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Scope	This SOP describes the process for coordinating and handling all requests for access to documents received by EFSA.
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Special Requirements	This procedure is a controlled document maintained by Quality Management. It may not be deleted without comparable controls.
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Responsibilities	LA and the relevant Unit(s): LA in charge of the handling of all requests for public access to documents in collaboration with the relevant Unit(s).
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Abbreviations and definitions

Access request	Request for access to document(s) in EFSA’s possession introduced by any natural or legal person in writing by any means (electronic, email, letter).
COMCO	Communication Engagement and Cooperation Department
Confirmatory application	In the event of a total or partial refusal to disclose a document in response to an access request, the requester may, within 15 working days from the receipt of the decision on the request, make a confirmatory application asking the institution to reconsider its position.
Confirmatory decision	The reply letter (signed by the ED) in response to the confirmatory application submitted by the requester.
Document	Any content whatever its medium (written on paper or stored in electronic form or as a sound, visual or audiovisual recording) concerning a matter relating to the policies, activities and decisions falling within the institution's sphere of responsibility, including: <ul style="list-style-type: none"> • e-mails, (draft) letters; • draft documents, final documents, internal notes, notes, briefings ; • database, excel tables, pdf documents, word documents, PPT presentations; • secretary notes, minutes, reports, leaflets, booklets, etc.
ED	Executive Director of EFSA
Functional mailbox	EFSA.public.access.to.documents@efsa.europa.eu
HoU	Head of Unit
HoD	Head of Department
LA	Legal and Assurance Services Unit
Management team	ED and the HoDs
PAD	Public Access to Documents

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PAD Regulation	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.
Personal data	Any information relating to an identified or identifiable natural person (for a full definition see Article 3(1) of Regulation (EU) 2018/1725), e.g. name, signature, private address.
Relevant Unit	Unit(s) in possession of and/or directly concerned by the document(s) requested.
Reply to the request	Reply to the access request, either granting full access to the document requested or stating the reasons for the total or partial refusal and inform the applicant of his or her right to make a confirmatory application.
Requester	Citizens of the Union and natural or legal persons residing or having their registered office in a Member State asking for documents in EFSA's possession.
Staff in charge	The staff member(s) of the relevant Unit in charge of the file to which the document(s) requested (might) belong and/or the staff of the relevant Unit acting as a contact point for access to documents' requests concerning the relevant Unit.
Staff knowledgeable on the subject matter of the request	The relevant Unit and staff members outside the relevant Unit that are impacted by the document(s) requested. These might include <i>inter alia</i> the relevant member(s) of the management team and COMCO staff members.

Procedure

Reception of a request	
Step 1	1. Reception of a request
All Units/Directorates	1.1 Request is received in writing through the public access to documents functional mailbox or through other EFSA mailboxes and promptly forwarded to the functional mailbox.
Step 2	2. Administration and preliminary assessment of the request
LA	<p>2.1 Upon receipt of a request, LA without delay assigns the register number (organized per calendar years).</p> <p>2.2 If the request falls under the PAD Regulation, it is forwarded by email to the relevant Unit and/or staff in charge (in case of a <i>prima facie</i> sensitive request, the staff knowledgeable on the subject matter of the request is informed as well).</p> <p>2.3 If the request does not fall under the PAD Regulation, LA forwards the request to the Unit competent to reply or handles it in accordance to the relevant framework. In this case the procedure ends here. Such cases include requests submitted by physical persons enquiring about their own personal data to be processed by EFSA in accordance with Article 17 of the Data Protection Regulation (EU) 2018/1725 (Right of</p>

