

PRIVACY STATEMENT RELATED TO EXTERNAL WHISTLEBLOWING UNDER REGULATION (EU) NO 1094/2010

► Introduction

1. The European Insurance and Occupational Pension authority (EIOPA) is committed to protecting individuals personal data in accordance with Regulation (EU) 2018/1725¹ (further referred as “the Regulation”).
2. In line with Articles 15 and 16 of the Regulation, this privacy statement provides information to the data subjects relating to the processing of their personal data carried out by EIOPA.

► Purpose of the processing of personal data

3. Based on the Working Instructions on External Whistleblowing policies, EIOPA reacts to possible violations of EU insurance and occupational pensions law by national competent authorities provided and raised by external whistleblowers.
The whistleblowing reports submitted to EIOPA may contain information and personal data pertaining to the whistleblower or other persons. Verification of whistleblowers’ contact details occurs during the initial assessment of the report.
Whistleblowers’ personal data are anonymized before the information received is further disseminated.
4. Your data will not be used for any purposes other than the performance of the activities specified above. Otherwise you will be informed accordingly.

► Legal basis of the processing of personal data and/or contractual or other obligation imposing it

5. The legal basis for this processing operation is set out in Article 17a of Regulation (EU) No 1094/2010.
6. In addition, in accordance with Article 5(1)(a) of the Regulation, processing is lawful as it is necessary for the performance of a task carried out in the public interest.

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, OJ L 295, 21.11.2018, p. 39–98.

▶ **Controller of the personal data processing**

7. The controller responsible for processing your data is EIOPA's Executive Director.
8. Address and email address of the controller:

Westhafen Tower, Westhafenplatz 1
60327 Frankfurt am Main
Germany
fausto.parente@eiopa.europa.eu

▶ **Contact detail of EIOPA's Data Protection Officer (DPO)**

9. Westhafenplatz 1, 60327 Frankfurt am Main, Germany
dpo@eiopa.europa.eu

▶ **Types of personal data collected**

10. The following personal data may be collected for the purpose of this processing activity:
 - Personal details, such as name, email, address, telephone number
 - Employment details, financial details, or any other personal data that the whistleblower shares in his/her submissions.

▶ **Recipients/processors of the personal data collected**

11. The following recipients may have access to the personal data collected:
 - Internal to EIOPA: Designated EIOPA staff members: EIOPA's Executive Director, Head of Corporate Affairs Department, Head of Oversight Department, Whistleblowing officer (member of the Legal team), and other EIOPA staff on a need-to-know basis
 - External to EIOPA: relevant staff of other competent EU institutions and bodies, and/or national competent authorities in so far as they would be competent to act upon the information.

▶ **Retention period**

12. Files which do not lead to the opening of an inquiry will be kept for 2 years.

Files relating to cases brought before the EU/national courts will be kept for up to 2 years following conclusion of proceedings.

► **Transfer of personal data to a third country or international organisations**

13. No personal data will be transferred to a third country or international organisation.

► **Automated decision-making**

14. No automated decision-making including profiling is performed in the context of this processing operation.

► **What are the rights of the data subject?**

15. You have the right to access your 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. You also have the right to request the erasure of your personal data, as well as object to or obtain the restriction of their processing.

16. Where processing is based solely on the consent, you have the right to withdraw your consent to the processing of your personal data at any time.

17. Restrictions of certain rights of the data subject may apply, in accordance with Article 25 of the Regulation.

18. 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.

19. Should you wish to exercise any of the rights provided in points 15. and 16. above, please contact Whistle@eiopa.europa.eu or EIOPA's DPO (dpo@eiopa.europa.eu).

► **Who to contact if you have any questions or complaints regarding data protection?**

20. Any questions or complaints concerning the processing of your personal data can be addressed to EIOPA's Data Controller (fausto.parente@eiopa.europa.eu) or EIOPA's DPO (dpo@eiopa.europa.eu).

21. Alternatively, you can have recourse to the **European Data Protection Supervisor** (www.edps.europa.eu) at any time, **as provided in Article 63 of the Regulation.**