



## RECORD OF A PERSONAL DATA PROCESSING ACTIVITY

according to Article 31 of [Regulation \(EU\) 2018/1725](#)

Title
<b>Handling of external complaints</b>

1) Controller(s) of data processing activity (Article 31.1(a))
<p>EFSA unit in charge of the processing activity: Legal Affairs Services Unit (LA)</p> <p>EFSA Data Protection Officer (DPO): <a href="mailto:DataProtectionOfficer@efsa.europa.eu">DataProtectionOfficer@efsa.europa.eu</a></p> <p>Is EFSA a co-controller? <span style="margin-left: 150px;"><b>No</b></span></p> <p><b>If yes</b>, indicate who is EFSA's co-controller:</p>

2) Who is actually conducting the processing? (Article 31.1(a))
<p>The data is processed by EFSA itself <span style="float: right;"><input checked="" type="checkbox"/></span></p> <p><i>Indicate the EFSA units or teams involved in the data processing:</i></p> <p>The LA Unit as controller of the external complaints handling at EFSA can be contacted writing to <a href="mailto:complaints@efsa.europa.eu">complaints@efsa.europa.eu</a></p> <p>The processing operation is conducted together with an external party <span style="float: right;"><input type="checkbox"/></span></p> <p><i>Please provide below details on the external involvement:</i></p>

3) Purpose of the processing (Article 31.1(b))
<p>The handling process is laid down in a Standard Operating Procedure and detailed on the website (<a href="https://www.efsa.europa.eu/en/contact/complaint">https://www.efsa.europa.eu/en/contact/complaint</a>), which ensures that complaints are evaluated and replied timely and that internal and external stakeholders are informed.</p>

4) Legal basis and lawfulness of the processing (Article 5(a)–(d)):
<p><i>Processing necessary for:</i></p> <p>(a) a task carried out in the public interest or in the exercise of official authority vested in EFSA <span style="float: right;"><input checked="" type="checkbox"/></span></p> <p>(b) compliance with a legal obligation to which EFSA is subject <span style="float: right;"><input type="checkbox"/></span></p> <p>(c) performance of a contract with the data subject or to prepare such contract <span style="float: right;"><input type="checkbox"/></span></p>

(d) The data subject has given consent (ex ante, explicit, informed)

*Further details on the legal basis:*

In accordance with Article 23 (j) of Regulation (EC) No 178/2002, EFSA shall "ensure that the public and interested parties receive rapid, reliable, objective and comprehensible information in the fields within its mission".

5) Description of the categories of data subjects (Article 31.1(c))

*Whose personal data are processed?*

- |   |                                     |
|---|-------------------------------------|
| EFSA statutory staff  | <input type="checkbox"/>            |
| Other individuals working for EFSA (consultants, trainees, interims, experts) | <input type="checkbox"/>            |
| Stakeholders of EFSA, including Member State representatives                  | <input type="checkbox"/>            |
| Contractors of EFSA providing goods and services                              | <input type="checkbox"/>            |
| The general public, including visitors, correspondents, enquirers             | <input checked="" type="checkbox"/> |
| Relatives of the data subject   | <input type="checkbox"/>            |
| Other categories of data subjects (please detail below)                       | <input checked="" type="checkbox"/> |

*Further details concerning the data subjects whose data are processed:*

The data subjects concerned are the individuals lodging a complaint with EFSA or in case the complaint is lodged by an organisation or legal entity, its representatives as far as they are mentioned in the complaint itself.

