

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

Annual Report - Stakeholders' Survey

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1. Introduction

This privacy statement explains how the European Data Protection Board (“EDPB”/“we”/“us”/“our”) processes your personal data for the purposes of conducting a Stakeholders' Survey for the EDPB **annual report**.

In accordance with Article 71(1) GDPR, the EDPB is required to draw up an annual report regarding the protection of natural persons with regard to processing in the Union and, where relevant, in third countries and international organisations. The report is made public and transmitted to the European Parliament, to the European Council and to the European Commission. Article 71(2) GDPR provides for the duty to include in the annual report a review of the practical application of the guidelines, recommendations, and best practices as well as the binding decisions issued by the EDPB.

As part of its methodology for producing this report, the EDPB is consulting a selected number of interested stakeholders and parties, giving them the opportunity to provide their views (**annual stakeholders' survey**). The use of the annual stakeholders' survey is in line with the methodology used in previous reports. Information which is gathered from the annual stakeholders' survey will only be included in the annual report in an aggregated form, without any possibility of identifying the respondents.

2. Who is responsible for the processing of your personal data and under which legal grounds are they processed?

The EDPB is the data controller organising the annual stakeholders' survey.

PricewaterhouseCoopers EU Services is a processor responsible for contacting selected stakeholders, for collecting and compiling their responses to the survey.

The legal basis of the processing is Article 5(1)(a) and 5(2) ("Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body") of Regulation (EU) 2018/1725. In particular, this task is provided in Article 71(2) of Regulation (EU) 2016/679, according to which the annual report prepared by the EDPB "*shall include a review of the practical application of the guidelines, recommendations and best practices referred to in point (l) of Article 70(1) as well as of the binding decisions referred to in Article 65*". For the processing of any political views which you might refer to when replying to the survey, which are defined as special category of personal data, we rely on Article 10(2)(g) Regulation (EU) 2018/1725.

We may also be required to process your personal data to comply with a legal obligation to which we are subject under Article 5(1)(b) and (2) of Regulation (EU) 2018/1725. This could be, for instance, when a relevant EU body (e.g. European Court of Auditors) carries out an audit or investigation, when we handle requests for access to documents under Regulation (EC) 1049/2001¹ or if you request to exercise your data subject rights under Regulation (EU) 2018/1725. For the processing of any political views that that you might refer to when replying to the survey, depending on the purpose, Article 10(2)(f) and (g) Regulation (EU) 2018/1725 may apply.

3. What personal data do we collect and for what purposes?

3.1 Processed personal data

Your personal data are processed because you have been selected as a relevant stakeholder for the annual stakeholders' survey and may have agreed to provide replies to the survey.

We process the following personal data:

- your name and surname;
- your contact details, such as e-mail address and phone number;
- your professional work title (where relevant);
- your organisation's name, type and sector (where relevant); and
- your replies, if you agree to participate in the survey, including any political views that you might share in your replies.

¹ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents.

3.2 Purposes of the processing

The purposes for which we process personal data are to:

- identify relevant stakeholders for the annual stakeholders’ survey;
- contact stakeholders with a request to provide replies to the survey;
- where the stakeholders agree to provide replies, collect their replies either in writing or by means of a telephone interview;
- compile the replies to the annual stakeholders’ survey; and
- include these views in the EDPB’s annual report.

4. Are your personal data subject to any international transfers?

No personal data are subject to international transfers.

5. Who has access to your personal data and to whom are they disclosed?

Your personal data may be disclosed to the following:

- The PricewaterhouseCoopers EU Services team responsible for contacting stakeholders and for collecting and compiling the replies to the survey, as a processor;
- Members of the public in the context of requests for access to documents, where necessary, in accordance with the provisions of Regulation (EC) 1049/2001 or Council Regulation (EEC, Euratom) 354/83².

6. How do we protect your personal data?

PricewaterhouseCoopers EU Services processes your personal data on behalf of the EDPB (within the scope described under 3.2 above) to which it is bound by a contract. As a processor, PricewaterhouseCoopers EU Services is required to act solely under the instructions of the EDPB, and it is subject to all requirements foreseen for processors under Regulation (EU) 2018/1725, in particular under article 29 (“Processor”), including those of security and confidentiality. Further, PricewaterhouseCoopers EU Services must adopt appropriate technical and organisational security measures, giving due regard to the risks inherent in the processing and to the nature, scope, context and purposes of processing.

Any personal data the EDPB collects is kept on servers with restricted access that are 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.

Physical access to our premises is restricted to authorised staff and EDPB members.

² Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (“Regulation on historical archives”).

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

If you do not agree to provide replies to the survey, your personal data will be deleted immediately.

If you agree to provide replies to the survey, your personal data will be kept for 5 years following the year in which the annual report is published on the EDPB's website. At the end of this retention period, if your personal data are contained in documents with historical or administrative value which are selected for preservation in our records, the selected personal data will be kept indefinitely and – unless an exemption applies – will be made public in accordance with Regulation (EEC, EURATOM) 354/83 on the opening to the public of historical archives after 30 years.

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

As the individual to whom the personal data relate, you can exercise the following rights:

1. access your personal data under Article 17 of Regulation (EU) 2018/1725;
2. rectify your personal data under Article 18 of Regulation (EU) 2018/1725;
3. erase your personal data under Article 19 of Regulation (EU) 2018/1725;
4. restrict the processing concerning yourself under Article 20 of Regulation (EU) 2018/1725; or
5. exercise the right to data portability under Article 22 of Regulation (EU) 2018/1725.

Please note that these rights are not absolute rights, which means that some exceptions may apply. Please also note that, in certain cases, as provided in Article 25 of Regulation (EU) 2018/1725, restrictions of data subjects' rights may apply. These rights are applied on a case-by-case basis.

In addition, you can object to the processing of your personal data under Article 23 of Regulation (EU) 2018/1725 for reasons relating to your particular situation. When you contact us to exercise this right, please explain these reasons. We will remove your personal data unless we can demonstrate compelling legitimate grounds for the processing that override your interests, rights and freedoms.

We do not use your personal data for automated decision-making.

To exercise your rights as a data subject, please see sections 9 and 10 below.

9. How long do you have to wait to receive our reply to your data subject rights' request?

After receiving your request, we have one month to provide information on action taken on your request. We may extend this period by a further two months, taking into account the complexity and number of the requests. In such cases, we will inform you of the extension and the reasons for it within one month of receiving your request.

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

If you have any questions, or wish to exercise your rights as a data subject, please contact us at edpb@edpb.europa.eu or via our [website's](#) contact page (selecting the option “Requests for the EDPB DPO”).

11. Who can you contact to complain about the processing of your personal data?

We encourage you to always contact us first as described under point 10 above to raise your questions or concerns.

In any case, you remain entitled to send a complaint to the EDPS, as a supervisory authority, 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/>