



## RECORD OF A PERSONAL DATA PROCESSING ACTIVITY

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

Title
<b>The Processing, Assessment and Validation of Annual, Specific and Oral Declarations of Interest</b>

1) Controller(s) <sup>1</sup> of data processing activity (Article 31.1(a))
EFSA unit in charge of the processing activity: EFSA Executive Director
EFSA Data Protection Officer (DPO): <a href="mailto:DataProtectionOfficer@efsa.europa.eu">DataProtectionOfficer@efsa.europa.eu</a>
Is EFSA a co-controller? <b>No</b>
<b>If yes</b> , 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 <input checked="" type="checkbox"/>
<i>Indicate the EFSA units or teams involved in the data processing:</i>
Heads of Departments, Heads of Unit, officers or assistants delegated to perform the data processing operations, and the Executive Director of EFSA, according to their respective responsibilities in charge of coordination and support to the EFSA Advisory Forum, the EFSA Scientific Committee, EFSA Scientific Panels and Working Groups as well as in their capacity of line manager for the staff in their units.
The processing operation is conducted together with an external party <input type="checkbox"/>
<i>Please provide below details on the external involvement:</i>

3) Purpose of the processing (Article 31.1(b))
The purpose of the personal data processing is to ensure compliance with legal obligations laid down in Article 37 of the EFSA Founding Regulation (EC) No 178/2002 and EFSA's Policy on independence. Article 37 of the EFSA Founding Regulation states that members of the Management Board, the members of the Advisory Forum, the members of the Scientific Committee and Panels and of their Working Groups as well as the Executive Director shall undertake to act independently and shall provide declarations of their interests. This provision makes them subject to an obligation of submitting a) a declaration of commitment; b) an annual declaration of interests "indicating either the absence of any interests which might be considered prejudicial to their independence or any direct or indirect interests which might be considered prejudicial to their independence". In accordance with Article 37 (3) of the EFSA Founding Regulation, the persons identified above and any external expert shall declare at each meeting any interests that might be considered prejudicial to their

<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.

independence in relation to the items on the agenda.

Further, by adopting the EFSA Policy on independence and the Decision of the Executive Director on competing interest management, EFSA decided to extend the obligation to declare interests by means of an Annual Declaration of Interest, to all EFSA staff and to all persons attending a meeting organised by EFSA concerning its institutional activities.

By virtue of EFSA's Policy on independence, the Annual Declarations of Interest of the Management Board; Executive Director, Advisory Forum members, Scientific Committee and Scientific Panels, members of their Working Groups as well as members of EFSA's operational management and participants to peer review meetings, are made publicly available on EFSA's website as soon as validated.

#### 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 checked="" 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:*

- Article 37 of the EFSA Founding Regulation (EC) No 178/2002
- EFSA Policy on independence, Decision of the Executive Director on competing interest management, available on the EFSA website

#### 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 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:*

- Members of EFSA's Governance Bodies: members of the Management Board, Members of the Advisory Forum
- Scientific Experts: Members of the Scientific Committee and Panels, External experts belonging to Working Groups
- Hearing experts
- Network Members: Participants to peer review meetings, including member states representatives
- The Executive Director
- EFSA staff
- Seconded National Experts, Seconded National Experts on Professional Training
- Tenderers and participants in EFSA's procurement and Grant awarding procedures

**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 checked="" type="checkbox"/>
Financial details	<input checked="" type="checkbox"/>
Family, lifestyle and social circumstances	<input checked="" type="checkbox"/>
Goods and services the person provides	<input checked="" 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:*

More in particular, the following information is provided in the Declarations of Interest. Definitions are set out in Article 2(2) of the Decision of the Executive Director on Competing Interest Management:

- I. Financial Investment
- II. Managerial role
- III. Membership in a scientific advisory entity
- IV. Employment
- V. Occasional consultancy
- VI. Research funding
- VII. Intellectual property rights
- VIII. Other membership or affiliations
- IX. Other relevant interests

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

Line managers of the data subject

☒

Designated EFSA staff members

☒

Other recipients (*please specify*):

☒

By virtue of article 38(1) of the EFSA Founding Regulation, the Annual Declarations of Interest of the Management Board members, the Executive Director, the Advisory Forum members, the Scientific Committee and Scientific Panel members are made publicly available on EFSA's website once they have been validated internally. This publication has been extended to Working Group experts, participants to peer review meetings and to members of EFSA's Management Team in view of the role they play in the development of EFSA's scientific outputs.

Heads of Departments, Heads of Unit, delegated officers and the EFSA Executive Director are involved in the assessment and validation of DoIs.

## 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

☐

## 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:*

DoIs data and assessment results are stored in the ESS DOI component database which is installed on EFSA premises and standard security measures apply. Declaration data and assessment is available only for consultation through DOI Approval WorkFlow in the Appian SaaS cloud solution, to allow the normal execution of the assessment/validation process.

Access by the data subjects to their declarations of interest is made via a protected username/password feature in an on-line workspace. The EFSA website is maintained observing all web-based standard security measures.

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

EFSA will keep Declarations of Interest for a period not longer than 10 years from their submission.

#### 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 prepared a security plan for both the cloud systems APPIAN and ORACLE HCM (Fusion & Taleo) supporting the DoI complete solution of EFSA.

#### 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 importance of providing declarations of interest and the nature of interests to be declared is explained in the Decisions of the Executive Director on Competing Interest Management, available on the EFSA website. Article 25 of the Decision includes detailed information on the Protection of personal data.

By means of the IT software, data subjects are at any time able to edit and correct the personal data included in their DoIs and to re-submit it to EFSA for processing and eventually for publication.

Last update of this record: 02/03/2020

Reference: DPO/GOV/1