

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

Public consultations in the context of Article 70 GDPR

Last updated: November 2025

Index

1. Introduction
2. Who is responsible for the processing of your personal data and under which legal grounds are they processed?
3. What personal data do we collect, for what purpose and through which technical means?
4. Are your personal data subject to any international transfers?
5. Who has access to your personal data and to whom are they disclosed?
6. How do we protect and safeguard your personal data?
7. For how long do we keep your personal data?
8. How can you verify, modify or delete your personal data?
9. How long do you have to wait to receive our reply to your data subject rights' request?
10. Who can you contact to ask questions or exercise your rights?
11. Who can you contact to complain about the processing of your personal data?

1. Introduction

This privacy statement explains how the European Data Protection Board (“EDPB”/“we”/“us”/“our”) processes your personal data for the purposes of public consultations.

The GDPR determines that the EDPB shall, where appropriate, consult interested parties and give them the opportunity to comment within a reasonable period, in accordance with Article 70(4). This is also implemented in the EDPB’s own Rules of Procedure (Article 30). Furthermore, without prejudice to discussions deemed confidential in the context of Article 70 GDPR, the EDPB shall make the results of the consultation procedure publicly available. This procedure allows third parties to participate and state their views regarding the tasks of the EDPB under Article 70 GDPR, in a clear and transparent manner.

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 consultation of interested parties.

The legal basis of the processing operation made by the EDPB (the collection, assessment, storage and publication of personal data in the context of public consultations) is based on Article 5(1)(a) and (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 70(4) GDPR.

Where the EDPB is required to process personal data to comply with a legal obligation (e.g., when a relevant EU body such as the European Court of Auditors) carries out an audit or investigation, or for the purposes of requests for access to documents in accordance with Regulation 1049/2001¹), the lawfulness

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, OJ L 145, 31.5.2001, p. 43–48.

of said processing rests on Article 5(1)(b) and (2) of Regulation (EU) 2018/1725.

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

3.1 Processed personal data

- (a) name;
- (b) email address;
- (c) professional affiliation, including the name of the entity where you work, your sector of employment;
- (d) transparency register number (where applicable);
- (e) your actual contribution to the public consultation, including your opinion;
- (f) country; and
- (g) any additional personal data that you may choose to include in your contribution.

Your contribution should not include any directly or indirectly identifying information, confidential information or special categories of personal data (that is “personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation”²).

3.2 Purposes of the processing

The purpose of the processing is the running and management of public consultations (including the collection, assessment, storage and publication of personal data) as foreseen in Article 70(4) GDPR and Article 30 of the EDPB’s Rules of Procedure. As relevant, your contribution will be processed for the purposes of re-assessing and, where necessary, revising EDPB guidance.

Further, for the purpose of transparency, contributions received will be published on the EDPB’s website, as described in the introduction and below.

Before publication, the EDPB Secretariat staff performs a limited screening of all contributions provided for the sole purpose of blocking unauthorised submissions, such as spam. After this, the replies are made available to the public directly on the EDPB public consultations’ page³. Unauthorised submissions are immediately deleted. Documents attached with the replies are not altered in any way by the EDPB.

Please note that, by submitting your contribution, you acknowledge that it will be published on the EDPB website. Unless you object to the publication of your name as an individual respondent, your name, country, and professional affiliation including the name of the entity where you work and sector of employment, will be published. Your email address will never be published.

3.3 Technical means

To collect your replies to public consultations we may use two alternative tools depending on the specific consultation. For most consultations, replies, including personal data are submitted through the public consultation tool available in the EDPB website. In other consultations, the replies are submitted through EU Survey of the European Commission.

² See Article 10(1) of Regulation (EU) 2018/1725.

³ https://www.edpb.europa.eu/our-work-tools/general-guidance/public-consultations-our-guidance_en.

For public consultations which use EU Survey, the European Commission acts as a processor by providing us with this tool. Please note that upon using EU Survey, the European Commission may gather your personal data for its own purposes, in which case it is controller for that separate processing⁴.

The authentication tool used to reply via EU Survey is EU-login. This is a tool of the European Commission for which the European Commission is a separate controller⁵.

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:

- All EDPB Members;
- EDPB Secretariat staff on a need-to-know and need-to-do basis;
- The European Commission:
 - acting as a processor, in relation to the EDPB website public consultation tool or EU Survey;
 - acting as a separate controller for processing it carries out for its own purposes in relation to EU Survey and EU Login; and/or
 - where necessary, in the context of its participation in the EDPB activities, in application of Article 68(5) GDPR;
- The European Parliament, acting as a processor, for the provision of technical services to the EDPB, where relevant and necessary;
- Members of the public, since the results of the public consultation procedure are made publicly available, as well as 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) 354/83⁶.

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

All personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored on the servers of processors of the EDPB. In order to protect your personal data, the EDPB has put in place a number of technical and organisational measures. Technical measures include appropriate actions to address online security, 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. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation. The EDPB, including EDPB Secretariat staff members, abide by statutory, and when required, additional confidentiality agreements.

⁴ For more information on the processing of personal data by EU Survey of the European Commission you may read <https://ec.europa.eu/eusurvey/home/dpa> and <https://ec.europa.eu/eusurvey/home/privacystatement>.

⁵ For more information, please consult the relevant record of the EC, DPR-EC-03187.1, available at <https://ec.europa.eu/dpo-register/detail/DPR-EC-03187>.

⁶ 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?

We only keep your personal data for the time necessary to fulfil the purpose of collection or further processing, namely for a maximum of five years after the closure of the file to which the public consultation belongs. A file is closed at the latest once there has been a final outcome in relation to the initiative to which the public consultation contributed, e.g., when the final version of guidelines post public consultation are adopted and published by the EDPB.

The EDPB considers contributions to public consultations as documents with historical or administrative value, to be transferred and preserved by the historical archives in principle. In this case, the personal data they contain will be kept indefinitely and - unless an exemption applies - be made public in accordance with Regulation (EEC, EURATOM) 354/83 on the opening to the public of historical archives after 30 years.

The contributions and information relating to respondents (provided individual respondents did not object to the publication of their name) will remain publicly available on the EDPB website for a maximum of 5 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.

You can object to the processing of your personal data on grounds relating to your particular situation. If, as an individual respondent, you have not objected to the publication of your name when submitting your contribution, you have the right to object to the publication of your name in connection with your contribution after it was published. If we are not able to demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, we will remove the personal data categories indicated in section 3.1 above.

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

To exercise your rights as a data subject, see the "Contact information" section of this SPS below.

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

After we receive your request, we have one month to provide information on action taken on your request. We may extend this period by two further months, taking into account the complexity and number of the requests. In that case, we will inform you of the extension and its reason within one month of receipt of your request.

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

In case 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 European Data Protection Supervisor (EDPS), as a supervisory authority, using the following contact information:

European Data Protection Supervisor (EDPS) Rue
Wiertz 60
B-1047 Brussels, Belgium
Email: edps@edps.europa.eu
<https://edps.europa.eu>