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	access by the data subject)
Step 3	3. Acknowledgement of receipt
LA	<p>3.1 Upon receipt in the functional mailbox, LA promptly sends the acknowledgement of receipt to the requester, informing him/her about the subsequent steps in line with the PAD Regulation.</p> <p>3.2 In case the request is unclear the acknowledgement is accompanied by a request for clarification (as per Article 6(2) of the PAD Regulation).</p>
<i>Assessment of the request</i>	
Step 4	4. Meeting between LA and the relevant Unit/ administrative correspondence
LA & Relevant Unit(s)	<p>4.1 LA organises a meeting with the relevant Unit in order to identify the document(s) falling under the scope of the request and to discuss the processing of the request in accordance with the PAD Regulation.</p> <p>4.2 Should the request require additional analysis, LA organizes a second meeting with all staff knowledgeable on the subject matter of the request.</p> <p>4.3 After the meeting, LA creates without delay a folder in the DMS under "Unit contributions" dedicated to the specific request. The link is provided to the staff in charge with the access permissions granted for the uploading of the documents (refer to step 6).</p> <p>4.4 If the requested document(s) originate(s) from a third party, refer to step 5.</p> <p>4.5 If, following the meeting(s) and identification of the documents in the scope of the request further actions foreseen under the PAD Regulation are required (extension of the deadline as per Article 7(3) of the PAD Regulation, clarification, fair solution in the sense of Article 6(3) of the PAD Regulation), LA drafts and sends the respective communication(s) to the requester via the functional mailbox.</p>
Step 5	5. Third party consultation
LA & relevant Unit	<p>5.1 In case there are third party document(s) requested, the relevant Unit provides the contact details to LA to process the consultation with this third party. LA drafts and sends the consultation. The third party's reply is analysed and implemented in accordance with the PAD Regulation.</p> <p>5.2 In case the third party consulted asks for the origin of the PAD request or any information relating to it, LA handles such a request in compliance with the applicable legal framework.</p> <p>5.3 If necessary LA drafts an extension letter in accordance with Art. 7(3) of the PAD Regulation.</p>
Step 6	6. Collection, screening and masking of documents relevant to

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the request	
LA & Relevant Unit(s)	<p>6.1 The relevant Unit makes swiftly available to LA the documents identified as falling within the scope of the PAD request, uploading them in accordance to step 4.3</p> <p>6.2 The screening and masking of the documents is carried out according to the analysis performed and the proportionate distribution of tasks agreed at the meetings (refer to step 4.1 and step 4.2). LA is in charge of the masking of personal data.</p> <p>6.3 If necessary, LA organizes a further meeting(s) with all staff knowledgeable on the subject matter of the request for the (re)screening of the parts or documents for which doubts on the accessibility have not been clarified at the meetings under steps 4.1 and 4.2</p>
Reply to the PAD request	
Step 7	7. Reply to the access request
LA	<p>7.1 LA drafts a reply letter sharing the draft with the relevant Unit and in the cases highlighted in steps 4.2 and 6.3 with the all staff knowledgeable on the subject matter of the request. The letter is finally approved in the internal workflow.</p> <p>7.2 In case of media interest, LA shares the draft letter with the COMCO Department.</p>
Step 8	8. Dispatching the reply and documents to the access requester
LA	8.1 The reply letter is sent through the functional mailbox, together with the requested document(s) that shall be disclosed, to the requester (in case of disclosure).
Confirmatory application	
Step 9	9. Processing of a confirmatory application
ED	<p>9.1. Confirmatory applications are sent to the EFSA's Executive Director according to the instruction for lodging such confirmatory application provided in the first reply to the access request.</p> <p>9.2. If the confirmatory application so requires, a meeting between LA and/or the staff knowledgeable on the subject matter of the request and the ED is organized prior to drafting/sending the reply.</p> <p>9.3 The procedure described in steps 1 to 6 is repeated depending on the content of the confirmatory application.</p> <p>9.4 In line with the procedure described under steps 1 to 6 and 9.2 LA drafts a confirmatory decision letter for the signature of the ED, accompanied by the relevant background information. The ED shall</p>

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receive the draft letter in a reasonable time before the deadline.

9.5. The confirmatory decision letter is sent through the functional mailbox, with the requested document(s) that shall be disclosed, to the requester (in case of disclosure).