

RECORD OF PERSONAL DATA PROCESSING ACTIVITY according to Article 31 of Regulation (EU) 2018/1725

▶ Handling of ethics' matters of non-EIOPA staff members

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General information

Introduction
EIOPA, as a European Authority, is committed to protect individuals with regard to the processing of their personal data in accordance with Regulation (EU) No 2018/1725 (further referred as the Regulation) ¹ .
Contact Details of Data Controller(s)
Fausto Parente, Executive Director Westhafenplatz 1, 60327 Frankfurt am Main, Germany fausto.parente@eiopa.europa.eu
Contact Details of the Data Protection Officer
Eleni Karatza Westhafenplatz 1, 60327 Frankfurt am Main, Germany dpo@eiopa.europa.eu Date of Consultation: 16/05/2024 – 09/07/2025

¹ 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.

Contact Details of Processor
EIOPA's Team/Unit/Department responsible for the processing: EIOPA's Ethics Office
Contact Details of External Processor(s) / Joint Controller(s)
<input checked="" type="checkbox"/> External processor(s): European Commission, contact form: https://ec.europa.eu/eusurvey/home/support <input type="checkbox"/> Joint controller(s): <input type="checkbox"/> N/A

Description and Purpose of the Processing

Description of Processing
<p>The personal data of the individuals as listed under Article 1(1) of the Conflict-of-Interests Policy specified below might be collected and processed during their on-boarding or off-boarding procedure as well as on an annual and ad hoc basis, to enable EIOPA to:</p> <ul style="list-style-type: none">• Ensure the independence of, and high standards of professional conduct by the people listed under Article 1 of the Conflict-of-Interests Policy.• Identify, handle, remove or mitigate without delay any actual or potential conflict of interests (Col) on an ad hoc basis. <p>The individual Declarations of Intention and Declarations of Interests are submitted by EU-survey, screened by the Ethics Office and approved by the Chairperson. The Ethics Office ensures publication, where relevant, and record keeping. The exceptions to this process concern:</p> <ul style="list-style-type: none">- Members of the Independent Panels: For each case, the Panel members are requested to make a written declaration of commitment and absence of any interest or external influence which may be considered prejudicial to their independence. These declarations are submitted by email to and screened by the Panel Secretariat and approved by the Chairperson. The Panel Secretariat ensures the record keeping and informs the Ethics Officer.- The Members, alternates and observers of other specific committees/fora: a specific process is defined in Article 13 of the Conflict-of-Interests Policy.

Purpose (s) of the processing
<input type="checkbox"/> Staff administration <input checked="" type="checkbox"/> Relations with external parties <input type="checkbox"/> Procurement and accounting <input type="checkbox"/> Administration of membership records <input type="checkbox"/> Auditing <input type="checkbox"/> Information administration <input type="checkbox"/> Other (please give details):
Lawfulness of Processing
<ul style="list-style-type: none">• Legal Basis justifying the processing:<ul style="list-style-type: none">- Regulation (EU) No 1094/2010 establishing a European Supervisory Authority (European Insurance and Occupational Pensions Authority) (hereinafter “EIOPA”) and in particular Articles 42, 46 and 70 thereof,- The Agreement on the European Economic Area (the EEA Agreement), as amended by Decision of the EEA Joint Committee No 200/2016 of 30 September 2016 amending Annex IX (Financial services) to the EEA Agreement to the effect of incorporating Regulation (EU) No 1094/2010 into the EEA Agreement,- EIOPA’s Board of Supervisors decision adopting the Policy on independence and decision-making processes for avoiding conflicts of interests for non-staff members (EIOPA-BoS-22-388-Rev1) (“Conflict-of-Interests Policy”),- Rules of Procedure of the Mediation Panel of the European Insurance and Occupational Pensions Authority (EIOPA-BoS-12-032-REV2), Article 2(4)- Rules of Procedure on Investigations Regarding Breach of Union Law (EIOPA-BoS-11-017-REV4), Article 16- Rules of Procedure of the Inquiry Panel of the European Insurance and Occupational Pensions Authority (EIOPA-BoS-20-021), Article 3(3)• Processing is necessary:<ul style="list-style-type: none"><input checked="" type="checkbox"/> for the performance of a task carried out in the public interest<input type="checkbox"/> for compliance with a legal obligation to which the Controller is subject<input type="checkbox"/> for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract<input type="checkbox"/> in order to protect the vital interests of the data subject or of another natural person <p>Or</p> <ul style="list-style-type: none"><input type="checkbox"/> Data subject has given his/her unambiguous, free, specific and informed consent

