

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

### ▶ EIOPA's Working Groups – elections, organisation, contact lists

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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) <sup>1</sup> .
Contact Details of Data Controller(s)
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>
Contact Details of the Data Protection Officer
Eleni Karatza Westhafenplatz 1, 60327 Frankfurt am Main, Germany <a href="mailto:dpo@eiopa.europa.eu">dpo@eiopa.europa.eu</a>
Contact Details of Processor
EIOPA's Team/Unit/Department responsible for the processing: Institutional Relations, Strategy and Implementation (IRSI), Corporate Affairs Department - <a href="mailto:strategyandinstitutionalcoordination@eiopa.europa.eu">strategyandinstitutionalcoordination@eiopa.europa.eu</a> Legal Unit – <a href="mailto:legal@eiopa.europa.eu">legal@eiopa.europa.eu</a>

<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>Processing operation concerns various working groups established in EIOPA, notably:</p> <ul style="list-style-type: none"> <li>- Steering Committees (e.g., Policy Steering Committee, Supervisory Steering Committee, Risks and Financial Stability Steering Committee)</li> <li>- Project Groups</li> <li>- Expert Networks</li> <li>- Other permanent Committees and Panels (e.g., CCPFI)</li> <li>- Task Forces</li> <li>- Ad-hoc Peer Review Committees</li> <li>- Coordination Groups</li> <li>- Collaboration Platforms</li> </ul> <p>Working groups are composed of Chairs, Vice-Chairs, other members (collectively: Members), as well as Coordinators and Rapporteurs, as applicable. Observers may (be invited to) join the meetings of the working groups, as applicable (e.g. a high-level representatives designated by NCAs, the EU Commission, the ESRB, the EBA, ESMA, and the EDPB, as applicable). Other experts / participants may be invited to the meetings of the working groups.</p> <p>Personal data of members of various EIOPA's working groups are collected and processed for (i) the election and/or appointment of the Members of the working groups, where applicable, and (ii) facilitation of working relations and communication between EIOPA's staff and member of the working groups; for this purpose, contact lists are created.</p> <p>Personal data of the individuals mentioned above is processed in the following ways, as applicable:</p> <ol style="list-style-type: none"> <li>a) The information provided in the CV and motivation letters of candidates/applicants (such as education and employment details, and possibly trade union memberships), are stored on EIOPA's shared drive ERIS.</li> <li>b) Working groups Members' names may appear in published documents (e.g., reports)</li> <li>c) Records are kept regarding their attendance to the working groups meetings (participation lists with their signature).</li> <li>d) The contact details of attendants of working groups' meetings are shared with other meeting attendees (e.g., EU Commission and NCAs), if legitimate interest, with data subject's consent.</li> <li>e) Financial data is processed by EIOPA's Finance Unit for the purpose of the reimbursement of meeting expenses of some working group members.</li> </ol>
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):
<b>Lawfulness of Processing</b>
<p>Legal Basis justifying the processing:</p> <ul style="list-style-type: none"> <li>- Regulation (EU) No 1094/2010 (EIOPA Regulation), in particular Articles 9, 40, 41(1) and 45b thereof</li> <li>- Directive 2009/138/EC (Solvency II), in particular Article 152b thereof</li> <li>- Rules of procedure of the working groups of EIOPA (EIOPA-BoS-20-497)</li> </ul> <p>Processing is necessary:</p> <p><input checked="" type="checkbox"/> for the performance of a task carried out in the public interest – Article 5(1)(a) of the Regulation, to ensure proper management and functioning of EIOPA for the performance of its task carried out in the public interest</p> <p><input type="checkbox"/> for compliance with a legal obligation to which the Controller is subject</p> <p><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</p> <p><input type="checkbox"/> in order to protect the vital interests of the data subject or of another natural person</p> <p>Or</p> <p><input type="checkbox"/> Data subject has given his/her unambiguous, free, specific and informed consent</p>

### Data Subject’s Rights

<b>Information on how to exercise data subject’s rights</b>
<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"> <li>• 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.</li> <li>• request the erasure of their personal data, as well as object to or obtain the restriction of their processing.</li> <li>• withdraw their consent to the processing of their personal data at any time in case such processing is based solely on their consent.</li> </ul>

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 [legal@eiopa.europa.eu](mailto:legal@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)).

