

# RECORD OF A PERSONAL DATA PROCESSING ACTIVITY

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



EUROPEAN  
FOOD  
SAFETY  
AUTHORITY

## Personal data processing in the context of Microsoft 365 Copilot at EFSA

### 1) Controller(s)<sup>1</sup> of data processing activity (Article 31.1(a))

EFSA unit in charge of the processing activity: Head of Empower Department who can be contacted on this matter at [dirk.detken@efsa.europa.eu](mailto:dirk.detken@efsa.europa.eu)

EFSA Data Protection Officer (DPO): [DataProtectionOfficer@efsa.europa.eu](mailto:DataProtectionOfficer@efsa.europa.eu)

Is EFSA a co-controller? **no**

**If yes**, indicate who is EFSA's co-controller:

### 2) Who is actually conducting the processing? (Article 31.1(a))

The data is processed by EFSA itself

*Indicate the EFSA units or teams involved in the data processing:*

M365 Copilot is deployed by default across EFSA's IT environment, meaning all EFSA staff – including statutory staff, trainees, interim workers, consultants, and experts – use M365 Copilot, resulting in personal data being processed by every individual working for EFSA.

The processing operation is conducted together with an external party

*Please provide below details on the external involvement:*

Very limited and exceptional data processing is performed by the Microsoft Corporation and its subprocessors, pertaining to:

- diagnostics on the use of Co-Pilot under the EFSA license subscription, to ensure the tools are secure, up to date and performing ;
- service-generated data (SGD) such as IP addresses, time stamps, user events ;
- any residual engagement of Microsoft for trouble-shooting and providing assistance to users ;
- on a need-to-know-basis, other personal data for Microsoft security operations.

<sup>1</sup> The controller decides on the purposes and means of the data processing. In case of joint controllership (e.g. systems of the European Commission applied by EFSA or jointly with another agency), EFSA is a co-controller.

### 3) Purpose of the processing (Article 31.1(b))

The purpose of processing personal data under M365 Copilot is to provide EFSA staff with real-time, AI-powered assistance within Microsoft Office 365 applications, to enhance productivity, creativity and skills in their daily tasks. With M365 Copilot, and provided that the following uses do not fall within areas classified as high risk under Regulation (EU) 2024/1689 (the AI Act), EFSA's users can use M365 Copilot for drafting, editing, and summarising text, scheduling and summarising Teams meetings, suggesting action items, assisting with administrative and workflow-related tasks, drafting content and images for digital channels, supporting data management and analysis, providing coding support, facilitating knowledge metadata creation and discovery, offering research and idea-generation support, and translating text.

Copilot uses Large Language Models and accesses business data through Microsoft Graph, within the user's access rights, to enhance productivity, creativity, and skills.

### 4) Legal basis and lawfulness of the processing (Article 5(a)-(d)):

*Processing necessary for:*

- |     |   |                                     |
|-----|---|-------------------------------------|
| (a) | a task carried out in the public interest or in the exercise of official authority vested in EFSA | <input checked="" type="checkbox"/> |
| (b) | compliance with a legal obligation to which EFSA is subject                                       | <input type="checkbox"/>            |
| (c) | performance of a contract with the data subject or to prepare such contract                       | <input type="checkbox"/>            |
| (d) | The data subject has given consent (ex ante, explicit, informed)                                  | <input type="checkbox"/>            |

*Further details on the legal basis:*

The legal basis for deploying AI in EFSA's operations, including M365 Copilot, is rooted in EFSA's mission and role as an agency of the European Union (see Recital 22 of the EUDPR) and assists EFSA in its functioning.

More specifically, the deployment of M365 Copilot supports the performance of EFSA's tasks carried out in the public interest within the meaning of Article 5 of the EUDPR (so-called 'public interest ground'). Copilot supports EFSA to manage large volumes of scientific, administrative, and technical data, thereby improving efficiency, effectiveness, and the speed of producing high-quality scientific risk assessments. The deployment of Copilot contributes to EFSA's objectives of promoting scientific excellence and facilitates the fulfilment of EFSA's statutory tasks as established in the General Food Law (Regulation 178/2002).