6) Type of personal data processed (Article 31.1(c))

**a) General personal data**

The personal data concerns:

- |   |                                     |
|---|-------------------------------------|
| Name, contact details and affiliation                     | <input checked="" type="checkbox"/> |
| Details on education, expertise, profession of the person | <input checked="" type="checkbox"/> |
| Curriculum vitae  | <input type="checkbox"/>            |
| Financial details   | <input type="checkbox"/>            |
| Family, lifestyle and social circumstances                | <input type="checkbox"/>            |
| Goods and services the person provides                    | <input type="checkbox"/>            |
| Other personal data (please detail):                      | <input checked="" type="checkbox"/> |

**b) Sensitive personal data (Article 10)**

The personal data reveals:

Racial or ethnic origin of the person	<input type="checkbox"/>
Political opinions or trade union membership	<input type="checkbox"/>
Religious or philosophical beliefs	<input type="checkbox"/>
Health data or genetic or biometric data	<input type="checkbox"/>
Information regarding the person's sex life or sexual orientation	<input type="checkbox"/>

*Further details concerning the personal data processed:*

- Identification & contact data: the complainant's title, first name, last name and contact details and – as applicable - his/her job title, affiliation with full address of the organisation, department, work email & phone number, business mobile phone.
- Any other personal included in the complaint sent by the complainant.

Data subjects have the possibility to request confidential treatment of their complaint or certain parts thereof by indicating such a requirement in the complaint and by providing supporting reasoning or justification.

7) Recipients of the data (Article 31.1(d))	
Line managers of the data subject	<input type="checkbox"/>
Designated EFSA staff members	<input checked="" type="checkbox"/>
Other recipients ( <i>please specify</i> ):	<input checked="" type="checkbox"/>
<p>The complainant's personal data is accessible only internally at EFSA, namely to:</p> <ul style="list-style-type: none"> <li>• The Head of Unit and staff of the Legal Affairs Services Unit, in charge of the complaint handling process,</li> <li>• EFSA staff in Units and teams concerned by the substance of the complaint,</li> <li>• The Executive Director, signing the reply to the complaint,</li> <li>• Staff in the Communication, Engagement &amp; Cooperation Department (COMCO), in charge of media relations in case of sensitive complaints that may trigger reaction in the media and in copy to the reply to the complaint.</li> </ul>	

8) Transfers to recipients outside the EEA (Article 31.1 (e))	
Data are transferred to third country recipients:	
Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>
<b>If yes</b> , specify to which third country:	
<b>If yes</b> , specify under which safeguards:	
Adequacy Decision of the European Commission	<input type="checkbox"/>

Standard Contractual Clauses	<input type="checkbox"/>
Binding Corporate Rules	<input type="checkbox"/>
Memorandum of Understanding between public authorities	<input type="checkbox"/>

### 9) Technical and organisational security measures (Article 31.1(g))

*How is the data stored?*

On EFSA's Document Management System (DMS)

On a shared EFSA network drive or in an Outlook folder

In a paper file

Using a cloud computing solution (please detail the service provider and main characteristics of the cloud solution, e.g. public, private)

On servers of an external service provider

On servers of the European Commission or of another EU Institution

In another way (*please specify*):

*Please provide some general information on the security measures applied:*

Complaints are handled via EFSA Outlook email and stored on EFSA's Document Management System (DMS).

### 10) Retention period (Article 4.1 (e))

The retention period of the EFSA complaints case handling, including personal data contained in the complaints is 10 years after closure of the case.

### 11) Consultation with the Information Security Officer

Was the ISO consulted on the processing operation ?

Yes  No

*If yes, please provide some details on the consultation with the ISO:*

### 12) Information given to data subjects (Articles 15 and 16)

*Has information been provided to data subjects on the way their data is processed including how they can exercise their rights (access, rectification, objection, data portability)? Usually this information is provided in a Privacy Statement, specifying the controller's contact details. As possible, please provide a link to the relevant Privacy Statement or a description.*

The EFSA 'External Complaint' public webpage (<https://www.efsa.europa.eu/en/contact/complaint>) explains the applicable process and links to the privacy statement on External Complaint Handling in line with Article 15 of Regulation (EU) 2018/1725.

The Standard Operating procedure 'SOP 044 A - On the handling and processing of external complaints' is available on EFSA's website (<https://www.efsa.europa.eu/en/corporate/pub/sops>).

Last update of this record: 04/08/2021

Reference: DPO/GOV/15