



**Record¹ of processing activities
regarding the use of Microsoft 365 (with special attention to Microsoft Teams)
and the use of Windows 365 at the European Institute of Innovation and Technology**

| Nr | Item | Description |
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| 1 | Reference number | DPO-36 |
| 2 | Name of the data controller, the data protection officer and processor ² , if applicable and contact details | The data controller is the Head of Services and Finance Unit (EIT-IT@eit.europa.eu) Contact e-mail of the Data Protection Officer : EIT-DPO@eit.europa.eu |
| 3 | Purposes of the processing | The purpose of processing personal data depends on the type of the IT Tool, used by the EIT. Effective communication and collaboration are always amongst the purposes regardless of the type of IT Tools. The EIT is part of the framework contract (FWC DI/07660) concluded between the European Commission and Microsoft. Furthermore, DG DIGIT concluded a Framework Contract on the services for Windows 365 (FWC DI/07722) of which the EIT is also part of. |

¹ In line with article 31 of 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

² For more information., please see below (categories of data recipients).



In 2020, DG DIGIT completed a Data Protection Impact Assessment on the deployment of Microsoft's Office 365 in the European Commission (EC)³. This privacy statement is prepared based on this Assessment.

Summary of the IT Tools:

- a. **Microsoft 365** is a cloud-computing service: the EIT utilizes mainly Teams, SharePoint, Outlook, OneDrive, Stream, Power BI, Planner, Word, Excel, PowerPoint etc. The most important parts related to data processing are Teams, SharePoint, and Outlook.

Microsoft Teams is utilized in order to organise and manage calls (with other staff members or with external users), internal trainings, workshops (and sometimes to record them) and events initiated by EIT (e.g. team-building).

In 2020 and in 2021, when COVID-19 is a serious threat to the health of people and when teleworking is part of the standard practice, video conferencing tools which comply with the data protection rules, are indispensable.

SharePoint is used in order to:

- make the collaboration more effective (i.e. it is possible to edit documents simultaneously with other colleagues, without losing information),
- make content available for those who are permitted to work with certain documents.

Outlook is used in order to communicate and cooperate effectively by email.

- b. **Windows 365** is a service which provides virtual desktops for the users. The virtual desktop provides the user the same EIT corporate environment in a secure way from anywhere, anytime and from any non-corporate device (mobile phone, tablet, public kiosk, personal computer).

³ Ref. Ares(2020)1151869- 24/02/2020



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| | | The data processing operations include the collection, recording, organisation, storage, consultation, use, disclosure by transmission, erasure and destruction of personal data. |
| 4 | Categories of data subjects | <p>The data subjects can be:</p> <ul style="list-style-type: none"> - staff members of the EIT and other persons working at/for the EIT⁴; - external persons who are cooperating with EIT or contacting the EIT (external or guest users)⁵. <p>SharePoint can be used by the staff members only (with the exception of one page dedicated to the EIT Governing Board members).</p> |
| 5 | Categories of the personal data processed | <p>In this processing operation the EIT processes personal data directly collected from the data subjects when they access the Microsoft Teams and/or other services. When data subjects access and use MS Teams, SharePoint and other services, personal data will be processed by EIT as data controller and Microsoft as data processor.</p> <p>Such data may include the following:</p> <ul style="list-style-type: none"> ○ Username, e-mail address, phone number and profile photo of each authorised user (if applicable); ○ Any content in the framework of personal data shared by data subjects, including chat messages (one-to-one as well as group messages) and any other personal information, voluntarily posted on the platform; ○ Audio and video calls in Microsoft Teams (processed only ‘real time’, recording is possible). <p>All ‘customer data’ collected in Teams and other platforms are stored and protected on Microsoft servers located in the European Union. Customer data is all data, including text, sound, video or image files, and software that the data subject provides to Microsoft or that is provided on behalf of the data subject through the use of services. It includes customer content, which is the</p> |

⁴ In this context ‘staff member’ means temporary agents, contract agents, SNEs, trainees, interim agents, external IT service providers (hereafter ‘staff members’).

⁵ For instance, members of the Governing Board of the EIT, external experts; KIC staff are using the KIC Sharing Zone.