The contractual provisions with Microsoft are governed by an Inter-Institutional Licensing Agreement (CTM-ILA-2025) managed by the European Commission DG DIGIT and the related contractual documents applicable to EFSA.

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

*Whose personal data are processed?*

EFSA statutory staff	<input checked="" type="checkbox"/>
Other individuals working for EFSA (consultants, trainees, interims, experts)	<input checked="" type="checkbox"/>
Stakeholders of EFSA, including Member State representatives	<input checked="" type="checkbox"/>
Contractors of EFSA providing goods and services	<input checked="" type="checkbox"/>
The general public, including visitors, correspondents, enquirers	<input checked="" type="checkbox"/>
Relatives of the data subject	<input checked="" 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 primary data subjects are the EFSA users of Copilot, i.e., all EFSA staff, meaning statutory staff, trainees, interims, Seconded National Experts, Guest Program Visitors, and certain consultants.

In addition, the use of Copilot may involve other data subjects, specifically individuals whose personal data is included in user-provided content (consistent with the data minimisation principle) or individuals whose data are accessed by Copilot via Microsoft Graph, within the limits of the specific user's access rights. These data subjects may include, but are not limited to, experts, stakeholders, staff of other EU institutions, bodies or agencies, staff of national authorities, and other individuals who collaborate, communicate, or otherwise interact with EFSA staff.

## 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 checked="" type="checkbox"/>
Family, lifestyle and social circumstances	<input type="checkbox"/>

Goods and services the person provides

Other personal data (please detail):

**see below** "*Further details concerning the personal data processed*"

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

The personal data reveals:

Racial or ethnic origin of the person

Political opinions or trade union membership

Religious or philosophical beliefs

Health data or genetic or biometric data

Information regarding the person's sex life or sexual orientation

*Further details concerning the personal data processed:*

The categories of personal data processed are the following:

(a) User data: Users of Copilot in EFSA's Microsoft Office 365 tenant

(b) Content data throughout the AI system lifecycle of M365 Copilot:

i. **LLM model development, data acquisition, development and validation:** A characteristic of a general-purpose AI system such as M365 Copilot is that, prior to its market introduction and commercialization, the integrated OpenAI foundation models are trained on vast amounts of information and data from various sources. It is assumed that this training data includes personal data, however, customers and users cannot identify or determine the specific personal data used for model training. Microsoft asserts that robust anonymization techniques were applied to the OpenAI LLM training data, including Personally Identifiable Information (PII) filtering. According to Microsoft's contractual commitments, any data processed in connection with EFSA's use of Copilot, including user prompts and AI generated outputs, are not used to train the underlying OpenAI foundation models.

ii. **Copilot deployment and use at EFSA:** Personal data may be processed during the use of Copilot at EFSA, either through LLM prompts or in generated responses. Accordingly, the categories of personal data covered are broad and include any personal data (if any) reflected in the Content data and may be basic contact details (such as email addresses in Outlook) or other types of data reflected in the content data (be in the form of Word file, Teams chat etc). EFSA users are requested to minimise the inclusion of personal data in prompts, attachments, or other inputs, and to ensure a human data review of the output before sharing and/or publishing. The processing of personal data in connection with M365 Copilot deployment has been carefully assessed in different ways, including a Data Protection Impact Assessment (DPIA) carried out under Article 39 of the

EUDPR and EFSA's AI use case registration system. Certain use cases have been prohibited and others are considered high-risk or require proportionate mitigation measures. Copilot is used exclusively as a support tool at EFSA and does not replace human judgement, as stipulated in user guidelines. Accordingly, decision-making based solely on automated processing is excluded.

#### 7) Recipients of the data (Article 31.1(d))

- Line managers of the data subject
- Designated EFSA staff members
- Other recipients (*please specify*):

The EFSA Copilot user is the primary recipient of any AI-generated content that may be derived from personal data. Copilot accesses user data (such as emails, chats, and documents) within the user's unique context and only where the user has appropriate permissions. Copilot cannot access data or generate outputs based on information to which the user does not have access rights.

