

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

### ▶ Management and consultation of the personal files

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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: HR UNIT

<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 the personal data is the establishment of the personal file for staff members of EIOPA (temporary and contract agents). Each staff member shall have a personal file. Such personal file contains:</p> <ul style="list-style-type: none"> <li>• All documents concerning the administrative status and reports related to the staff member’s ability, efficiency and conduct, as well as any comment made by the staff member on such documents.</li> <li>• all the documents and administrative acts known by the staff member which are necessary for the application of the SR/CEOS.</li> </ul>
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 checked="" type="checkbox"/> Auditing</p> <p><input checked="" 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: Regulation (EEC) No 31 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, in particular article 26 SR, 11 and 81 CEOS.</li> </ul> <p>Processing is necessary:</p> <p><input checked="" type="checkbox"/> for the performance of a 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

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>Staff members have the right to consult their personal file. Such consultation can happen via secure medium (allegro platform). Staff members may also consult the paper version on the offices of the HR unit and in presence of the authorized HR staff member.</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.</p> <p>Should data subjects wish to access/rectify 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:human.resources@eiopa.europa.eu">human.resources@eiopa.europa.eu</a> or <a href="mailto:DPO@eiopa.europa.eu">DPO@eiopa.europa.eu</a>.</p> <p><u>Complaint:</u> Any complaint concerning the processing of the data subjects' personal data can be addressed to 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> 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).</p>

### Categories of Data Subjects & Personal Data

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

<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 type="checkbox"/> Other (please specify): .....

**Categories of personal data**

**(a) General personal data:**  
The personal data contains:

- Personal details: full name, personal number, contact details (address, telephone and/or email address), photo, personal status, recruitment place, nationality, copy of ID Card and/or passport, birth certificate, certificate of good conduct/police/criminal record.
- Education & Training details
- Employment details: contract type, position/job title, Department/Unit/Team
- Financial details
- Family, lifestyle and social circumstances
- Other (please give details):
  - Data relating to the pre-recruitment of the staff such as CV, education diplomas, professional experience and expertise, opinion of the previous employer (if applicable), job offer.
  - Data relating to the contractual relationship with EIOPA such as the type and duration of the contract(s), the remuneration, job descriptions, language skills, data related to the time management such as working schedule (full time or part-time), leaves and absences (maternity and parental leave, sick leave) as well as justifying documents.
  - Data related to the career management such as the reports on ability, efficiency, and conduct, as well as the line manager’s opinion and any comment made by the staff member on such documents; the documents on appointments, working conditions, assignment, nomination, promotion, retirement, invalidity, unemployment administrative inquiries and disciplinary measures.
  - Documents necessary to establish and/or update the statutory entitlements (Marriage or divorce or legal separation certificate), birth and school certificate of the dependent children, staff member’s annual declaration of interest, Document justifying the installation and/or reinstallation of the staff member, the removal as well as the place of origin.
  - Name and contact detail of the contact person in case of emergency.
  - Personal data of the family members (partner and dependent child(ren), including name, date of birth, place of birth, nationality, occupation, name of employer and annual income (partner) , private address and contact details.
  - Financial information contained in the Bank account form completed by the staff member upon entry into function.

**(b) Special categories of personal data**  
The personal data reveals:

<input type="checkbox"/> Racial or ethnic origin <input type="checkbox"/> Political opinions <input type="checkbox"/> Religious or philosophical beliefs <input type="checkbox"/> Trade union membership <input type="checkbox"/> Genetic or Biometric data <input type="checkbox"/> Data concerning health, sex life or sexual orientation.
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### Categories of Recipients & Data Transfers

<b>Recipient(s) of the data</b>
<input checked="" type="checkbox"/> Managers of data subjects: Executive Director, as AIPN and AACC <input checked="" type="checkbox"/> Designated EIOPA staff members If selected, please specify: <ul style="list-style-type: none"><li>- Authorised HR Unit staff members.</li><li>- The Executive director, acting as AIPN and AACC.</li><li>- Limited authorized staff working on appraisal and promotion(e.g. appeal assessor).</li><li>- Legal Unit authorized staff members.</li><li>- The personal file can be sent to the other EU institutions in case of inter-agency recruitment.</li></ul>
<input type="checkbox"/> Relatives or others associated with data subjects. <input type="checkbox"/> Current, past or prospective employers <input type="checkbox"/> Healthcare practitioners. <input type="checkbox"/> Education/training establishments <input type="checkbox"/> Financial organisations <input type="checkbox"/> External contractor
<input checked="" type="checkbox"/> Other (please specify): <ul style="list-style-type: none"><li>- Upon request and if relevant for the handling of files, the data can also be transferred to the European Court of Justice, European Ombudsman, EDPS, OLAF, Internal Audit service of the European Commission, European Court of Auditors and external advisors</li></ul>
<b>Data transfer(s)</b>
<input type="checkbox"/> To third countries If selected, please specify: .....N/A..... 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: .....N/A.....
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 In case of an automated decision-making or profiling, please explain: .....

### Retention Period & Security Measures

<b>Retention period</b>
How long will the data be retained? <ul style="list-style-type: none"><li>• Personal data contained in the personal files related to the pension rights or other benefits are kept for 100 years from the start of employment.</li><li>• Other documents are kept for 10 years after the termination of the employment.</li></ul>

<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-communications/infographic/infographic-adequacy-decisions-2023.pdf)

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'.