

EDPB Personal data records of processing activities (Article 31 of the Regulation 2018/1725<sup>1</sup>)

Record of EDPB activities processing personal data, based on Article 31 of 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.

Nr.	Item	Description
1.	<b>Title of the processing operation</b>	Ad hoc communications and submissions to the EDPB
2.	<b>Number of record</b>	EDPB-0002
3.	<b>Last updated</b>	July 2022
4.	<b>Data controller</b>	European Data Protection Board <a href="mailto:Edpb@edpb.europa.eu">Edpb@edpb.europa.eu</a> Rue Montoyer, 30 Belgium, Brussels
5.	<b>Joint controllers</b>	N/A
6.	<b>Processor(s)</b>	European Parliament; European Commission;
7.	<b>Data Protection Officer (DPO)</b>	EDPB Data Protection Officer <a href="mailto:Edpb-dpo@edpb.europa.eu">Edpb-dpo@edpb.europa.eu</a> Rue Montoyer, 30 Belgium, Brussels

<sup>1</sup> Regulation 2018/1725 on the protection of natural persons with regard to the processing of personal data by the EU institutions, bodies, offices and agencies.

8.	<b>Description of the processing operation</b>	<p>The EDPB receives frequent submissions from the general public, including academia, interest groups and so on, as well as from other EU institutions (e.g. Members of the European Parliament). This includes studies, letters and submissions of various nature. These are regularly shared with expert subgroups and, where required, replied to. When it concerns letters, it is often the case that replies are also published on the EDPB's website.</p>
9.	<b>Purpose of processing operation</b>	<p>Handle ad hoc communications and submissions to the EDPB, including transmitting them to the Board members and Expert Subgroups, providing replies, acknowledgements of receipt and any other communication that is required.</p> <p>Publish replies to letters approved by the EDPB in the context of plenary meetings on its website in line with Article 39 of the EDPB Rules of Procedure. However, as an adequate safeguard, before publication, the EDPB may consult the data subject(s) to assess whether there might be any prejudice to their legitimate interests.</p>
10.	<b>Legal basis</b>	<p>The EDPB processes ad hoc communications and submissions, and any personal data they contain, for the performance of its tasks of communication with other institutions and the public, as stipulated in Article 75(6)(c) GDPR; and for the performance of its tasks under Article 70 GDPR. In such case, lawfulness is ensured by compliance with Articles 5(1)(a) and (2) of Regulation (EU) 2018/1725.</p> <p>The publication of the personal data is necessary to ensure compliance with the principle of transparency, as stipulated, in particular, in Article 11 of the Treaty on the European Union, Article 15 of the Treaty on the Functioning of the European Union, and in Article 3 of the EDPB's Rules of Procedure. Furthermore, in line with Article 39 of the EDPB Rules of Procedure, all final documents adopted by the Board shall be made public on the Board's website, except where the Board decides otherwise. Finally, Article 12(1) of Regulation 1049/2001 regarding public access to European Parliament, Council and Commission documents stipulates that institutions shall, as far as possible, make documents directly accessible to the public. In such cases, lawfulness of publication is ensured by compliance with Articles 5(1)(a) and (2) of Regulation (EU) 2018/1725.</p> <p>Where the EDPB is required to process data for the purposes of audits and investigations by relevant EU bodies, requests for access to documents and/or requests for data subject rights, the lawfulness of said processing rests on Article 5(1)(b) and (2) of Regulation 2018/1725.</p>

11.	<b>Description of categories of data subjects</b>	<ul style="list-style-type: none"> <li>) Individuals making submissions to the Board;</li> <li>) The EDPB Chair (and possible, in the Chair's absence, the EDPB Vice-Chairs) and, where applicable, the Head of the EDPB Secretariat;</li> </ul>
12.	<b>Description of processed personal data / categories</b>	<p>(a) name and surname of senders, authors, subscribers, signatories and of any data subjects that are mentioned in an ad hoc communication and/or submission;</p> <p>(b) signatures (e.g. in letters);</p> <p>(c) email address;</p> <p>(d) postal address (home and/or organisation);</p> <p>(e) home / office / mobile phone number;</p> <p>(f) social media handles (e.g. Twitter);</p> <p>(g) position in, and name of organisation;</p> <p>(h) views, opinions, remarks that can lead to the direct or indirect identification of the data subject, whether as the author of the ad hoc communication/submission or not;</p> <p>(i) any other personal data category information that is included in an ad hoc submission / communication.</p>
13.	<b>Description of procedure to ensure data subjects' rights</b>	<p>A specific privacy statement is <a href="#">available on the EDPB website</a>, with details on how data subjects can exercise their rights. Data subjects are given the possibility to object to the publication of their contact details in replies issued by the Board which are published on the website.</p>
14.	<b>Description of recipients of personal data</b>	<ul style="list-style-type: none"> <li>) The EDPB SEC staff, on a need-to-know and need-to-do basis;</li> <li>) All EDPB Members (30 supervisory authorities and the European Data Protection Supervisor), where relevant and necessary;</li> <li>) The European Commission, where relevant and necessary, both in its role as processor and also in the context of its participation in the EDPB activities;</li> <li>) The European Parliament, where relevant and necessary, in its role as processor;</li> <li>) The European Ombudsman, in order to be able to investigate any complaints of maladministration;</li> </ul>

		<ul style="list-style-type: none"> <li>) Bodies charged with a monitoring or inspection task in application of EU law, e.g. OLAF, IDOC, Internal Audit Service, as well as staff of other services, where necessary in the context of official investigations or for audit purposes;</li> <li>) The Court of Justice of the European Union, in the situation envisaged in Article 8(3) of Regulation 1049/2001.</li> <li>) The general public, where letters are published on the EDPB website;</li> </ul>
15.	<b>Description of transfers</b>	N/A
16.	<b>Description of envisaged time limits for retention for each processing operation</b>	Ad hoc communications and submissions (records) are kept for a period of five years, counting from the date of reception. According to approved EDPB retention schedules, records may undergo sampling and selection or may be considered of historical value and kept for an undetermined period. Published letters are kept on the website for periods of three years, counting from the date of publication. Before the end of each period, the EDPB will determine the need to continue ensuring the publication of the reply for an additional three-year period. The EDPB can decide, at any time, to remove documents from its website and keep them in its files, which are subject to the approved retention schedules, or simply let the retention period expire i.e. the EDPB considers it has been archived, although it remains available online as before.
17.	<b>General description of technical and organisational security measures referred to in Article 33</b>	<p><u>IT Measures</u></p> <p>Any personal data collected by the EDPB is kept in restricted access servers, available only to authorised staff through adequate IT security measures. In general, technical measures include appropriate actions to address online security, protect server hardware, software and the network from accidental or malicious manipulations and risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed.</p> <p><u>Organisational measures</u></p> <p>Physical access to the EDPB premises is restricted to authorised staff and EDPB members.</p>