

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

### ▶ Public online consultations and surveys

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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: Departement carrying out the public consultation or survey. This information will be specified in each public consultation paper or survey.

<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
The personal data is collected and processed in order to manage online public consultations EIOPA launches, and to conduct online surveys, including via online platform EUSurvey, and to facilitate further communication with participating stakeholders (e.g., when clarifications are needed on the information supplied or for the purposes of follow-up discussions that the participating stakeholders may agree to in the context of the consultations or surveys).
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 checked="" type="checkbox"/> Information administration <input type="checkbox"/> Other (please give details):
Lawfulness of Processing
<ul style="list-style-type: none"> <li>• Legal Basis justifying the processing:             <ul style="list-style-type: none"> <li>- Regulation (EU) 1094/2010, and notably Articles 8, 10, 15, 16, 16a and 29 thereof</li> <li>- EIOPA's Public Statement on Public Consultations</li> <li>- EIOPA's Handbook on Public Consultations</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 – Article 5(1)(a) of the Regulation</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>             and             <ul style="list-style-type: none"> <li><input type="checkbox"/> Data subject has given his/her unambiguous, free, specific and informed consent to the processing of his/her personal data - by accepting to take part in the public consultation or survey</li> </ul> </li> </ul>

## Data Subject's Rights

Information on how to exercise data subject's rights
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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 [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
- SNEs or trainees
- Visitors to EIOPA (BOS, MB, WG, Seminars, Events, other)  
If selected, please specify: EIOPA's visitors who are participants in various events (for surveys)
- Providers of good or services
- Complainants, correspondents and enquirers
- Relatives and associates of data subjects
- Other (please specify): external stakeholders - respondents to the public consultation or survey

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

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:                      Designated Staff of the department carrying out the public consultation or survey, or other EIOPA’s staff on a need to know basis (IT administrators, Security officer).</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> </ul>

<input type="checkbox"/> Other (please specify):
<b>Data transfer(s)</b>
<input type="checkbox"/> To third countries If selected, please specify: Whether suitable safeguards have been adopted: <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:

### 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

### Retention Period & Security Measures

<b>Retention period</b>
How long will the data be retained?

<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/e0601017-1230-4b43-8172-01761cc91176/en/adequacy-decisions)

Personal data collected are retained by EIOPA until the finalisation of the project the public consultation or the survey relate to. Personal data collected via EUSurvey are deleted from EUSurvey after the response period has ended.

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

N/A

#### 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 in section 'Description and purpose of the processing'.

## Annex 1 - Guidance Notes

### General remark 1: Red marked sections

All sections of the record marked in red, including the notes in this Annex, are for internal purposes only, i.e., for the internal record.

The DPC or the DPO shall delete them for the public version of the record (see General remark 2).

### General remark 2: Publications

The internal version will be published in the [Register](#) on inCIDERnet.

The public version will be made available in the [public Register](#) on EIOPA's website, and, where relevant, linked to another relevant public EIOPA webpage.

### General remark 3:

Please tick the relevant boxes in all sections - double-click on the box(es)  you wish to tick and select 'Checked'



Checked

. These can be multiple cases.

### Note 1

Enter here the name of the processing operation (as defined in Article 3(3) of Regulation (EU) 2018/1725) involving personal data (as defined in Article 3(1) of Regulation (EU) 2018/1725), e.g., staff recruitment, business continuity contact list, public consultation.

### Note 2

Enter here your EIOPA's Team/Unit/Department who is actually conducting the processing.

### Note 3

Enter here all external processors (Article 3(12) of Regulation (EU) 2018/1725) and/or joint controllers (Article 86 of Regulation (EU) 2018/1725), in case your processing involves multiple controllers and processors.

### Note 4

Enter here a summary of the processing: the aim, which data from which data subjects, what type of processing (how), for how long, etc.

### Note 5

Why are the personal data being processed?

Personal data must only be collected for specified, explicit and legitimate purposes and not further processed in a way incompatible with those processes. Please specify also the rationale and underlying reason for the processing.

### Note 6

Article 5 of Regulation (EU) 2018/1725.

**Note 7**

Enter here the functional mailbox of your EIOPA Unit/Team.

**Note 8**

Please clarify here whether a restriction of any of the data subjects' rights specified in Section 3 is required in view of the application of any of the provisions of [EIOPA's rules on the restriction of data subjects' rights](#) (EIOPA-19-056).

Please consult the DPO.

**Note 9**

The data subject is an identified or identifiable natural person who is the subject of the personal data. Please tick all that apply and give details where appropriate.

**Note 10**

Please tick all that apply and give details where appropriate.

**Note 11**

According to Article 10 of Regulation (EU) 2018/1725, the processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, as well as of genetic and biometric data, and data concerning health and sex life or sexual orientation, is generally prohibited but exemptions may apply. Please tick all that apply and give details where appropriate.

If you have ticked any of the sensitive data boxes, contact the DPO before processing the data further.

**Note 12**

To whom is the data disclosed?

Please tick all that apply and give details where appropriate.

**Note 13**

Is the data transferred outside EIOPA?

Please tick all that apply and give details where appropriate.

If no safeguards have been put in place, and in particular if data is transferred outside the EU/EEA, please contact the DPO before processing the data further. Please tick all that apply and give details where appropriate.

**Note 14**



In case of automated decision-making or profiling (Article 24(1) and (4) of Regulation (EU) 2018/1725), please explain the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

**Note 15**

Personal data should be kept for no longer than is necessary for the purposes for which the data were collected or for which they are further processed.

Annex 2 – Internal Workflow

Figure: **Workflow of the Data Protection Workflow**

