

## RECORD OF PERSONAL DATA PROCESSING ACTIVITY according to Article 31 of Regulation (EU) 2018/1725

### ▶ HEALTH DATA

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#### General information

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| <b>Introduction</b>  |
| EIOPA, as a European Authority, is committed to protect individuals with regard to the processing of their personal data in accordance with Regulation (EU) No 2018/1725 (further referred as the Regulation) <sup>1</sup> . |
| <b>Contact Details of Data Controller(s)</b>   |
| Fausto Parente, Executive Director<br>Westhafenplatz 1, 60327 Frankfurt am Main, Germany<br><a href="mailto:fausto.parente@eiopa.europa.eu">fausto.parente@eiopa.europa.eu</a>   |
| <b>Contact Details of the Data Protection Officer</b>  |
| Eleni Karatza<br>Westhafenplatz 1, 60327 Frankfurt am Main, Germany<br><a href="mailto:dpo@eiopa.europa.eu">dpo@eiopa.europa.eu</a>  |
| <b>Contact Details of Processor</b>  |
| EIOPA’s Team/Unit/Department responsible for the processing:<br>- HR Unit  |

<sup>1</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.

### Description and Purpose of the Processing

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| Description of Processing   |
| <p>1. Health data are processed in fulfilment of legal obligations imposed on EIOPA by the Staff Regulations and the CEOS for the management of people working at the Authority. Health data are also processed in order to protect the vital interests of the data subject or any other natural persons.</p> <p>2. The purposes of processing such data are, among others, depending on the recipients, to:</p> <ul style="list-style-type: none"> <li>- determine medical fitness of employees to take up duties and provide certain accommodations at the workplace when necessary;</li> <li>- apply preventive medicine;</li> <li>- manage sick and special leave requests, as well as invalidity and occupational illness procedures;</li> <li>- intervene in/investigate/justify cases of absences because of sickness or accident;</li> <li>- review compliance with internal rules regarding medical reimbursement requests.</li> </ul>   |
| Purpose (s) of the processing   |
| <p><input checked="" type="checkbox"/> Staff administration</p> <p><input checked="" type="checkbox"/> Relations with external parties</p> <p><input type="checkbox"/> Procurement and accounting</p> <p><input type="checkbox"/> Administration of membership records</p> <p><input checked="" type="checkbox"/> Auditing</p> <p><input checked="" type="checkbox"/> Information administration</p> <p><input type="checkbox"/> Other (please give details): .....</p>   |
| Lawfulness of Processing  |
| <ul style="list-style-type: none"> <li>• Legal Basis justifying the processing:<br/>Regulation (EEC) No 31<sup>2</sup> laying down the Staff Regulations of Officials (SR) and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community (CEOS), in particular article 28(e), 33, 59 and 60 of SR and 12(2)(e), 13 16 and 91 CEOS.</li> <li>• Processing is necessary:             <ul style="list-style-type: none"> <li><input type="checkbox"/> for the performance of a task carried out in the public interest</li> <li><input checked="" type="checkbox"/> for compliance with a legal obligation to which the Controller is subject</li> <li><input type="checkbox"/> for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract</li> <li><input type="checkbox"/> in order to protect the vital interests of the data subject or of another natural person</li> </ul> </li> </ul> <p>Or</p> |

<sup>2</sup> OJ 45, 14.6.1962, p.1385

Data subject has given his/her unambiguous, free, specific and informed consent

## Data Subject's Rights

### Information on how to exercise data subject's rights

Data subjects may exercise their data privacy rights provided in Articles 17 to 24 of the Regulation (EU) 1725/2018.

Data subjects have the right to:

- access their personal data, receive a copy of them in a structured and machine-readable format or have them directly transmitted to another controller, as well as request their rectification or update in case they are not accurate.
- request the erasure of their personal data, as well as object to or obtain the restriction of their processing.
- withdraw their consent to the processing of their personal data at any time in case such processing is based solely on their consent.

For the protection of the data subjects' privacy and security, every reasonable step shall be taken to ensure that their identity is verified before granting access, or rectification, or deletion.

Should data subjects wish to access/rectify/delete their personal data, or receive a copy of them/have it transmitted to another controller, or object to/restrict their processing, please contact [human.resources@eiopa.europa.eu](mailto:human.resources@eiopa.europa.eu) or [DPO@eiopa.europa.eu](mailto:DPO@eiopa.europa.eu).]