Data Subject’s Rights

Information on how to exercise data subject’s rights
<p>Data subjects may exercise their data privacy rights provided in Articles 17 to 24 of the Regulation (EU) 1725/2018.</p> <p>Data subjects have the right to:</p> <ul style="list-style-type: none"> • access their personal data, receive a copy of them in a structured and machine-readable format or have them directly transmitted to another controller, as well as request their rectification or update in case they are not accurate. • request the erasure of their personal data, as well as object to or obtain the restriction of their processing. <p>For the protection of the data subjects’ privacy and security, every reasonable step shall be taken to ensure that their identity is verified before granting access, or rectification, or deletion.</p> <p>Should data subjects wish to access/rectify/delete their personal data, or receive a copy of them/have it transmitted to another controller, or object to/restrict their processing, please contact Ethicsofficer@eiopa.europa.eu or DPO@eiopa.europa.eu.</p> <p><u>Complaint:</u></p> <p>Any complaint concerning the processing of the data subjects’ personal data can be addressed to EIOPA’s Data Protection Officer (DPO@eiopa.europa.eu). Alternatively, data subjects can also have at any time recourse to the European Data Protection Supervisor (www.edps.europa.eu).</p> <p><u>Restrictions</u></p> <p>Without prejudice to the above, rights might be restricted in accordance with EIOPA’s decision on the restriction of data subject’s rights (EIOPA-MB-19-056).</p>

Categories of Data Subjects & Personal Data

Categories of Data Subjects
<p><input type="checkbox"/> EIOPA permanent staff, Temporary or Contract Agents</p> <p><input type="checkbox"/> SNEs or trainees</p> <p><input checked="" type="checkbox"/> Visitors to EIOPA (BOS, MB, WG, Seminars, Events, other) If selected, please specify: See individuals as listed under Article 1(1) of the Conflict-of-Interests Policy</p> <p><input type="checkbox"/> Providers of good or services</p> <p><input type="checkbox"/> Complainants, correspondents and enquirers</p> <p><input type="checkbox"/> Relatives and associates of data subjects</p> <p><input type="checkbox"/> Other (please specify):</p>

Categories of personal data
<p>(a) General personal data:</p> <p>The personal data contains:</p> <ul style="list-style-type: none"><input checked="" type="checkbox"/> Personal details (name, address etc)<input checked="" type="checkbox"/> Education & Training details<input checked="" type="checkbox"/> Employment details<input checked="" type="checkbox"/> Financial details<input checked="" type="checkbox"/> Family, lifestyle and social circumstances<input type="checkbox"/> Other (please give details):
<p>(b) Special categories of personal data</p> <p>The personal data reveals:</p> <ul style="list-style-type: none"><input type="checkbox"/> Racial or ethnic origin<input type="checkbox"/> Political opinions<input type="checkbox"/> Religious or philosophical beliefs<input type="checkbox"/> Trade union membership<input type="checkbox"/> Genetic or Biometric data<input type="checkbox"/> Data concerning health, sex life or sexual orientation

