

European Data Protection Board (EDPB) Specific Privacy Statement (SPS)

Processing of personal data for the purpose of handling data subject rights, in accordance with articles 17 to 24 of Regulation 2018/1725¹

Last updated: July 2022

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1. Introduction

As a controller responsible for the processing of personal data, the EDPB is required to ensure the respect of the data subject rights stipulated in Regulation 2018/1725.

The EDPB is responsible for the processing operation in relation to the handling of the data subject rights stipulated under Regulation 2018/1725. The European Parliament and the European Commission act as service providers providing IT services. This processing is necessary for granting data subjects their rights, in accordance with articles 17 (right of access), 18 (right to rectification), 19 (right to erasure), 20 (right to restriction of processing), 22 (right to data portability), 23 (right to object) and 24 (automated individual decision-making, including profiling) of Regulation 2018/1725. Lawfulness is therefore ensured by compliance with article 5(1)(b) and 5(2) (“Processing is necessary for compliance with a legal obligation to which the controller is subject”) of Regulation 2018/1725. The legal obligation stems from articles 17 to 24 of Regulation 2018/1725.

Where the EDPB is required to keep data for the purposes of audits and investigations by relevant EU bodies, the lawfulness of said processing rests on article 5(1)(b) and (2) of regulation 2018/1725.

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, OJ L 295, 21.11.2018, p. 39–98

2. What personal data do we collect, for what purpose and through which technical means?

2.1 Processed personal data

In order to grant data subjects their rights, the following personal data are processed:

- (a) Any personal data, e.g. name, surname, email or postal address provided by the data subject in the context of their request;
- (b) Any personal data relating to the data subject that is being processed by the controller, if any;
- (c) Additional elements that may be needed to confirm the identity of the data subject requesting the information (e.g. a copy of the data subjects ID card or other identification document, subject to specific safeguards).

2.2 Purpose of the processing

Addressing requests for data subject rights, made by data subjects to the EDPB, in accordance with Regulation 2018/1725 (Chapter III).

2.3 Technical means

Data subject requests are mainly dealt with via the EDPB website contact page for the initial request, followed by email exchanges between the EDPB and the interested party. Furthermore, the data subject is provided with a reply in electronic, standardized format, unless otherwise requested by the data subject.

When it comes to handling different requests, an assessment of different technical tools and databases is made, in order to ensure that the request can be fully complied with.

3. Who has access to your personal data and to whom it is disclosed?

The following entities have access to your personal data:

-) The EDPB DPO team, in order to handle the request;
-) EDPB Secretariat staff members, on a need-to-know / need-to-do basis; this includes the different team members responsible for assessing archives, tools and databases, as well as the Head of Internal Compliance of the Secretariat, the Head of the Secretariat and the Chair of the EDPB (including the Chair's team);
-) The European Commission, where relevant and necessary, in its role as processor;
-) The European Parliament, where relevant and necessary, in its role as processor;
-) Bodies charged with a monitoring or inspection task in application of EU law, e.g. EDPS, where necessary in the context of official investigations or for audit purposes;
-) The Court of Justice of the European Union, where relevant.

If the EDPB receives a request from a Union established recipient, other than a Union institution or body, to transmit your personal data, it will be assessed in compliance with applicable provisions, in particular Article 9 of Regulation 2018/1725. The EDPB will also

ensure that data subjects have been informed of the processing and of their right to object (Articles 15-16 and 23 of the Regulation).

4. How do we protect and safeguard your personal data?

All personal data handled by the EDPB is kept on restricted, password-protected servers, available only to staff, EDPB members and the European Commission, on a need-to-know and need-to-do basis. Physical access to the premises of the EDPB is protected, and restricted to authorised personnel.

The individual making a request may be required to provide elements that allow the EDPB to adequately confirm their identity (e.g. ID card), except in cases where this is not necessary, because other means to confirm the identity of the data subject are available. This is to ensure the identity of the person making the request and avoid security and personal data breaches. This approach is in line with the EDPS Guidance on Transparency.²

5. How can you verify, modify or delete your personal data?

You have the right to request from the data controller (the EDPB) access to, rectification or erasure of your personal data, restriction of processing concerning the data subject or, where applicable, the right to data portability. Please note that the rights provided to data subjects are not absolute rights and may be subject to exceptions, which may be applied on a case-by-case basis.

You can object to the processing of your personal data on grounds relating to your particular situation, by stating said grounds in an email sent to the controller. If the controller (the EDPB) is not able to demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, the controller will remove the personal data categories indicated in section 2.1.

To exercise your rights as a data subject, see sections 8 and 9 below.

6. For how long do we keep your personal data?

Personal ID or any additional information provided for the purpose of confirming a data subject's identity is kept only for the time required to handle the data subject request (i.e. submitting a reply to the data subject), after which it is deleted.

Any other personal data submitted to the EDPB by the data subject in the context of a data subject rights request is kept for five years from the date of the request, in accordance with applicable data protection law principles (e.g. data minimisation) and approved retention schedules. This retention period does not affect any other retention period that was previously applicable in the context of other processing operations.

² See EDPS Guidance on Articles 14 - 16 of the proposal for a Regulation on the protection of individuals 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, section 3, available at: https://edps.europa.eu/data-protection/our-work/publications/other-documents/articles-14-16-new-regulation-452001_en

Records may undergo sampling and selection according to records management principles, and provided that the data subject is duly informed, where the EDPB is required to process such data in case of audits and/or legal action, this five-year retention period can be extended.

7. What is the time limit for addressing your data subject rights' request?

The time limit for treating the data subject's request and modifying the database fields is one month, as stipulated in article 14 of Regulation 2018/1725. This period may be extended by two further months where necessary, taking into account the complexity and the number of the requests. In those cases, the EDPB will inform the data subject of the extension within one month of receipt of the request and will provide reasons for the delay.

8. Who can you contact to ask questions or exercise your rights?

In case you have questions, or wish to exercise your rights as a data subject, please contact the European Data Protection Board, using the following contact information:

edpb@edpb.europa.eu.

You can also directly contact the EDPB Data Protection Officer at the EDPB contact page, on our [website](#) (selecting the option "Requests for the EDPB DPO").

9. Complaints

Whilst we encourage you to always contact us first, you have the right to address a complaint to the European Data Protection Supervisor (EDPS), using the following contact information:

European Data Protection Supervisor (EDPS)

Rue Wiertz 60

B-1047 Brussels, Belgium

edps@edps.europa.eu

<https://edps.europa.eu/>