

EDPB Personal data records of processing activities- proposed structure (Article 31 of Regulation 2018/1725)

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.	Title of the processing operation	Management and (short- and medium-term) preservation of EDPB, including EDPB Secretariat, records
2.	Number of record	EDPB-0006
3.	Last updated	November 2023
4.	Data controller	European Data Protection Board Edpb@edpb.europa.eu Rue Montoyer, 30 Belgium, Brussels
5.	Joint controllers	N/A
6.	Processor(s)	European Commission
7.	Data Protection Officer (DPO)	EDPB Data Protection Officer Edpb-dpo@edpb.europa.eu Rue Montoyer, 30 Belgium, Brussels

8.	Purpose of processing operation	<p>The processing of personal data in the context of records management has the purpose of ensuring that captured documents, produced and received as part of the EDPB activities, are managed according to the principles of good administration, in line with Council Regulation (EEC, Euratom) No 354/83¹ and in line with the EDPB's internal procedures, in particular the EDPB records management decision.</p> <p>The management and short- and medium-term preservation of documents and related data by the EDPB responds to a number of essential needs of the institution which represent the overall purposes of the processing operation:</p> <ul style="list-style-type: none"> - ensuring business continuity and accountability in the context of the EDPB activities by keeping appropriate documentation, and contributing to the transparency of EDPB activities to citizens; - improving quality of service with document management, collaboration and workflow features; - preserving the institutional memory of the EDPB through the preservation of certain categories of files for archiving purposes.
9.	Description of the processing operation	<p>The processing operation has the following specific purposes:</p> <ol style="list-style-type: none"> 1. ensuring that documents are authoritative records of the EDPB by including metadata (which may include personal data, such as names) that explicitly document the four main characteristics of authoritative records namely reliability, integrity, usability and authenticity. Personal data contained in the documents are processed as an integral and necessary part of those documents. They form a guarantee for the validity and the integrity of the content of the document in question; 2. ensuring that documents are traceable (including by means of personal data, such as names): to make it possible to clearly identify the documents produced or received so they can be traced throughout their lifecycle and managed in the context in which they were produced or received; For these related aspects, the processing of mandatory minimum metadata in relation to the author and the addressee of a given document is necessary; 3. the processing of users' data (for example logs) via audit trails This may be done for example, to verify the lawfulness of the elimination of files or, in the context of administrative investigations, to verify who had access to a given document. For these reasons, a records management system keeps an indication of all operations performed on documents and their metadata. The audit trail typically includes the reasons for the operation, the date of the operation and the name (login) of the individual or departments/bodies responsible

¹ 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.

		<p>for the operation;</p> <ol style="list-style-type: none"> 4. ensuring that appropriate techniques and security measures are adopted to ensure IT security of the systems used for records management, including the maintenance and update of these systems; 5. enabling access management and access control based on the predefined rights of users and owner-departments/-bodies of documents and on the level of accessibility to the documents themselves. To achieve this purpose, the name of any EDPB members' representatives and staff, as well as EDPB Secretariat staff members, may be processed. 6. enabling individuals with access rights to a document to access any personal data contained therein. 7. enabling processing for archiving purposes in the public interest by organising the transfer of files to the Historical Archives of the European Union (HAEU) in line with the retention policies set out in the EDPB's specific retention list. <p>Processing for further purposes The purpose(s) for further processing:</p> <ul style="list-style-type: none"> • archiving in the public interest of the EDPB's historical archives; • scientific or historical research purposes; • statistical purposes.
10.	Legal basis	<p>The EDPB is required to process personal data in order to comply with its obligations relating to records management and archiving as they are provided in Council Regulation (EEC, Euratom) No 354/83 as well the EDPB records management decision. The lawfulness of processing is ensured by Article 5(1)(a) and 5(2) of Regulation (EU) 2018/1725.</p> <p>Furthermore, the EDPB is required to store and further process personal data in the context of any audits or enquiries by specific EU bodies, as foreseen in the applicable legal provisions. In such cases, lawfulness of processing is ensured by Article 5(1)(b) and 5(2) of Regulation (EU) 2018/1725. The legal obligations are foreseen in different diplomas applicable to the different institutions responsible for auditing and inspections.</p>

11.	Description of categories of data subjects	<ul style="list-style-type: none"> • Data subjects internal to the organisation including any EDPB members’ representatives and staff, as well as the EDPB Secretariat staff members; • Individuals who send or receive documents that need to be captured in line with the EDPB’s records management decision; • Individual referred to in any generated or captured document or their metadata.
12.	Description of processed personal data / categories	<p>Metadata:</p> <ul style="list-style-type: none"> • mandatory minimum metadata in relation to the author and addressee of a given document. This typically includes name and surname of the respective individuals and the department/body to which they belong; • the title or subject of the document or file concerned may contain any category of personal data; and • the title/brief description of the attachments of the document concerned may contain any category of personal data. <p>Audit trail and workflow data:</p> <ul style="list-style-type: none"> • name, surname, department/body, e-mail address of the author(s) or participant(s) involved in major records management actions at the level of metadata, documents, files or procedures (e.g. document signing, document transmission initiation of transfer of a given file to the Historical Archives of the European Union). <p>Access management and control data:</p> <ul style="list-style-type: none"> • name, surname, department/body, e-mail address and individual access rights of a user. <p>Document content data (to ensure authoritative records, for full text search and for the (organisation of the) transfer of files to the Historical Archives of the European Union):</p> <ul style="list-style-type: none"> • the documents processed may contain any category of personal data. <p>It is possible that the title/description of documents and their content may contain special category of personal data, as defined in Article 10(1) of Regulation (EU) 2018/1725. While processing of special categories of personal data is in principle prohibited, such processing is possible if one of the reasons provided for in Article 10(2) Regulation (EU) 2018/1725 applies.</p> <p>In the case of processing of special categories of personal data by the EDPB, this processing will be based on one of the following reasons:</p>

