

DATA PROTECTION NOTICE

ON THE USE OF MICROSOFT TEAMS

1. Introduction

Personal data provided in connection with the use of Microsoft Teams for communication and collaboration purposes — namely for the organisation of internal and external meetings as well as conversation chats — are processed in accordance with [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](#) (hereinafter referred to as 'Regulation (EU) 2018/1725')¹.

The Head of Information & Communication Technology is the staff member responsible for this processing operation on behalf of the data controller (i.e. Eurofound).

2. Why do we process your personal data?

Eurofound processes your personal data for the following purposes:

- organising meetings (internal and/or external);
- organising conversation chats;
- recording meetings for the purpose of drafting minutes; and
- recording meetings for communication purposes, including publication on the organisation's intranet Just Connect and/or the organisation's website or official social media accounts².

Ultimately, Microsoft processes the personal data in Microsoft Teams to deliver the agreed-upon services³.

¹ OJ L 295 21.11.2018, p. 39-98.

² Eurofound uses social media (i.e. Twitter, Facebook, LinkedIn, YouTube, Flickr) for promotional purposes. The use of social media does not in any way imply endorsement of them or their privacy policies. In the event that one or more social media are occasionally unavailable we accept no responsibility for lack of service due to their downtime. We recommend that you read each social media privacy policies. These explain each company's policy of data collection and processing, their use of data, users' rights and the ways in which users can protect their privacy when using these services.

³ 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).

3. Which personal data do we collect and process?

The following personal data are processed:

- Content: your meetings and conversations chats, voicemail, shared files, recordings and transcriptions;
- Profile data: data that is shared within Eurofound about you (e.g. e-mail address, profile picture);
- Image and/or video: should the meeting be recorded;
- Call history: a detailed history of the phone calls you make, which allows you to go back and review your own call records;
- Call quality data: details of meetings and call data are available to Eurofound system administrators. This allows Eurofound's administrators to diagnose issues related to poor call quality and service usage;
- 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:
 - Determine revenue;
 - Develop metrics;
 - Determine service usage; and
 - Conduct product and capacity planning.

Please note neither Eurofound, nor Microsoft can control what you share during meetings and conversation chats. **Eurofound highly advises that you refrain from using Microsoft Teams to disseminate sensitive data** – data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data, health data (mental & physical), and data concerning a natural person's sex life or sexual orientation – **which either concern yourself or another natural person.**

4. What is the legal basis for processing your personal data?

The processing of your personal data is necessary for the performance of tasks that Eurofound, as an EU Agency, carries out in the public interest⁴. This includes recordings for the purpose of drafting minutes, any processing for archiving purposes in the public interest⁵, as well as web streaming of some recordings under specific situations⁶.

Any further processing of personal data will only take place upon your consent⁷.

5. 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:

- Natural persons attending the meetings and/or conversation chats;
- Natural persons being mentioned during the meetings and/or conversation chats;
- Natural persons being mentioned in files shared during the meetings or on conversation chats;
- Eurofound's administrators; and
- Eurofound's processors, including Microsoft and Microsoft's processors.

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

6. How long do we keep your personal data?

Please note that Eurofound cannot control the use and storage of any data you may share with other natural persons using Microsoft Teams. As such, Eurofound cannot inform you how long these data will be kept by such recipients.

By default, Eurofound does not keep any additional specific data other than that kept by Microsoft related to Teams use as part of a Microsoft 365 tenant⁸.

⁴ Article 5(1) (a) of the Regulation (EU) 2018/1725.

⁵ Documents of historical or administrative value, as defined under the Council Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 amending Regulation (EEC, Euratom) No 354/83 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 243, 27.9.2003, p. 1–4) and Eurofound's Internal Rules for the application of Council Regulation 354/1983 as amended by Council Regulation 1700/2003 and Council Regulation (EU) 2015/496 of 17 March 2015.

⁶ The recording of the following meetings may be published on Microsoft Streams and linked to JustConnect: (i) General Staff Meetings, (ii) Presentations by high-profile visitors, (iii) Internal (research) seminars, and (iv) Meetings of committees that deal with subjects of public interest (e.. Covid-19 response committees). The publication of such meetings aims to allow (absent) staff members to follow the meeting(s) subsequently and gain knowledge of what was discussed there.

