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FINAL

EACB Position Paper on the EDPB draft DPIA Template

The **European Association of Co-operative Banks** (EACB) is the voice of the cooperative banks in Europe. It represents, promotes and defends the common interests of its 29 member institutions and of cooperative banks in general. Cooperative banks form decentralised networks which are subject to banking as well as cooperative legislation. Democracy, transparency and proximity are the three key characteristics of the cooperative banks' business model. With 2,400 locally operating banks and 35,150 outlets cooperative banks are widely represented throughout the enlarged European Union, playing a major role in the financial and economic system. They have a long tradition in serving 228 million customers, mainly consumers, retailers and communities. The cooperative banks in Europe represent 91 million members and 747,000 employees and have a total average market share of about 20%.

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Comment on the Guidelines on a Template for Data Protection Impact Assessments (DPIAs)

The European Association of Co-operative Banks (EACB) welcomes the opportunity to provide the European Data Protection Board (EDPB) with its comments on the draft Guidelines on a Template for Data Protection Impact Assessment adopted on 10 March 2026.

General observations

As a preliminary observation, while the draft DPIA Template and accompanying Explainer have clear potential to support greater EU-wide harmonisation, the current draft risks becoming overly complex and insufficiently aligned with the operational realities of organisations operating under different governance models.

In particular, the template assumes a level of detail and repetition that may prove difficult to scale for organisations with mature governance frameworks. Greater recognition of the reuse of existing documentation (e.g. security standards, certifications and retention schedules), would help avoid a shift from risk-based assessment towards form-driven compliance.

In addition, certain elements of the draft template appear to go beyond the information strictly required under Art. 35 GDPR, thus creating unnecessary operational burden. Several sections request similar or overlapping information, particularly regarding the scope of processing, context, processing description, risks and mitigation measures. This risk increasing duplication and inconsistencies rather than improving the quality of the assessment.

Furthermore, some aspects of the draft lack sufficient clarity on scope and granularity, thus undermining usability. Core concepts such as the name of the processing, scope of the DPIA, purpose and context would benefit from clearer guidance on the appropriate level of granularity. This is particularly key for complex processing with multiple subprocesses and differing legal bases and does not fully align with the way DPIAs and Records of Processing Activities (RoPAs) are managed in practice.

The EACB strongly supports the objective of greater harmonisation of DPIA expectations across the EU. However, this objective would be better achieved through greater emphasis on common methodology for assessing necessity, proportionality and consistent risk language, rather than through highly prescriptive documentation structures.

Finally, we encourage the EDPB to further simplify the template, reinforce its voluntary and flexible character and place greater emphasis on harmonised methodology and

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practical risk assessment principles. This would better support consistent application of Art. 35 GDPR across the Union.

Specific observations

We would like to put forward the following specific observations:

- **Template risks becoming de facto mandatory, undermining risk-based flexibility**

  While the EDPB clarifies that the DPIA template is intended as a voluntary and supportive tool for controllers, the indication that all supervisory authorities will align their practice with this template as a standard or meta-template may, in a harmonised enforcement context, lead to the template exercising significant practical influence.

  To preserve the flexibility inherent in the risk-based approach of Art. 35 GDPR, it would be helpful to further emphasise that the template serves as a reference framework and is not intended to limit the use of alternative DPIA methodologies that adequately address the specific nature, context and risks of a given processing operation.

  Such clarification would help ensure that the template supports accountability and consistency while remaining sufficiently adaptable to diverse processing scenarios and organisational context.

- **Need for consistent, practical risk language across the EDPB documents**

  The Explainer's current discussion of 'risk to the rights and freedoms of individuals' is a useful start but is yet too limited to be considered operational.

  We suggest the EDPB to adopt a more consistent and reusable approach to the risk taxonomy (building on helpful Irish/French approaches) mapping GDPR's DPIA and breach thresholds into clear levels (e.g., low/medium/high), aligning with DPIA language (Art. 35(1) 'likely to result in a high risk…', Art. 36(1) 'high risk') with personal data breach language (Art. 33 'unlikely to result in a risk…', Art. 34(1) 'likely to result in a high risk…') and ensuring consistency with the announced personal data breach guidance could be a potential solution.

  In addition, the template should define and use the concept of 'inherent risk' more clearly. Inherent risk should refer to the level of risk prior to the implementation of any controls or mitigation measures. Where Section 2.3 assumes the existence of baseline compliance measures, the resulting assessment should instead be

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described explicitly as 'risk after baseline controls' or 'baseline residual risk', rather than 'inherent risk', in order to avoid conceptual confusion and improve comparability and auditability

- **Need for an objective risk assessment method and clearer definition of risk parameters**

  Building on the need for consistent risk language, the current draft could benefit from a clearer and more objective methodology for assessing risk within a DPIA. In particular, it currently leaves a wide degree of discretion in how risks are assessed, especially when evaluating likelihood and severity of potential harm, which may undermine the objective of improving comparability and consistency.

  In this context, we suggest that the EDPB defines more clearly the main risk parameters, such as likelihood, impact, severity, and the extent of potential effects on individuals' rights and freedoms. The guidance should also explain more consistently how these factors are intended to be combined into an overall risk level.

  Moreover, providing clearer and easier-to-understand logic for classifying risks, for example through a common scale or methodology inspired by existing practices such as ENISA, could help improve the comparability and consistency of DPIA assessments across organisations and supervisory authorities.

  Such an approach would not replace the necessary case-by-case professional judgment, but would support it by providing clearer structure, improving consistency and enhancing practical usability in DPIA implementation.

Contact:

The EACB trusts that its comments will be taken into account.

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