EIOPA's Ethics Rules for staff

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General information

Introduction
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)\(^1\).

Contact Details of Data Controller(s)

Fausto Parente, Executive Director
Westhafenplatz 1, 60327 Frankfurt am Main, Germany
fausto.parente@eiopa.europa.eu

Contact Details of the Data Protection Officer

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

Contact Details of Processor

EIOPA’s Team/Unit/Department responsible for the processing:
Legal Team, Ethics Officer

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\(^1\) 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.
### Description and Purpose of the Processing

#### Description of Processing

Personal data are collected and processed in order to enable EIOPA to:

- 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;
- Identify, handle, remove or mitigate without delay any actual or potential conflict of interests (CoI).

#### Purpose(s) of the Processing

- [x] Staff administration
- [x] Relations with external parties
- [x] Procurement and accounting
- [ ] Administration of membership records
- [ ] Auditing
- [ ] Information administration
- [ ] Other (please give details):

#### Lawfulness of Processing

- 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.
- Legal Basis justifying the processing:
  - The Staff Regulations, Title II
  - Ethics Rules for Staff (EIOPA-MB-20-006-Rev2)
  - Decision of the Management Board of 13 March 2017 laying down rules on the Secondment of National Experts (EIOPA-MB-17-013)
  - Internal Procedure on handling gifts received by EIOPA staff of 18 October 2012 (EIOPA-12-351) (Internal whistleblowing is covered in a separate recording.)
- Processing is necessary:
  - [x] for the performance of a task carried out in the public interest
  - [ ] for compliance with a legal obligation to which the Controller is subject
  - [ ] 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
  - [ ] in order to protect the vital interests of the data subject or of another natural person
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).

Categories of Data Subjects

Categories of Data Subjects & Personal Data

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

If selected, please specify:
 RECORD OF PERSONAL DATA PROCESSING ACTIVITY ACCORDING TO ARTICLE 31 OF REGULATION (EU) 2018/1725
EIOPA(2023)0073052
EIOPA REGULAR USE

Providers of good or services
☐ Complainants, correspondents and enquirers
☒ Relatives and associates of data subjects
☐ Other (please specify):

<table>
<thead>
<tr>
<th>Categories of personal data</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) <strong>General personal data:</strong></td>
</tr>
<tr>
<td>The personal data contains:</td>
</tr>
<tr>
<td>☒ Personal details (name, address etc)</td>
</tr>
<tr>
<td>☒ Education &amp; Training details</td>
</tr>
<tr>
<td>☒ Employment details</td>
</tr>
<tr>
<td>☒ Financial details</td>
</tr>
<tr>
<td>☒ Family, lifestyle and social circumstances</td>
</tr>
<tr>
<td>☒ 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.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>(b) <strong>Special categories of personal data</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>The personal data reveals:</td>
</tr>
<tr>
<td>☒ Racial or ethnic origin</td>
</tr>
<tr>
<td>☒ Political opinions</td>
</tr>
<tr>
<td>☐ Religious or philosophical beliefs</td>
</tr>
<tr>
<td>☒ Trade union membership</td>
</tr>
<tr>
<td>☐ Genetic or Biometric data</td>
</tr>
<tr>
<td>☒ Data concerning health, sex life or sexual orientation</td>
</tr>
</tbody>
</table>

The processing of these data is based on Article 10(2)(e) of the Regulation 2018/1725 (data made public by the data subject).

<table>
<thead>
<tr>
<th>Categories of Recipients &amp; Data Transfers</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Recipient(s) of the data</strong></td>
</tr>
</tbody>
</table>

| ☒ Managers of data subjects |
| ☒ Designated EIOPA staff members |

If selected, please specify:

- The Appointing Authority (Executive Director);
The Ethics Officer (E.O.);

The Assistants of the E.O. and the Appointing Authority;

Line Managers, Team Leaders and Joint Committee (where relevant);

EIOPA’s HR Unit;

EIOPA’s Internal Audit Service as well as EIOPA’s legal team.

☐ Relatives or others associated with data subjects
☐ Current, past or prospective employers
☐ Healthcare practitioners
☐ Education/training establishments
☐ Financial organisations
☐ External contractor

☒ Other (please specify):

☐ External legal services providers;

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);

Declarations of Interests of EIOPA’s Chairperson and Executive Director are available on EIOPA’s website;

Information on post-employment of senior managers pursuant to Article 16(3) of the Staff Regulation, published on EIOPA’s website.

Data transfer(s)

☒ Within EIOPA or to other EU Institutions/Agencies/Bodies

If selected, please specify: See above

☐ To other recipients within the EU (e.g. NCAs)

☐ To third countries

If selected, please specify:

Whether suitable safeguards have been adopted:

☐ Adequacy Decision of the European Commission

☐ Standard Contractual Clauses (SCC)

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2 Third countries for which the European Commission has issued adequacy decisions are the following: [Adequacy decisions (europa.eu)]
### Binding Corporate Rules (BCR)
- [ ] Binding Corporate Rules (BCR)
- [ ] Administrative Arrangements between public Authorities (AA)
- [ ] 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:
- [ ] 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?

- 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.
- 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.
- In case of a legal challenge, the above dates shall be extended to two years after completion of all relevant 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”.