

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

### ▶ EIOPA's Ethics Rules for staff

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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: Legal Team, Ethics Officer

<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>Personal data are collected and processed in order to enable EIOPA to:</p> <ul style="list-style-type: none"> <li>• Ensure the independence and high standards of professional conduct by all those involved in the activities of EIOPA (i.e. EIOPA staff, SNEs, contractors and their employees, trainees and study visitors), which is crucial for EIOPA's excellence and reputation;</li> <li>• Identify, handle, remove or mitigate without delay any actual or potential conflict of interests (Col).</li> </ul>
Purpose (s) of the processing
<p><input checked="" type="checkbox"/> Staff administration</p> <p><input checked="" type="checkbox"/> Relations with external parties</p> <p><input checked="" 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>• The processing of personal data is lawful since it is based on Article 5(1)(a) of the Regulation, i.e. it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority of EIOPA.</li> <li>• Legal Basis justifying the processing: <ul style="list-style-type: none"> <li>o The Staff Regulations, Title II</li> <li>o Ethics Rules for Staff (EIOPA-MB-20-006-Rev2)</li> <li>o Decision of the Management Board of 13 March 2017 laying down rules on the Secondment of National Experts (EIOPA-MB-17-013)</li> <li>o Internal Procedure on handling gifts received by EIOPA staff of 18 October 2012 (EIOPA-12-351) (Internal whistleblowing is covered in a separate recording.)</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>

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 [ethicsofficer@eiopa.europa.eu] or [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). 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

- EIOPA permanent staff, Temporary or Contract Agents
- SNEs or trainees
- Visitors to EIOPA (BOS, MB, WG, Seminars, Events, other)

If selected, please specify:

<input checked="" type="checkbox"/> Providers of good or services <input type="checkbox"/> Complainants, correspondents and enquirers <input checked="" 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>                  The personal data contains:</p> <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 <input checked="" type="checkbox"/> Family, lifestyle and social circumstances <input checked="" type="checkbox"/> Other (please give details): The personal data processed are those provided by data subjects to the Appointing Authority and the Ethics Officer in fulfilment of their obligations provided in EIOPA’s Ethics Framework.
<p><b>(b) Special categories of personal data</b>                  The personal data reveals:</p> <input checked="" type="checkbox"/> Racial or ethnic origin <input checked="" type="checkbox"/> Political opinions <input type="checkbox"/> Religious or philosophical beliefs <input checked="" type="checkbox"/> Trade union membership <input type="checkbox"/> Genetic or Biometric data <input checked="" type="checkbox"/> Data concerning health, sex life or sexual orientation
<p>The processing of these data is based on Article 10(2)(e) of the Regulation 2018/1725 (data made public by the data subject).</p>

### Categories of Recipients & Data Transfers

Recipient(s) of the data
<input checked="" type="checkbox"/> Managers of data subjects <input checked="" type="checkbox"/> Designated EIOPA staff members If selected, please specify:
<ul style="list-style-type: none"> <li>• The Appointing Authority (Executive Director);</li> </ul>

<ul style="list-style-type: none"> <li>• The Ethics Officer (E.O.);</li> <li>• The Assistants of the E.O. and the Appointing Authority;</li> <li>• Line Managers, Team Leaders and Joint Committee (where relevant);</li> <li>• EIOPA’s HR Unit;</li> <li>• EIOPA’s Internal Audit Service as well as EIOPA’s legal team.</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> <ul style="list-style-type: none"> <li>• External legal services providers;</li> <li>• Also, if appropriate, access will be given to the European Ombudsman, the Civil Service Tribunal, the European Court of Auditors, the European Anti-Fraud Office (OLAF) and the European Public Prosecutor’s Office (EPPO);</li> <li>• Declarations of Interests of EIOPA’s Chairperson and Executive Director are available on EIOPA’s website;</li> <li>• Information on post-employment of senior managers pursuant to Article 16(3) of the Staff Regulation, published on EIOPA’s website.</li> </ul>
Data transfer(s)
<p><input checked="" type="checkbox"/> Within EIOPA or to other EU Institutions/Agencies/Bodies If selected, please specify: <i>See above</i></p> <p><input type="checkbox"/> To other recipients within the EU (e.g. NCAs)</p> <p><input type="checkbox"/> To third countries If selected, please specify: Whether suitable safeguards have been adopted:</p> <p><input type="checkbox"/> Adequacy Decision of the European Commission<sup>2</sup></p> <p><input type="checkbox"/> Standard Contractual Clauses (SCC)</p>

<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/en/press-room/pages/press-room.aspx?pid=14637)

<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: Not applicable

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
How long will the data be retained? <ul style="list-style-type: none"> <li>For temporary and contract agents and SNEs, 10 years after the pension entitlement of the data subject and any other possible benefit claim (including that of any survivor/dependents) has been satisfied and at least 120 years after the date of birth of the data subject.</li> <li>For on-site consultants, interim staff and trainees, 5 years after the discharge of the last budgetary year in which they were involved in EIOPA activities.</li> <li>In case of a legal challenge, the above dates shall be extended to two years after completion of all relevant proceedings.</li> </ul>
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 type="checkbox"/> No <input type="checkbox"/> 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".