**Categories of Data Subjects & Personal Data**

Categories of Data Subjects
<input checked="" type="checkbox"/> EIOPA permanent staff, Temporary or Contract Agents <input checked="" type="checkbox"/> SNEs or trainees <input checked="" type="checkbox"/> Visitors to EIOPA (BOS, MB, WG, Seminars, Events, other) If selected, please specify: candidates in the elections, members, observers and other participants in the working groups, as described above in ‘Description of processing’, when attending EIOPA’s premises <input type="checkbox"/> Providers of good or services <input type="checkbox"/> Complainants, correspondents and enquirers <input type="checkbox"/> Relatives and associates of data subjects <input checked="" type="checkbox"/> Other (please specify): candidates in the elections, members, observers and other participants in the working groups, as described above in ‘Description of processing’
Categories of personal data
<p><b>(a) General personal data:</b></p> The personal data contains: <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 – for eventual reimbursement of expenses <input type="checkbox"/> Family, lifestyle and social circumstances <input type="checkbox"/> Other (please give details):

**(b) Special categories of personal data**

The personal data reveals:

- Racial or ethnic origin- during videoconferences
- Political opinions
- Religious or philosophical beliefs
- Trade union membership, if relevant (e.g., for external experts who are members of the working groups)
- Genetic or Biometric data
- Data concerning health, sex life or sexual orientation

**Categories of Recipients & Data Transfers**

Recipient(s) of the data
<ul style="list-style-type: none"> <li><input type="checkbox"/> Managers of data subjects</li> <li><input checked="" type="checkbox"/> Designated EIOPA staff members                      If selected, please specify: Members of the IRSI and the Legal team responsible for managing and dealing with the working groups, any staff member participating in the working group meeting or otherwise dealing with the working groups related matters</li> <li><input type="checkbox"/> Relatives or others associated with data subjects</li> <li><input type="checkbox"/> Current, past or prospective employers</li> <li><input type="checkbox"/> Healthcare practitioners</li> <li><input type="checkbox"/> Education/training establishments</li> <li><input type="checkbox"/> Financial organisations</li> <li><input type="checkbox"/> External contractor</li> <li><input checked="" type="checkbox"/> Other (please specify): relevant NCAs’ staff, including BoS and MB Members, who are either members of the working groups or participate in elections of working groups’ members. Staff of the public authorities designated as observers, and other participants in the working groups, including in meetings.</li> </ul>
Data transfer(s)
<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Within EIOPA or to other EU Institutions/Agencies/Bodies                      If selected, please specify: within EIOPA, to the EU Commission, the ESRB, the EBA, ESMA, and the EDPB, as applicable</li> <li><input checked="" type="checkbox"/> To other recipients within the EU (e.g., NCAs): with NCAs</li> <li><input type="checkbox"/> To third countries                      If selected, please specify:                      Whether suitable safeguards have been adopted:</li> </ul>

<input type="checkbox"/> Adequacy Decision of the European Commission <sup>2</sup> <input type="checkbox"/> Standard Contractual Clauses (SCC) <input type="checkbox"/> Binding Corporate Rules (BCR) <input type="checkbox"/> Administrative Arrangements between public Authorities (AA) <input type="checkbox"/> To international organisations If selected, please specify the organisation and whether suitable safeguards have been adopted:
Data subjects could obtain a copy of SCC, BCR or AA here: N/A

### 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
The following retention periods shall apply to the personal data collected: - For the candidates for the election procedure in the working groups, personal data is kept (including CVs where applicable) is kept for 5 years following the conclusion of the election procedure; - For the elected or appointed members of the working groups personal data (including CVs where applicable) is kept for 5 years following the end of the membership; - Personal data in the various attendance lists/registration forms for the meetings, minutes and action points of the meetings is kept for 5 years after the meeting; - Records relating to the establishment of working groups, including mandates and appointment of members are kept for 5 years from establishment of the working group;

<sup>2</sup> Third countries for which the European Commission has issued adequacy decisions are the following: [Adequacy decisions \(europa.eu\)](https://european-council.europa.eu/media/e0604246-1230-4b43-9161-8f8214e6014c/en/attachment-data/file/Adequacy-decisions)

- Contact lists are updated regularly, i.e. whenever there is a contact point/member change, and personal data is deleted after the membership ends;

- In case of reimbursement of expenses: personal data is kept for 5 years

- In case of a legal challenge, the above dates are extended to two years following the completion of all relevant proceedings;

- Personal data published in EIOPA's publications may stay on the internet indefinitely.

For further processing envisaged beyond the original retention period for historical, statistical or scientific purposes, please specify whether the personal data will be anonymised:

- No
- 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'.