⁷ Article 5(1) (d) of the Regulation (EU) 2018/1725.

⁸ The data retention aspects of the Teams tenant are described in <https://docs.microsoft.com/en-us/microsoft-365/compliance/retention-policies-teams?view=o365-worldwide>.

Without prejudice to the above, the following retention periods apply:

- a) Staff member's personal data (username, e-mail address, if applicable IP address and profile photo, as well as customer data not falling under any retention period below) will remain in the database until your Eurofound account has been deactivated, after which they will be deleted from Microsoft's servers after a 90-day retention period. Deactivation occurs after departure from the Agency;
- b) If no recording is done, audio and video calls in Microsoft Teams are processed only 'real time';
- c) In cases where a recording is made for the purposes of drafting minutes, it will be securely destroyed as soon as the minutes are approved;
- d) Any recording which may be published on Microsoft Streams and/or linked to JustConnect will be kept for a period of 20 calendar days, after which it will be securely destroyed;
- e) All recordings considered to have archiving value will be kept for 30 years, after which they will become of public domain⁹; and
- f) Individual ad-hoc chats can be deleted by the message author and on a message-by-message basis. They will also be automatically deleted after 3 months.

As for Microsoft, it commits itself to retain your data for the minimum amount of time necessary to deliver the service. *'Because this data is required to provide the service, this typically means that we retain personal data until the user stops using Microsoft Teams, or until the user deletes personal data. If a user (or an administrator on the user's behalf) deletes the data, Microsoft will ensure that all copies of the personal data are deleted within 30 days.'*¹⁰

7. 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:

⁹ Eurofound will comply with provisions set forth in the EDPR, in particular Article 13. As such, Eurofound will assess the feasibility to fulfil the archiving purposes by processing data which do not permit or no longer permit the identification of data subjects (such as, for instance, analysing the possibility of pseudonymisation of the data).

¹⁰ According to information provided by Microsoft on its 'Privacy and Microsoft Teams' available at <https://docs.microsoft.com/en-gb/microsoftteams/teams-privacy>.

- All data in transit over public networks between Eurofound and Microsoft, or between Microsoft data centres, is encrypted by default using strong encryption;
- 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 Policy¹¹, 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 Teams.

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

As a principle, customer data processed by Microsoft on behalf of Eurofound, including the content of any file and communication, may not be transferred to, and stored and

¹¹ GR-19-1041.

processed in, the United States or any other country in which Microsoft or its processors operate.

Microsoft may temporally give access to technical staff located outside EU/EEA for technical maintenance. To guarantee compliance with Regulation (EU) 2018/1725, this should happen in line with the Inter-Institutional Licensing Agreement and respective amendments signed with Microsoft¹².

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.

9. Does this processing involve automated decision-making, including profiling?

No decision is taken by Eurofound in the context of this processing activity solely on the basis of an automated processing of your personal data (i.e. processing without human intervention, for example profiling [evaluating or predicting your behaviour using automated tools]).

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

Within the limits set by Regulation (EU) 2018/1725, you have the right to access, rectify, erase and/or port your personal data, as well as to restrict or object to the processing of your personal data.

In order to exercise your rights, please contact in writing the Head of Information & Communication Technology at Jim.Halpenny@eurofound.europa.eu whereby you shall specify your claim (i.e. the right(s) you wish to exercise). The exercise of your rights is free of charge. If your request is manifestly unfounded or excessive, Eurofound may refuse to act on it.

¹² Article 48(2) (b) of Regulation (EU) 2018/1725.



Should you feel that the processing infringes the data protection rules, you are entitled to raise a [complaint with the European Data Protection Supervisor](#).

11. Who shall I contact in case of doubts?

Should you have any question or doubt on this processing operation, you should contact the Head of Information & Communication Technology at Jim.Halpenney@eurofound.europa.eu.

You may always submit queries, remarks or complaints relating to the processing of your personal data to Eurofound's Data Protection Officer (DPO) at dataprotectionofficer@eurofound.europa.eu