

## RECORD OF PERSONAL DATA PROCESSING ACTIVITY ACCORDING TO ARTICLE 31 OF REGULATION (EU) 2018/1725

### ▶ Offboarding programme

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#### General information

<b>Introduction</b>
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) <sup>1</sup> .
<b>Contact Details of Data Controller(s)</b>
Fausto Parente, Executive Director Westhafenplatz 1, 60327 Frankfurt am Main, Germany <a href="mailto:fausto.parente@eiopa.europa.eu">fausto.parente@eiopa.europa.eu</a>
<b>Contact Details of the Data Protection Officer</b>
Eleni Karatza Westhafenplatz 1, 60327 Frankfurt am Main, Germany <a href="mailto:dpo@eiopa.europa.eu">dpo@eiopa.europa.eu</a>
<b>Contact Details of Processor</b>
EIOPA's Team/Unit/Department responsible for the processing: - HR Unit

<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.

Description and Purpose of the Processing

Description of Processing
<p>The purpose of the processing of the leaving EIOPA member personal data is the following:</p> <ul style="list-style-type: none"> <li>• To administer the staff members, Secoded National Experts (SNE), as well as trainees and interims of EIOPA leaving the Agency throughout the different steps of the offboarding process, as described in the offboarding workflow<sup>2</sup>.</li> <li>• To remind (previous) the above of their continued obligations following their leaving of the Agency or when on unpaid leave.</li> </ul>
Purpose (s) of the processing
<p><input checked="" type="checkbox"/> Staff administration</p> <p><input checked="" type="checkbox"/> Relations with external parties (interims)</p> <p><input type="checkbox"/> Procurement and accounting</p> <p><input type="checkbox"/> Administration of membership records</p> <p><input type="checkbox"/> Auditing</p> <p><input checked="" type="checkbox"/> Information administration</p> <p><input type="checkbox"/> Other (please give details): .....</p>
Lawfulness of Processing
<ul style="list-style-type: none"> <li>• Legal Basis justifying the processing:             <ul style="list-style-type: none"> <li>- the Staff Regulations and Conditions of Employment of Other Servants of the European Union (CEOS) and in particular Article 12b and 16 of SR and Articles 11 and 81 of the CEOS.</li> <li>- MB Decision EIOPA/MB/15/073 on measures concerning unpaid leave for temporary and contract staff of the European Union.</li> <li>- MB Decision EIOPA/MB/17/013 Laying down the rules on the secodmemnt of national experts.</li> <li>- MB Decision EIOPA/MB/18/119 adopting implementing rules to the staff Regulations by analogy on Outside activities and Assignment and Occupational activities after leaving the service.</li> <li>- MB Decision EIOPA/MB/20/006 adopting Ethics Rules for the Staff members of EIOPA.</li> <li>- EIOPA traineeship policy</li> </ul> </li> <li>• Processing is necessary:             <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> for the performance of a task carried out in the public interest</li> <li><input type="checkbox"/> for compliance with a legal obligation to which the Controller is subject</li> <li><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</li> </ul> </li> </ul>

<sup>2</sup> Please see the workflow under the following link: <https://intranet/eris/hr/hrproj/files/Offboarding/OffboardingWorkflow.png>

in order to protect the vital interests of the data subject or of another natural person

Or

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

Data subjects may exercise their data privacy rights provided in Articles 17 to 24 of the Regulation (EU) 1725/2018.

Data subjects have the right to:

- 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.
- withdraw their consent to the processing of their personal data at any time in case such processing is based solely on their consent.

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.

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 [human.resources@eiopa.europa.eu](mailto:human.resources@eiopa.europa.eu) or [DPO@eiopa.europa.eu](mailto:DPO@eiopa.europa.eu).