Categories of Recipients & Data Transfers

Recipient(s) of the data
<ul style="list-style-type: none"><input type="checkbox"/> Managers of data subjects<input checked="" type="checkbox"/> Designated EIOPA staff members <p>If selected, please specify:</p> <ul style="list-style-type: none">- EIOPA’s Chairperson- Members of EIOPA’s Ethics Board (EIOPA’s Ethics Officer and nominated staff members involved in the BoS clearance process and tasked to reply to questions on ethics)- Members of EIOPA’s Ethics Committee (EIOPA’s Executive Director, the Head of Department of Corporate Affairs, the Head of Risks & Financial Stability and EIOPA’s Ethics Officer)- Members of EIOPA’s Board Secretariat- Members of IRSI- EIOPA’s Legal Unit (in particular Panels’ Secretariat)- DPO

<p><u>For DORA related issues:</u></p> <ul style="list-style-type: none"> - The Chairperson of the Joint Committee - Ethics Officers of the 3 European Supervisory Authorities - The DORA Oversight Forum Secretariat <p><input type="checkbox"/> Relatives or others associated with data subjects</p> <p><input checked="" type="checkbox"/> Current, past or prospective employers</p> <p><input type="checkbox"/> Healthcare practitioners</p> <p><input type="checkbox"/> Education/training establishments</p> <p><input type="checkbox"/> Financial organisations</p> <p><input checked="" type="checkbox"/> External contractor Potentially, administrators of EU Survey tool</p> <p><input checked="" type="checkbox"/> Other (please specify):</p> <ol style="list-style-type: none"> 1. Published on EIOPA’s website are <ul style="list-style-type: none"> • Declarations of Interests and declarations of Intentions of BoS Voting Members, BoS Voting Members’ Alternates, MB Members and MB Alternates, • Declaration of Interests of DORA Oversight Forum Members, alternates and observers and of ResCo Members, Alternates and Observers. 2. Also, if appropriate, access will be given to the European Ombudsman, the Civil Service Tribunal, the European Court of Auditors, the European Anti-Fraud Office (OLAF) and the European Public Prosecutor’s Office (EPPO).
Data transfer(s)
<p><input checked="" type="checkbox"/> Within EIOPA or to other EU Institutions/Agencies/Bodies</p> <p>If selected, please specify: Commission’s tool EU survey is based in the EU The Ethics Officers of EBA and ESMA.</p> <p><input checked="" type="checkbox"/> To other recipients within the EU (e.g. NCAs): In case of interactions with the relevant NCAs</p> <p><input type="checkbox"/> To third countries</p> <p>If selected, please specify:</p> <p>Whether suitable safeguards have been adopted:</p> <p><input type="checkbox"/> Adequacy Decision of the European Commission²</p> <p><input type="checkbox"/> Standard Contractual Clauses (SCC)</p> <p><input type="checkbox"/> Binding Corporate Rules (BCR)</p> <p><input type="checkbox"/> Administrative Arrangements between public Authorities (AA)</p> <p><input type="checkbox"/> To international organisations</p> <p>If selected, please specify the organisation and whether suitable safeguards</p>

² Third countries for which the European Commission has issued adequacy decisions are the following: [Adequacy decisions \(europa.eu\)](https://european-council.europa.eu/media/en/press-room/pages/press-room.aspx?pid=16224)

have been adopted:

Automated Decision Making

Automated Decision-making, including profiling
A decision is taken in the context of this processing operation solely on the basis of automated means or profiling: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes In case of an automated decision-making or profiling, please explain:

Retention Period & Security Measures

Retention period
How long will the data be retained? For the members of the Board of Supervisors: The retention period of declarations of interests is two years after the discharge for the budgetary year to which the declaration of interests relates. For the members of the Independent Panels: The retention period of the declarations of interests is two years after the discharge for the budgetary year in which the relevant case was closed.”
For further processing envisaged beyond the original retention period for historical, statistical or scientific purposes, please specify whether the personal data will be anonymised: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
Technical & organisational security measures taken
Several technical and organisational measures have been adopted in order to ensure the optimum security of the documents and personal data collected in the context of the procedures described under section ‘Description and Purpose of the Processing’.