

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

### ► Data Protection Officer's duties and tasks

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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: Data Protection 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>Data Protection Officer (DPO) collects and processes personal data where strictly necessary for a variety of consultative, monitoring, investigative and auditing activities, in as much as the provisions concerning the role, duties and tasks of the DPO are concerned.</p> <p>The DPO processes personal data in activities, such as:</p> <ul style="list-style-type: none"> <li>• responding to the consultation or enquiries received;</li> <li>• handling complaints; data subject requests; data breaches;</li> <li>• providing advice and recommendations;</li> <li>• carrying out investigations and audits;</li> <li>• managing EIOPA's Data protection coordinators network;</li> <li>• raising awareness on data protection/trainings.</li> </ul>
Purpose (s) of the processing
<p><input 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 checked="" type="checkbox"/> Other (please give details): performance of the DPO duties and tasks under the Regulation.</p>
Lawfulness of Processing
<ul style="list-style-type: none"> <li>• Legal Basis justifying the processing:</li> <li>• Personal data are processed to ensure the correct application of the Regulation, in as much as the provisions concerning the role, duties and tasks of the DPO are concerned.</li> <li>• Article 45 of the Regulation.</li> </ul> <p>Processing is necessary:</p> <p><input checked="" type="checkbox"/> for the performance of a task carried out in the public interest – Article 5(1)(a) of the Regulation</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>• 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: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 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>

## 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> <p><input type="checkbox"/> Providers of good or services</p> <p><input checked="" type="checkbox"/> Complainants, correspondents and enquirers</p> <p><input type="checkbox"/> Relatives and associates of data subjects</p> <p><input checked="" type="checkbox"/> Other (please specify):</p>

<p>Any persons, internal or external to EIOPA, who:</p> <ul style="list-style-type: none"> <li>- exercise their rights under the Regulation as data subjects</li> <li>- are concerned by a data breach;</li> <li>- consult/make a request/complain or otherwise engage with the DPO on any matter relating to the application of the Regulation, or are concerned by a specific activity of the DPO;</li> <li>- complain to the EDPS and whose complaints and personal data are transmitted to the DPO.</li> </ul>
<p>Categories of personal data</p>
<p><b>(a) General personal data:</b></p> <p>The personal data contains:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Personal details (name, address etc)</li> <li><input checked="" type="checkbox"/> Education &amp; Training details</li> <li><input checked="" type="checkbox"/> Employment details</li> <li><input checked="" type="checkbox"/> Financial details</li> <li><input checked="" type="checkbox"/> Family, lifestyle and social circumstances</li> <li><input checked="" type="checkbox"/> Other (please give details): Any other personal data of any individuals, whose personal data are processed by EIOPA or its processors, might potentially be the subject to the DPO specific task / processing activity.</li> </ul> <p><b>(b) Special categories of personal data</b></p> <p>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> <p>The DPO does not collect sensitive categories of personal data. However, any personal data, processed by EIOPA or its processors (including sensitive categories of personal data), might potentially be communicated to the DPO for the purpose of any DPO specific task / processing activity.</p> <p>The DPO can obtain personal data from:</p> <ul style="list-style-type: none"> <li>- the data subjects mentioned above;</li> <li>- the EDPS in relation to the complaints transmitted or inspections launched.</li> </ul>

Categories of Recipients & Data Transfers

<p>Recipient(s) of the data</p>
<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Managers of data subjects: in cases such as breach of personal data, or formal complaints, data might be disclosed to the relevant managers.</li> </ul>



Data subjects could obtain a copy of SCC, BCR or AA here:

N/A

### 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:

No

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?

Personal data will be kept only for the time necessary to achieve the purpose(s) for which they will be processed.

Personal data related to records of processing activities will be stored as long as the processing is operational. After that date the record will be archived in EIOPA network shared drive system (ERIS) for 5 years.

Personal data related to data breaches is kept for 5 years from the date of the breach.

Personal data related to data subject requests is kept for 5 years from the closure of the request.

Personal data related to complaints is kept for 10 years after the closure of the complaint.

Personal data related to the DPO investigations/audits will be kept for 5 years for non-substantiated cases and up to 10 years for investigations/audits where irregularities or breach of the Regulation was concluded.

In the event of a complaint to the EDPS, personal data will be kept for 10 years after the completion of the procedure.

In the event of a legal action, personal data will be kept for 2 years after the completion of the proceedings.

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'.