

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

### **Processing of personal data for the purpose of handling requests for information**

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#### **1. Introduction**

As stipulated in article 75(6)(c) GDPR, the Secretariat of the EDPB (SEC) is responsible, on behalf of the Board, for the communication with other (non EUI) institutions and the public, which, as stipulated in letter (d) of the same article, can be done using electronic means. In this context, the EDPB Secretariat, in particular its communications' team, often receives requests for information from the general public, including, but not limited to, individuals, companies and law firms. Such requests normally arrive via the EDPB contact email address (edpb@edpb.europa.eu), which is available on its website, and are sent a reply as quickly as possible, although they can also arrive via other sources such as the DPO functional mailbox or the EDPB's active social media accounts (Twitter and LinkedIn). Individuals making requests to the EDPB via social media accounts are normally invited to send an email to the EDPB, as the EDPB only uses such accounts for the dissemination of information related to its tasks and activities.

Given the high number of weekly requests, the EDPB Secretariat keeps an inventory of requests and replies, available only to EDPB staff members on a need-to-know / need-to-do basis. Such inventory serves different purposes, all encompassed within the purpose of good administration and adequate communication with the public, namely: managing the provision of replies in due time; allowing for the identification of previous exchanges; following-up on cases of harassment, abuse and/or repetitiveness; statistical purposes; back-up in case of loss or deterioration of the means of request; and assisting in cases of legal challenges and/or complaints of maladministration.

The controller responsible for this processing operation is the EDPB. Lawfulness is therefore ensured by compliance with article 5(1)(a) ("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 2018/1725, read together with recital 22 of said Regulation.<sup>1</sup>

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<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

As required by article 5(2), the basis for the processing is laid down in Union law, in particular in article 75(6)(c) and (d) of the GDPR and in article 41 of the EU Charter of Fundamental Rights.

Where we are required to process personal data for the purposes of requests for access to documents in accordance with Regulation (EC) 1049/2001<sup>2</sup>, the lawfulness of said processing rests on Article 5(1)(b) and (2) of Regulation 2018/1725.

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

### ***2.1 Processed personal data***

In order to reply to requests for information, we process any personal data included as part of the communications. This includes, e.g., the name, surname, email or postal address, opinions, views and any other data provided by the data subject.

In addition to the information provided by the data subject, the EDPB attaches an internal reference number to received communications described in s.1. Further, EDPB Secretariat staff members and EDPB members might also need to exchange internally on the request on a need-to-know and need-to-do basis. Such exchanges may also constitute personal data processed by the EDPB.

The name, surname and email address of the data subject are also processed for the purposes of the inventory of requests and replies.

### ***2.2 Purpose of the processing***

Adequately and timely reply to any requests for information submitted to the EDPB via its [edpb@edpb.europa.eu](mailto:edpb@edpb.europa.eu) email address or, in certain cases, via its EDPB DPO email address.

### ***2.3 Technical means***

Requests for information, and the respective replies, are generally submitted via the contact page in the EDPB website and stored in the EDPB's servers.

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

The following entities may have access to your information:

- The EDPB Secretariat staff, on a need-to-know and need-to-do basis;
- All EDPB Members (EEA supervisory authorities and the European Data Protection Supervisor), where relevant and necessary;
- The European Commission, where relevant and necessary, both in its role as processor providing IT services and also in the context of its participation in the EDPB activities;

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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

<sup>2</sup> 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, OJ L 145, 31.5.2001, p. 43–48.

- The European Parliament, where relevant and necessary, in its role as processor providing IT services;
- Members of the public in the context of requests for access to documents, where the relevant exceptions do not apply, in accordance with Regulation (EC) 1049/2001.

#### **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. Any functional mailboxes receiving requests for information are managed by a restricted number of EDPB SEC staff members, which are granted access where necessary for the performance of their tasks.<sup>3</sup>

Physical access to the premises of the EDPB is protected and restricted to authorised personnel.

Personal data shall only be transmitted to recipients established in the Union other than Union institutions and bodies in accordance with the provisions stipulated under article 9 of Regulation 2018/1725.

#### **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 above. The same applies to the processing for the establishment, exercise or defence of legal claims.

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

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

Documents containing personal data are kept for two years from the date of the request. This includes emails containing queries and replies, which are kept to ensure that the EDPB has fulfilled its duties of communication and good administration towards the public, as stipulated in article 41 of the EU Charter of Fundamental Rights. This also includes proving cases of harassment, abuse and/or repetitiveness, which may result in terminating any communications, and disproving any maladministration and/or unlawful conduct from the EDPB and/or its Secretariat. Documents are deleted after the two years period according to the official EDPB retention schedules.

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<sup>3</sup> 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://www.edps.europa.eu/sites/default/files/publication/18-01-15\\_guidance\\_paper\\_arts\\_en\\_1.pdf](https://www.edps.europa.eu/sites/default/files/publication/18-01-15_guidance_paper_arts_en_1.pdf)

## **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](mailto: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](mailto:edps@edps.europa.eu)  
<https://edps.europa.eu/>