The user may utilize the generated content for personal productivity purposes or share it further within or outside EFSA, subject to critical review and human oversight.

Exceptionally and on a case-by-case basis, the EFSA Service Desk as well as Microsoft and its sub-processors may access customer data for the purposes of product support, including troubleshooting, maintenance and technical assistance. In accordance with Microsoft's contractual commitments, the data processed in relation to EFSA's use of Copilot is excluded from training the underlying models.

#### 8) Transfers to recipients outside the EEA (Article 31.1 (e))

Data are transferred to third country recipients:

Yes  No

**If yes**, specify to which third country:

**If yes**, specify under which safeguards:

- Adequacy Decision of the European Commission
- Standard Contractual Clauses
- Binding Corporate Rules
- Memorandum of Understanding between public authorities

The Microsoft service provider may transfer customer data outside the EEA for the purpose of diagnostics and trouble-shooting or security operations in line with the ILA-2025 Agreement and Chapter V of Regulation 2018/1725.

By means of Microsoft's EU Data Boundary commitment, international data transfers are reduced as possible - <https://learn.microsoft.com/en-us/privacy/eudb/eu-data-boundarylearn>.

Microsoft Corporation is certified to the EU-U.S. Data Privacy Framework and transfers of personal data are governed by the EU-U.S. Data Privacy Framework.

## 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:*

The data storage at rest for content in Office 365 online software tools is inside the EU.

Extensive legal, contractual, and security checks were performed with Microsoft to confirm that M365 Copilot is safe to use with personal data in EFSA's operational context. A Data Protection Impact Assessment (DPIA) was prepared.

Some security measures are provided by Copilot for Microsoft 365, concerning: the non-use of personal data for LLM training purpose; the storage of personal data in datacenters located in the EU ('EU Data Boundary commitment'); encryption of SNC data processed in Copilot.

EFSA also put in place internal measures aimed at ensuring a responsible use of M365 Copilot by EFSA users, tailored on their roles and responsibilities. All EFSA users have to undergo comprehensive training on AI capacities and limitations as well as specific instructions covering Copilot features. Additional resources pertaining to the responsible use of AI are accessible to all EFSA users via the intranet's AI Hub, which includes materials such as 'AI FAQs & contacts', and 'Copilot guidance for staff'. Furthermore, the relevant EFSA Units provide support to staff, addressing enquiries related to data protection within M365 Copilot through established internal communication channels.

EFSA users are required to minimise the inclusion of personal data in prompts, attachments, or other inputs, and to ensure a human data review of the output before sharing and/or publishing.

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

The roll-out of M365 Copilot constitutes a permanent processing operation for an indefinite period, supplementing the existing data processing activities in Microsoft Office 365 applications.

The retention period for Copilot user data lasts for the duration of EFSA's Microsoft Office 365 subscription, plus 30 days after license expiry.

The retention period for content data is up to 180 days after the expiry of EFSA's Microsoft Office 365 subscription.

Copilot activity history (i.e. the record of prompts and responses) can be deleted by the user anytime in accordance with the guidance provided by Microsoft.

Copilot-generated outputs integrated into documents (e.g. PowerPoint presentations, Word documents, or e-mails) are retained in accordance with the retention schedule applicable to the specific content concerned.

## 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:*

The ISO has assessed compliance of Co-Pilot with information security standards and prepared a security plan.

## 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.*

A Data Protection Notice (DPN) on Microsoft 365 Copilot at EFSA which is made available on EFSA's intranet, accessible to all EFSA staff.

A record on Personal data processing in the context of Content creation and collaboration by means of Microsoft Office 365 online is also available on EFSA's website: <https://www.efsa.europa.eu/sites/default/files/documents/legal/dp/dp-GOV14.pdf>

Last update of this record: March 2026

Reference: EFSA/GOV/18