

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

### ► THE ONLINE ELECTION OF EIOPA'S STAFF COMMITTEE

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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)
<p>Fausto Parente</p> <p>Westhafenplatz 1, 60327 Frankfurt am Main, Germany</p> <p><a href="mailto:fausto.parente@eiopa.europa.eu">fausto.parente@eiopa.europa.eu</a></p>
Contact Details of the Data Protection Officer
<p>Eleni Karatza</p> <p>Westhafenplatz 1, 60327 Frankfurt am Main, Germany</p> <p><a href="mailto:dpo@eiopa.europa.eu">dpo@eiopa.europa.eu</a></p>
Contact Details of Processor
<p>EIOPA's Team/Unit/Department responsible for the processing:</p> <p>Election Committee for EIOPA's Staff Committee</p> <p>EIOPA's HR Unit (as being responsible for providing the list of staff eligible to vote)</p>

<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 personal data is to select the members of EIOPA's Staff Committee within EIOPA.</p> <p>The processing includes in particular the following steps: creation of the list of candidates and the list of voters, setting up the Election Committee, managing the election and complaint handling.</p>
Purpose (s) of the processing
<p><input checked="" type="checkbox"/> Staff administration</p> <p><input type="checkbox"/> Relations with external parties</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 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>- Regulation (EEC) No 31<sup>2</sup> laying down the Staff Regulations of Officials (SR) and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community (CEOS) and the Implementing Rules thereof.</li> <li>- Decision of the the Management Board 12/021 setting up a Staff Committee.</li> <li>- Decision of the Executive Director 23/465 on Implementing rules for electing staff committee members.</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> <li><input type="checkbox"/> in order to protect the vital interests of the data subject or of another natural person</li> </ul> </li> </ul> <p>Or</p> <p><input type="checkbox"/> Data subject has given his/her unambiguous, free, specific and informed consent</p>

<sup>2</sup> OJ 45, 14.6.1962, p.1385

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"> <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> <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 <a href="mailto:staff.committee@eiopa.europa.eu">staff.committee@eiopa.europa.eu</a> or <a href="mailto:dpo@eiopa.europa.eu">dpo@eiopa.europa.eu</a>.</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 Controller (<a href="mailto:fausto.parente@eiopa.europa.eu">fausto.parente@eiopa.europa.eu</a>) or EIOPA's Data Protection Officer (<a href="mailto:dpo@eiopa.europa.eu">dpo@eiopa.europa.eu</a> ). Alternatively, data subjects can also have at any time recourse to the European Data Protection Supervisor (<a href="http://www.edps.europa.eu">www.edps.europa.eu</a>).</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). If restrictions are applicable, please complete below the legal basis and the purpose:</p> <p><i>...Data subjects rights cannot be exercised with regard to the votes casted...</i></p>

CATEGORIES OF DATA SUBJECTS & PERSONAL DATA

Categories of Data Subjects
<div> <input checked="" type="checkbox"/> EIOPA Temporary or Contract Agents           <input type="checkbox"/> SNEs or trainees           <input type="checkbox"/> Visitors to EIOPA (BOS, MB, WG, Seminars, Events, other)           <div>If selected, please specify: .....</div> <input type="checkbox"/> Providers of good or services         </div>

<input type="checkbox"/> Complainants, correspondents and enquirers <input type="checkbox"/> Relatives and associates of data subjects <input type="checkbox"/> Other (please specify): .....
Categories of personal data
<p><b>(a) General personal data:</b></p> <p>The personal data contains:</p> <p><input checked="" type="checkbox"/> Personal details (name, address etc)</p> <p><input type="checkbox"/> Education &amp; Training details</p> <p><input checked="" type="checkbox"/> Employment details</p> <p><input type="checkbox"/> Financial details</p> <p><input type="checkbox"/> Family, lifestyle and social circumstances</p> <p><input type="checkbox"/> Other (please give details): .....</p> <p>In particular:</p> <ol style="list-style-type: none"> <li>Before the election, the list of staff members eligible to vote and stand shall be established. The names of the candidates to stand shall be also published internally. This list of voters contains the family name, first name(s) and type of employment contract.</li> <li>EIOPA is using EU Survey platform to manage the on-line voting. EU Survey services are provided via the European Commission. The following categories of personal data is processed:           <ul style="list-style-type: none"> <li><b>User credentials</b>                To be identified by the system, the user needs a couple login / password, which is managed by the EULogin service. For further information on how EULogin processes your personal data, please refer to the <a href="#">EULogin privacy statement</a>.</li> <li><b>User data</b>                Personal data is accessible from the EUSurvey application under the 'Settings' tab:               <ul style="list-style-type: none"> <li>- Full name (first and family name)</li> <li>- Email address</li> <li>- Type of contract (temporary agent (TA), Assistant (AT), Contract Agent (CA) or seconded national expert) for candidates standing for elections only.</li> </ul> </li> <li><b>Analytics:</b>                EUSurvey uses the Europa Analytics service for traffic statistics and analytics. For further information see the <a href="#">Europa Analytics website</a>.</li> </ul> </li> <li>The election of EIOPA Staff Committee shall be organised online:           <ul style="list-style-type: none"> <li>- The eligible voters are introduced in the EUSurvey and receive an email inviting them to vote during the election period set in the election notice. The eligible voters have access to the EUSurvey platform through their EU Login and cast their vote.</li> </ul> </li> </ol>

- ☐ Racial or ethnic origin
- ☐ Political opinions
- ☐ Religious or philosophical beliefs
- ☐ Trade union membership
- ☐ Genetic or Biometric data
- ☐ Data concerning health, sex life or sexual orientation

Data transmissions and transfer(s)
<p><input checked="" type="checkbox"/> Other EU institutions/agencies/bodies</p> <p>European Commission Staff (EUSurvey operation team and Infrastructure administrators): for the purpose of enabling the user to connect to the EUSurvey application and use the service for creating and publishing online questionnaires. The user's contact details (email address, first name and last name) may also be used for contacting the user for support and quality management purposes</p> <p><input type="checkbox"/> Other recipients within the EU (e.g. 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 Commission<sup>3</sup></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 have been adopted: .....</p>
<p>Data subjects could obtain a copy of SCC, BCR or AA here:</p> <p>.....</p>

## AUTOMATED DECISION MAKING

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

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

## RETENTION PERIOD & SECURITY MEASURES

Retention period
<p>How long will the data be retained?</p> <p>- <b><u>Survey specific data</u></b> (i.e. data collected by the individual survey for the Staff Committee online election):          Personal data collected for this processing operation is retained only as long as necessary for the organisation of the election, i.e. until the election report has been issued and the staff committee formally elected.</p> <p>- <b><u>User contact details</u></b>: The Commission only keeps user personal data for the time necessary to fulfil the purpose of the survey. In particular: staff member (EU Login internal user). As long as the person is an EIOPA staff member, the EU Login and EUSurvey user account remains active and the personal data is therefore retained. However, the staff member can, at any time, ask the EUSurvey team to terminate the account if they no longer wish to use the service. In this case, the user account, all associated data and all surveys and results will be permanently deleted.</p> <p>- <b><u>Analytics data</u></b>: Automatically removed from the user's device after 13 months.</p> <p>- <b><u>Credentials</u></b>: For as long as a user account is active.</p>
<p>For further processing envisaged beyond the original retention period for historical, statistical or scientific purposes, please specify whether the personal data will be anonymised:</p> <p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes</p>
Technical & organisational security measures taken
<p>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'.</p>