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| | | <p>personal data that the data subject uploads for storage or processing and apps uploaded for distribution through the services.</p> <p>Access to EIT's Teams and other platforms is restricted to users with a valid EIT e-mail address and those externals who have been granted access.⁶</p> <p>All staff members who have joined a particular Teams site can see activity approved within their permissions, which may include posts, replies to comments, 'likes', etc. Permissions are configured on a site-by-site basis by the Teams site owner and can be set at a team, channel or chat level.</p> <p>Messages sent to individual users using the chat functionality can be seen only by the recipient and potentially by network administrators.</p> <p>Teams and other platforms managed by the EIT are not suitable for posting or discussing sensitive documents or topics, therefore the data subjects must not upload commercially confidential or restricted information to these services.</p> <p>Guests' information is processed by the Microsoft in case of Teams and SharePoint (the EIT has the KIC Sharing Zone, a collaboration platform). Only email addresses of Guests are processed by EIT in case there is no video recording.</p> <p>The EIT does not give externals the access to other parts of these services.</p> |
| 6 | Categories of data recipients | <p>Within the EIT:</p> <p>The personal data of the data subjects is processed by the EIT authorised staff (i.e. responsible staff of IT Section, Head of Services and Finance Unit, EIT Director).</p> |

⁶ The internal users can send a link to the specific Teams meeting.



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| | <p>Access will be given to the LISO (Local Information Security Officer) and Internal Auditor of the EIT by request if necessary for the performance of the duties of the Internal Auditor.</p> <p>Within the Commission and other EU institutions/bodies/agencies:</p> <p>The authorized staff that may have access to relevant personal data only for audit control or investigation purposes: Court of Auditors, Internal Audit Service of the European Commission, European Anti-Fraud Office (OLAF).</p> <p>Access to the personal data may be granted also to the European Ombudsman and the European Data Protection Supervisor upon request, the General Court and the European Court of Justice to the extent necessary for handling the review procedure and litigation.</p> <p>Third parties subject to the GDPR⁷ and third parties not subject to the GDPR:</p> <p>Microsoft is the service provider of the EIT. They ensure the continuous work and operation of its services for EIT, therefore the data collected may be processed by Microsoft only for the purposes of providing the service.</p> <p>Their privacy statement is available at: https://privacy.microsoft.com/en-us/privacystatement</p> <p>Data are stored in the data centres of Microsoft located in the EU.</p> <p>Microsoft may temporarily 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 instructions provided by DIGIT as regards to the common agreement and terms of use between the European Institutions and Microsoft.</p> |
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⁷ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation, OJ L 119, 4.5.2016, p. 1–88)



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| | | <p>In addition, 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 an end user 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.</p> <p>The above mentioned applies to Windows 365 as well.</p> <p>Microsoft has implemented measures for data transfers (e.g. Standard Contractual Clauses embedded in the Online Services Terms and additional GDPR-specific clauses in the Online Services Terms).</p> |
| 7 | <p>Time limit storage</p> | <p>The EIT only keeps personal data for the time necessary to fulfil the purpose of collection or further processing.</p> <ul style="list-style-type: none"> - Deactivation of the <i>account</i> of the staff members, contractors, experts, EIT Governing Board members, and external users is based on the date of their departure/end of service from the EIT. <p>Personal data (username, e-mail address, if applicable profile photo, as well as customer data not falling under any specific retention period) will remain until the account has been deleted (<i>120 days</i> retention period from the date of departure/end of contract). The deleted information is kept in the recycle bin for an additional <i>120 days</i> after which they will be deleted from EIT and Microsoft's servers.</p> <ul style="list-style-type: none"> - <i>Audio and video calls</i> in Microsoft Teams are processed only 'real time' and no recording is retained unless agreed by the participants. |



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| 8 | If applicable, transfers of personal data to a third country or to international organization (if yes, the identification of that third country or international organization and the documentation of suitable safeguards) | In some cases, it is applicable, but suitable safeguards are ensured. Please see 'categories of data recipients.' |
| 9 | General description of the technical and organisational security measures | <p>Organisational measures: access to personal data regarding this processing operation is restricted to data recipients indicated above.</p> <p>Policies regarding ICT are adopted.</p> <p>Technical measures: Electronic data is only accessible to the responsible colleagues of EIT and to the EIT authorised staff mentioned above. Since Microsoft has Datacentres in the EU, data will not be transferred to third country (although, there can be exceptions).</p> |
| 11 | For more information, including how to exercise rights to access, rectification, object and data portability (where applicable), see the privacy statement: | Please consult the Data Protection page on the EIT's website: https://eit.europa.eu/who-we-are/legal-framework/data-protection |

Signature of the data controller

(Approval is given via a workflow in ARES in place of a handwritten signature)

Annex: Privacy statement