		<ol style="list-style-type: none"> 1. the processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes under Article 10(2)(j); 2. the processing is necessary for the establishment, exercise or defense of legal claims or whenever the Court of Justice of the European Union is acting in its judicial capacity under Article 10(2)(f); 3. the processing is necessary for reasons of substantial public interest, on the basis of Union law which shall be proportionate to the aim pursued under Article 10(2)(g); 4. the processing relates to personal data which are manifestly made public by the data subject under Article 10(2)(e) 5. the data subject has given explicit consent to the processing under Article 10(2)(a). <p>Documents containing any 'special category of personal data' which fall(s) under Article 10(1) Regulation 2018/1725 are marked as such.</p>
13.	Description of Procedure to ensure data subjects' rights	A specific privacy statement is available on the EDPB website , with details how data subjects can exercise their rights.
14.	Description of Recipients of personal data	<ul style="list-style-type: none"> • EDPB Secretariat staff members, on a need-to-know and need-to-do basis; • All EDPB Members (30 supervisory authorities and the European Data Protection Supervisor) and EDPB Observers, where necessary; • The European Commission, where necessary, both in its role as processor providing IT services and also in the context of its participation in the EDPB activities; • Bodies charged with a monitoring or inspection task in application of EU law, e.g. OLAF, European Ombudsman, EDPS, Court of Auditors, as well as staff of other services, where necessary in the context of official investigations or for audit purposes; • The Court of Justice of the European Union, where necessary; • The general public, for data included in documents, in application of Regulation (EC) 1049/2001² or Council Regulation (EEC, Euratom) No 354/83.

² 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.

		Note: EDPB Secretariat staff members are under instruction to refrain from encoding personal data of external persons (persons without an Ares account) in the metadata fields for sender and recipient so as to prevent this personal data (name, e-mail addresses, city, country, linked external organisation, free text field for comment) encoded in the metadata fields for sender and recipient from being available to other European Institution, Agency or Body using Ares.
15.	Description of international data transfers	N/A for short- mid-term preservation. Records selected for indefinite preservation will be transferred to the Historical Archives of the European Union, held by the international organisation.
16.	Description of envisaged time limits for retention for each processing operation	<p>EDPB records will be stored by the EDPB for the period of time set out in the EDPB retention schedules. Some records will be eliminated at the end of the period, while others will be selected for indefinite preservation.</p> <p>In case a file is subject to a legal/court dispute, the records will be kept for the period of the dispute, in the event that it is longer than the stipulated retention period.</p> <ul style="list-style-type: none"> • For all records, even those eliminated following expiry of the retention period, personal data in mandatory metadata in relation to any document will be kept indefinitely. This includes metadata about the author and addressee of a given document (typically name and surname of the respective individuals and the department/body to which they belong), metadata about the title or subject of a given document, metadata about the attachments (brief description) and metadata in relation to the title of the file in which it is filed. • Likewise, personal data in audit trail and workflow data will be kept indefinitely, so as to ensure that the authors and participants in major records management actions at the level of metadata, documents, files or procedures can be identified. • Personal data in access management and control data will be kept as long as this individual is granted access. • Personal data in record content will be stored throughout the retention period, as defined in the specific retention list. Some records containing personal data may be selected for indefinite preservation <p>The above-mentioned retention periods for the different categories of personal data processed under this processing operation are necessary for the following reasons:</p>

		<p><u>Personal data in mandatory metadata:</u> These data have to be kept indefinitely so that the EDPB:</p> <ul style="list-style-type: none"> a) can meet its legal obligations regarding public access to documents and concerning the opening to the public of its historical archives; b) is able to guarantee the validity of the electronic or digitised documents for as long as they are stored; and c) is still able to retrieve the documents' metadata once these documents have been eliminated to explain that the documents have been eliminated and have evidence on the procedure followed. <p><u>Personal data in audit trail and workflow data:</u> These data have to be kept indefinitely to ensure that the authors and participants in major records management actions at the level of metadata, documents, files or procedures can be identified even after elimination of the documents concerned.</p> <p><u>Personal data in access management and control data:</u> These data are kept for as long as the user works for the EDPB as they are necessary for the proper functioning of document management, namely to grant access to specific documents and exercise access control on documents.</p> <p><u>Personal data in document content:</u> These data are kept throughout the retention period as defined in the specific retention list. The EDPB's retention lists provide for administrative retention periods at file level (dossier) and, in certain cases, records level, but not at data level. However, personal data contained in a document that itself forms part of a file are processed as an integral and necessary part of such a document. This is to guarantee the validity and the integrity of the content of the document in question.</p>
17.	<p>General description of Technical and organisational security measures referred to in Article 33</p>	<p><u>IT Measures</u> Any personal data collected by the EDPB is kept in restricted access servers, available only to authorised staff through adequate IT security measures. In this particular case, access is restricted to the assigned team members. 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> Physical access to the EDPB premises is restricted to authorised staff and EDPB members. EDPB Secretariat staff members are under instruction to refrain from consulting the common database of personal data of external persons (persons without an Ares account).</p>