

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

### ► THE STAFF REGULATIONS REMEDIES

#### Contents

General information.....	1
Description and Purpose of the Processing .....	2
Data Subject's Rights.....	2
Categories of Data Subjects & Personal Data .....	3
Categories of Recipients & Data Transfers.....	4
Automated Decision Making.....	5
Retention Period & Security Measures .....	6

#### 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) <sup>1</sup> .
Contact Details of Data Controller(s)
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>
Contact Details of the Data Protection Officer
Eleni Karatza Westhafenplatz 1, 60327 Frankfurt am Main, Germany <a href="mailto:dpo@eiopa.europa.eu">dpo@eiopa.europa.eu</a>
Contact Details of Processor
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 data processing is to handle complaints under Article 90(2) and requests under Article 90(1) of the Staff Regulations. More specifically, it consists of analysing the complaint or request and other supporting documents in order to establish the facts on which the decision of the Appointing Authority will be based, making a legal assessment of those facts, and preparing the decision to be adopted by the Appointing Authority in response to the complaint/request.</p>
Purpose (s) of the processing
<div> <input checked="" type="checkbox"/> Staff administration           <input type="checkbox"/> Relations with external parties           <input type="checkbox"/> Procurement and accounting           <input type="checkbox"/> Administration of membership records           <input checked="" type="checkbox"/> Auditing           <input checked="" type="checkbox"/> Information administration           <input type="checkbox"/> Other (please give details): .....         </div>
Lawfulness of Processing
<div> <ul style="list-style-type: none"> <li>Legal Basis justifying the processing:               <p>The legal basis for this processing operation is Regulation No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community, in particular article 90 thereof</p> </li> <li>Processing is necessary:               <div> <input checked="" type="checkbox"/> for the performance of a task carried out in the public interest                   <input type="checkbox"/> for compliance with a legal obligation to which the Controller is subject                   <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                   <input type="checkbox"/> in order to protect the vital interests of the data subject or of another natural person                 </div> <p>Or</p> <input type="checkbox"/> Data subject has given his/her unambiguous, free, specific and informed consent             </li> </ul> </div>

Data Subject’s Rights

Information on how to exercise data subject’s rights
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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.

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.

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 [human.resources@eiopa.europa.eu](mailto:human.resources@eiopa.europa.eu) or [DPO@eiopa.europa.eu](mailto: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](mailto: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)).

Restrictions:

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).

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

**(a) General personal data:**

The personal data contains:

- ☒ Personal details: full name, personnel number, address, email phone number
- ☐ Education & Training details
- ☒ Employment details: contract type, position/job title, Department/Unit/Team
- ☐ Financial details
- ☒ Family, lifestyle and social circumstances
- ☐ Other (please give details):
  - Any relevant information for the handling of the request/complaint, such as: professional work experience, case involvement data, information related to the request/complaint and personal data of natural persons mentioned in the request/complaint.
  - EIOPA is not processing special categories of personal data as defined in article 10 of EUGDPR. Nevertheless, it is possible that the complainant refers to special categories of personal data in his/her complaint.

**(b) Special categories of personal data**

The personal data reveals:

- ☐ Racial or ethnic origin
- ☐ Political opinions
- ☐ Religious or philosophical beliefs
- ☐ Trade union membership
- ☐ Genetic or Biometric data
- ☐ Data concerning health, sex life or sexual orientation

## Categories of Recipients & Data Transfers

**Recipient(s) of the data**

- ☒ Managers of data subjects: Executive Director, Head of Unit/Department, where necessary.
- ☐ Designated EIOPA staff members
 

If selected, please specify:

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

<input checked="" type="checkbox"/> Other (please specify): <ul style="list-style-type: none"> <li>- In the case of transfer to another institution/agency, the staff member responsible for handling the case in the other institution/agency</li> <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: <ul style="list-style-type: none"> <li><input type="checkbox"/> Adequacy Decision of the European Commission<sup>2</sup></li> <li><input type="checkbox"/> Standard Contractual Clauses (SCC)</li> <li><input type="checkbox"/> Binding Corporate Rules (BCR)</li> <li><input type="checkbox"/> Administrative Arrangements between public Authorities (AA)</li> </ul> <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: <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> No</li> <li><input type="checkbox"/> Yes</li> </ul> In case of an automated decision-making or profiling, please explain: .....

<sup>2</sup> Third countries for which the European Commission has issued adequacy decisions are the following: [Adequacy decisions \(europa.eu\)](https://eudataprotection.eu/adequacy-decisions)

## Retention Period & Security Measures

Retention period
<p>How long will the data be retained?</p> <ol style="list-style-type: none"><li>1. The data processed is kept for 5 (five) years following the notification of the decision.</li><li>2. If the latter is subject to a complaint with the European Ombudsman and/or an action before the General Court of the EU, the 5 years only start after the Ombudsman has decided on the complaint and/or the Court's judgment has gained the status of res judicata.</li></ol>
<p>For further processing envisaged beyond the original retention period for historical, statistical or scientific purposes, please specify whether the personal data will be anonymised:</p> <p><input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes</p>
Technical & organisational security measures taken
<p>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'.</p>