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

EIOPA Q&A process on regulation

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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:
Data Analysis and Processes Unit/Supervisory Processes Department

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

The Q&A process is a means for EIOPA to publicly address questions from stakeholders on regulation and to promote the consistent understanding and the convergent application of the regulation within its scope of activity. Questions can be asked by all parties, including institutions, individuals, entities, federations, national authorities, etc.

The purpose of processing personal data pertains to the identification of the inquirer, in order to respond to the question and to monitor the functioning of the process by having a general overview of the categories of stakeholders (insurance undertakings, members of NCAs or other (e.g. consultants, private individuals)).

In the context of this Q&A process, personal data of EIOPA staff members involved in it are also processed for administrative purposes. Stakeholders’ personal data are used only for replying to their enquiry/request as well as for contact management. Recipients of these data will only be EIOPA staff members entrusted with accommodating the enquiry/request.

Purpose(s) of the processing

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

Lawfulness of Processing

- Legal Basis justifying the processing:
  - Article 16b of EIOPA Regulation which sets out a specific process for addressing questions relating to the practical application or implementation of European legislation which falls within the field of activities of EIOPA and entrusts EIOPA to establish and maintain a web-based tool for the Q&A process.
  - Overall EIOPA’s mandate to build a common Union supervisory culture with consistent supervisory practices, as established in Articles 8(1)(b) and 29 of Regulation (EU) No 1094/2010.

Processing is necessary:

- for the performance of a task carried out in the public interest – Article 5(1)(a) of the Regulation
- 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
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 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 & 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:
Providers of good or services
- Complainants, correspondents and **enquirers**
- Relatives and associates of data subjects
- Other (please specify):

### Categories of personal data

<table>
<thead>
<tr>
<th>(a) General personal data:</th>
</tr>
</thead>
<tbody>
<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):</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>(b) Special categories of personal data</th>
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</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>
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<tr>
<td>- Data concerning health, sex life or sexual orientation</td>
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</tbody>
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### Categories of Recipients & Data Transfers

<table>
<thead>
<tr>
<th>Recipient(s) of the data</th>
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<tbody>
<tr>
<td>- Managers of data subjects</td>
</tr>
<tr>
<td>- Designated EIOPA staff members</td>
</tr>
</tbody>
</table>

If selected, please specify:

Staff designated as administrators of the Q&A process. Questions received are allocated for answering to relevant subject matter experts (in different EIOPA’s departments depending on the topic), on a need to know basis. Answers are verified by the Legal team.

<p>| - Relatives or others associated with data subjects |
| - Current, past or prospective employers |
| - Healthcare practitioners |</p>
<table>
<thead>
<tr>
<th>Education/training establishments</th>
<th>Financial organisations</th>
<th>External contractor</th>
<th>Other (please specify):</th>
</tr>
</thead>
</table>

**Data transfer(s)**

- **Within EIOPA**
  - If selected, please specify: We share details within EIOPA when forwarding the question to the relevant subject matter experts.
- **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)
      - ☐ 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:

**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:

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2 Third countries for which the European Commission has issued adequacy decisions are the following: Adequacy decisions (europa.eu)
### Retention Period & Security Measures

<table>
<thead>
<tr>
<th>Retention period</th>
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</thead>
<tbody>
<tr>
<td>How long will the data be retained?</td>
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<tr>
<td>5 years from date of submission.</td>
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</tbody>
</table>

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
- [X] Yes

<table>
<thead>
<tr>
<th>Technical &amp; organisational security measures taken</th>
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<tr>
<td>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 II a).</td>
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