPOL via email.

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In the case of the applicants from EU member states who apply to the ICU Exchange Programme exchange, the applications are downloaded from the online platform and the matching process is performed manually. Participants of the ICU exchange programme subsequently send the activity plan and travel request form via their NECs. After the exchange takes place, feedback is provided in the format of an on-line electronic survey on the CEPOL LEEd platform. A narrative report is submitted by the participants to CEPOL via email.

The selected candidates of the General Exchange Programme liaise with their counterpart on the platform to identify their learning objectives in a form (activity plan form), which is then uploaded to the platform.

The selected candidates for joint CEPOL-EJTN exchanges, Mentoring Programme and the ICU Exchange Programme, liaise with their host's NECs/NCPs/SPOCs to identify their learning objectives in a form (activity plan form), which is then sent to CEPOL.

After the exchange takes place, feedback is provided in the format of an on-line electronic survey on the CEPOL LEEd platform. A narrative report is submitted by the participants to CEPOL by uploading it to the platform.

Pre- and post-assignments are submitted online, on CEPOL LEEd platform.

Paper copies of the applications, travel request forms, travel documents, activity plans and the narrative reports are stored in locked cupboards.

### Who are the recipients of the data being processed?

- Dedicated CEPOL staff members (the Exchange Programme Team within the Training and Research Unit and part of the International Cooperation Unit Team managing the exchanges);
- National Exchange Coordinators (only in relation to the outcome of the matching process, name, email address of the candidates to be hosted);
- National Contact Points (only in relation to the outcome of the matching process, name, email address of the candidates to be hosted);
- Single Point of Contacts (only in relation to the outcome of the matching process, name, email address of the candidates to be hosted);
- EJTN staff members dealing with exchange in the case of the CEPOL-EJTN joint exchanges (in relation to the application forms and summary with statistical information);
- External contractor<sup>4</sup> booking travel and accommodation services for CEPOL (only in relation to data contained in the Travel Request form and, sometimes, in the Activity Plan (if sent together in one merged document));
- LEEd users accessing the LEEd platform of the Exchange Programme (for the identification data of the NECs/NCPs/SPOCs and for identification date – name, surname, country - of applicants accessing the Exchange Plugin);
- General public via the CEPOL publications (for extracts of narrative reports of exchange participants, for post-assignment webinars, podcasts and research bulletin articles);
- CEPOL Internal Audit Panel and/or the Internal Control Officer (if relevant);
- Other EU institutions, agencies and bodies that have a working arrangement with CEPOL;
- EU bodies (upon request): European Court of Justice, European Ombudsman, European Data Protection Supervisor, European Anti-Fraud Office (OLAF), Internal Audit Service of the European Commission, European Court of Auditors.

<sup>4</sup> Subject to Regulation (EU) 2016/679, the so-called General Data Protection Regulation (GDPR).

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### Is data transferred to third countries or international organisations?

In case of exchanges taking place / or involving participants from outside the EU/EEA it is possible that transfer of data to third countries takes place. In such cases, Chapter V of Regulation (EU) 2018/1725 in relation of personal data to third countries or international organisations applies. The transfer is limited only to the data necessary for the implementation of the exchange. In absence of adequacy decision, CEPOL controls whether any of the appropriate safeguards listed in Article 48 of Regulation (EU) 2018/1725 are in place. In absence of appropriate safeguards, the transfer is done on the basis of a consent of the data subjects in line with the requirements of Article 50(1)(a) of Regulation (EU) 2018/1725.

### What rights do data subjects have?

Data subjects have the right to access their personal data and the right to request from the controller rectification or erasure of personal data. Data subjects have the right to request restriction of processing of personal data concerning them or to object to the processing of their data.

Data subjects can refuse and/or withdraw their consent with respect to further processing of their data. In addition, and in case the processing is carried out by automated means, data subjects have the right to receive their personal data in a structured, commonly used and machine-readable format.

Substantiated requests should be emailed to [headoftru@cepol.europa.eu](mailto:headoftru@cepol.europa.eu), to [exchangeprogramme@ejtn.eu](mailto:exchangeprogramme@ejtn.eu) (in case of CEPOL-EJTN joint exchanges) or to [HeadofICU@cepol.europa.eu](mailto:HeadofICU@cepol.europa.eu) (in case of CEPOL ICU Exchange Programme).

The time limit to block/erase data on justified grounds at the request of data subjects is 15 working days from the date of receipt of such a request.

General requests can be emailed to the CEPOL Data Protection Officer at [DPO@cepol.europa.eu](mailto:DPO@cepol.europa.eu).

### How long is your data retained by CEPOL?

Personal data related to successful applicants are stored for a maximum period of 3 years after the year the exchange took place, or in case of CEPOL ICU Exchange Programme a maximum of 3 years after the conclusion of the relevant project. However, it is possible that certain data will be kept longer for historical, statistical, and auditing purposes.

Personal data related to unsuccessful candidates are stored for a maximum period of 1 year which is the year the application was submitted.

The identification data of the National Exchange Coordinators, National Contact Points, and Single Point of Contacts remain for the whole period someone acts as a NEC/NCP/SPOC.

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## Who should you contact for more information on the processing of your personal data by the Agency?

### Data Protection Officer (DPO)

Within CEPOL, there is a data protection officer. This person is independently responsible for ensuring the internal application of Regulation (EU) 2018/1725 and that the rights and freedoms of the data subjects are not likely to be adversely affected by the processing operations. The DPO keeps a register of all processing operations of personal data carried out by the Agency.

The DPO also provides advice and makes recommendations on rights and obligations of data controllers and data subjects. CEPOL's DPO can be contacted at [dpo@cepol.europa.eu](mailto:dpo@cepol.europa.eu).

### European Data Protection Supervisor (EDPS)

The [European Data Protection Supervisor](#) is an independent supervisory authority with responsibility for monitoring and ensuring the application of data protection rules by EU Institutions and Bodies, which includes CEPOL. The EDPS provides advice to EU Institutions and Bodies on all matters relating to the processing of personal information and cooperates with national supervisory authorities to improve protection of personal information.

## What should you do if you believe your data is being misused by the Agency?

If you believe your data is being misused by CEPOL, or is otherwise not compliant with your rights and freedoms under Regulation (EU) 2018/1725, you should notify CEPOL Head of Training and Research Unit ([headoftru@cepol.europa.eu](mailto:headoftru@cepol.europa.eu)), or the Head of Exchange Programme Unit ([exchangeprogramme@ejtn.eu](mailto:exchangeprogramme@ejtn.eu)) (in case of CEPOL-EJTN joint exchanges), or [HeadofICU@cepol.europa.eu](mailto:HeadofICU@cepol.europa.eu) (in case of CEPOL ICU Exchange Programme).

You may also contact the Agency's DPO to inform him/her of any issues related to the processing of your data. If the problem is not rectified after contact with the data controller and DPO, every data subject has the right of recourse to lodge a complaint with the EDPS, as provided for by Article 63 of Regulation (EU) 2018/1725.