

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

EDPB Annual Report - Survey - List of Contacts

Last updated: December 2020

1. Introduction

In accordance with article 71 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 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.

In the context of this legal obligation, the EDPB usually consults a selected number of interested stakeholders and parties, giving them the opportunity to provide their views (annual stakeholder survey). Any information provided is included in the report only in aggregated form (as percentages), without any possibility of identifying the respondents.

Provided they have given their consent, stakeholders are contacted on the basis of a list of contacts elaborated with the help of a processor acting on behalf of the EDPB (e.g. a communications agency). The aim of this contact is to determine whether a stakeholder wants to provide their views to the EDPB's guidelines, recommendations, and best practices as well as the binding decisions by means, for instance, of a survey.

The purpose of this privacy statement is therefore to provide individuals whose data is being processed in the context of the creation and managing of the Annual Report Survey List of Contacts, with the necessary information regarding the processing of their personal data. This includes individual's data subject rights, in accordance with 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. The EDPB acts as a sole controller for the purposes of this processing operation.

2. What personal information do we collect, for what purpose and on which legal basis?

2.1. Processed personal information

Name, surname, contact details (email address and, where relevant and available, office phone number), professional work title (where relevant), your organisation's name, type, sector and address (where relevant).

2.2. Purpose of the processing

To create and manage an Annual Report Survey List of Contacts of stakeholders, which will be used to contact relevant stakeholders on an annual basis about their interest in contributing

to a survey on the practical application of EDPB guidelines, recommendations, and best practices as well as the binding decisions.

2.3. Applicable legal basis

Personal data processed in this context is collected through the consent of the individual, based on article 5(1)(d) of Regulation 2018/1725, and taking into account the specific consent conditions foreseen in article 7 of the same Regulation. For the purpose of contacting you on a yearly basis, consent is collected through an email sent to you.

Consent is only considered as given if the data subject replies positively. Any absence of reply is not considered as a provision of consent.

Processing of your personal data, in particular, but not limited to, its storage, may be required for the EDPB's compliance with applicable legal obligations regarding monitoring or inspection tasks in application of EU law by its relevant bodies, including where you have withdrawn your consent. In such cases, the processing of your personal data is based on article 5(1)(b) and 5(2) of Regulation 2018/1725.

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

The following entities have access to your information for the abovementioned purposes:

-)] The EDPB Secretariat staff on a need-to-know and need-to-do basis;
-)] 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;
-)] A processor acting on behalf of the EDPB, in accordance with the provisions applicable to processors under Regulation 2018/1725.
-)] Members of the public, in accordance with the EDPB's access to documents policy and, in particular, with Regulation 1049/2001, with the conditions foreseen in such Regulation.

4. How do we protect and safeguard your information?

The list with your personal data is kept in a separate folder in a restricted access server, available only to staff members of the EDPB Secretariat and, upon request, to EDPB members, on a need-to-know and need-to-do basis, and only in relation to the purposes for which it was collected.

In the event that a processor is asked to process your personal data on behalf of the EDPB (i.e. in order to contact you), it is required to act solely under the EDPB's instructions, it is bound by a contract, and it is subject to all requirements foreseen for processors under Regulation 2018/1725, in particular under article 29 ("Processor"), including those of security and confidentiality.

The EDPB will not transfer any of your personal data to any third parties beyond those mentioned in the above list of recipients.

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

You are entitled to withdraw your consent at any time, by sending an email to the EDPB general email address or to the EDPB DPO (see section 8 below), expressing your desire to withdraw your consent. Once you have withdrawn your consent, in the absence of another lawful basis justifying the processing of your personal data (e.g. audits and investigations), they will be deleted.

Please note that, if consent is withdrawn, all data processing operations that were based on consent and took place before the withdrawal of consent remain lawful.

In addition, you have the right to request from the EDPB access to, rectification or erasure of personal data, or restriction of processing concerning the data subject or the right to data portability, where applicable. To exercise your rights as a data subject, please use the contact details of section 8 below.

6. For how long do we keep your data?

Your personal data will be stored in the EDPB's servers, as part of a database, for a period of five years. Before this period expires, you will receive a request to gather your consent once again.

A processor acting on behalf of the EDPB will only process your personal data in accordance with the purposes foreseen in section 2.2 above. Once there is no longer a need to process your data for those purposes, the processor will transfer all copies to the EDPB, where relevant, and in any case delete them from its servers.

7. Time limit for addressing your data modification request

The time limit for treating the data subject's request and modifying the database fields is one (1) month. This period may be extended by two (2) 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. Contact information

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 edpb-dpo@edpb.europa.eu.

9. Resources

Complaints, in case of conflict, can be addressed to the European Data Protection Supervisor (EDPS) at the following address:

European Data Protection Supervisor (EDPS)
Rue Wiertz 60

B-1047 Brussels
Belgium
Phone: +32 2 283 19 00
Email: edps@edps.europa.eu