#### Complaint:

Any complaint concerning the processing of the data subjects' personal data can be addressed to EIOPA's Data Protection Officer ([DPO@eiopa.europa.eu](mailto:DPO@eiopa.europa.eu)). Alternatively, data subjects can also have at any time recourse to the European Data Protection Supervisor ([www.edps.europa.eu](http://www.edps.europa.eu)).

#### Restrictions:

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).

### Categories of Data Subjects & Personal Data

#### Categories of Data Subjects

EIOPA permanent staff, Temporary or Contract Agents

<input checked="" type="checkbox"/> SNEs or trainees <input type="checkbox"/> Visitors to EIOPA (BOS, MB, WG, Seminars, Events, other) If selected, please specify: .....
<input checked="" type="checkbox"/> Providers of good or services (interim Staff members) <input type="checkbox"/> Complainants, correspondents and enquirers <input type="checkbox"/> Relatives and associates of data subjects <input type="checkbox"/> Other (please specify): Job (traineeship) Applicants
Categories of personal data
<p><b>(a) General personal data:</b></p> <p>The personal data contains:</p> <input checked="" type="checkbox"/> Personal details: Information necessary to identify the individual and his/her function at EIOPA (Contract type, PERID, Job title, Line Manger, Department, Unit, Team, information out of the Active Directory), Contract end date. <input type="checkbox"/> Education & Training details <input checked="" type="checkbox"/> Employment details <input type="checkbox"/> Financial details <input type="checkbox"/> Family, lifestyle and social circumstances <input checked="" type="checkbox"/> Other (please give details): ... <ol style="list-style-type: none"><li>1. Information necessary to contact the individual and remind him/her of his/her continued obligations towards EIOPA and/or of upcoming deadlines (e.g. personal email address, personal phone number – only available to HR Function);</li><li>2. Documents for the individual to proof his/her employment at EIOPA.</li></ol> <p>Not all the above will be processed with regard to interims.</p>
<p><b>(b) Special categories of personal data</b></p> <p>The personal data reveals:</p> <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
<p><input checked="" type="checkbox"/> Managers of data subjects</p> <p><input checked="" type="checkbox"/> Designated EIOPA staff members</p> <p>If selected, please specify:</p> <ul style="list-style-type: none"><li>- HR Unit, Legal Unit, IT Unit, Security Officer, Finance and procurement Units</li></ul> <p><input type="checkbox"/> Relatives or others associated with data subjects</p> <p><input 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 type="checkbox"/> External contractor</p> <p><input checked="" type="checkbox"/> Other (please specify):</p> <p>Upon request and if relevant for the handling of files, the data can also be transferred to the European Court of Justice, European Ombudsman, EDPS, OLAF, Internal Audit service of the European Commission, European Court of Auditors and external advisors..</p>
Data transfer(s)
<p><input type="checkbox"/> To third countries</p> <p>If selected, please specify: .....</p> <p>Whether suitable safeguards have been adopted:</p> <ul style="list-style-type: none"><li><input type="checkbox"/> Adequacy Decision of the European Commission<sup>3</sup></li><li><input type="checkbox"/> Standard Contractual Clauses (SCC)</li><li><input type="checkbox"/> Binding Corporate Rules (BCR)</li><li><input type="checkbox"/> Administrative Arrangements between public Authorities (AA)</li></ul> <p><input type="checkbox"/> To international organisations</p> <p>If selected, please specify the organisation and whether suitable safeguards have been adopted: .....</p>
<p>Data subjects could obtain a copy of SCC, BCR or AA here:</p> <p>.....</p>

<sup>3</sup> Third countries for which the European Commission has issued adequacy decisions are the following: Adequacy decisions (europa.eu)

### Automated Decision Making

<b>Automated Decision-making, including profiling</b>
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

<b>Retention period</b>
How long will the data be retained? The personal data are stored for a period of 5 (five) years upon the leaving date of the individual and deleted in an annual exercise at the end of that year.
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
<b>Technical &amp; organisational security measures taken</b>
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 II a).