### Complaint:

Any complaint concerning the processing of the data subjects' personal data can be addressed to EIOPA's Data Protection Officer ([DPO@eiopa.europa.eu](mailto:DPO@eiopa.europa.eu)). Alternatively, data subjects can also have at any time recourse to the European Data Protection Supervisor ([www.edps.europa.eu](http://www.edps.europa.eu)).

### Restrictions :

Without prejudice to the above, rights might be restricted in accordance with EIOPA's decision on the restriction of data subject's rights (EIOPA-MB-19-056).

## Categories of Data Subjects & Personal Data

### Categories of Data Subjects

- EIOPA permanent staff, Temporary or Contract Agents
- SNEs or trainees
- Visitors to EIOPA (BOS, MB, WG, Seminars, Events, other)  
If selected, please specify: .....
- Providers of good or services
- Complainants, correspondents and enquirers
- Relatives and associates of data subjects
- Other (please specify): .....

Categories of personal data

**(a) General personal data:**

The personal data contains:

- Personal details (name, date of birth, gender, personnel number, address).
- Education & Training details
- Employment details
- Financial details
- Family, lifestyle and social circumstances
- Other (please give details):
  - Health data found in administrative documents processed and kept with the Human Resources Unit, such as: medical appointments scheduling, invoices for healthcare service provision, sick leave management, special leave applications, medical certificates (e.g. documents certifying medical aptitude for work, dates of medical leaves).
  - 
  - Medical information related to the invalidity procedure, if applicable.

**(b) Special categories of personal data**

The personal data reveals:

- Racial or ethnic origin
- Political opinions
- Religious or philosophical beliefs
- Trade union membership
- Genetic or Biometric data
- Data concerning health, sex life or sexual orientation. The medical practitioners involved will not forward the results of the medical examinations to EIOPA, unless the staff member concerned consents to that. Only a proof/document stating the aptness (or not) of the employee for service will be provided to the Authority.

### Categories of Recipients & Data Transfers

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| Recipient(s) of the data   |
| <input checked="" type="checkbox"/> Managers of data subjects<br><input checked="" type="checkbox"/> Designated EIOPA staff members<br>If selected, please specify: <ul style="list-style-type: none"> <li>- HR and Legal Units</li> <li>- Sick leaves and their duration may be communicated to other staff member(s) on a need-to-know basis and/or for business-related purposes.</li> </ul><br><input type="checkbox"/> Relatives or others associated with data subjects<br><input type="checkbox"/> Current, past or prospective employers<br><input checked="" type="checkbox"/> Healthcare practitioners<br><input type="checkbox"/> Education/training establishments<br><input type="checkbox"/> Financial organisations<br><input type="checkbox"/> External contractor<br><br><input checked="" type="checkbox"/> Other (please specify): <ul style="list-style-type: none"> <li>• Personal data contained in the medical files are kept by the external medical service, including the medical service of the European Commission.</li> <li>• Recipients of health-related data could also be EIOPA’s Confidentiality Counsellors, EIOPA’s Executive Director, European Court of Justice, European Ombudsman, EDPS, OLAF, Internal Audit service of the European Commission, European Court of Auditors and external advisors.</li> </ul> |
| Data transfer(s)   |
| <input type="checkbox"/> To third countries<br>If selected, please specify: .....<br>Whether suitable safeguards have been adopted: <ul style="list-style-type: none"> <li><input type="checkbox"/> Adequacy Decision of the European Commission<sup>3</sup></li> <li><input type="checkbox"/> Standard Contractual Clauses (SCC)</li> <li><input type="checkbox"/> Binding Corporate Rules (BCR)</li> <li><input type="checkbox"/> Administrative Arrangements between public Authorities (AA)</li> </ul> <input type="checkbox"/> To international organisations   |

<sup>3</sup> Third countries for which the European Commission has issued adequacy decisions are the following: Adequacy decisions (europa.eu)

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| If selected, please specify the organisation and whether suitable safeguards have been adopted: ..... |
| Data subjects could obtain a copy of SCC, BCR or AA here:<br>.....                                    |

### Automated Decision Making

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| <b>Automated Decision-making, including profiling</b>  |
| A decision is taken in the context of this processing operation solely on the basis of automated means or profiling:<br><input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes<br>In case of an automated decision-making or profiling, please explain:<br>..... |

### Retention Period & Security Measures

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| <b>Retention period</b>   |
| How long will the data be retained? <ul style="list-style-type: none"><li>• Medical files are retained for a period of maximum 30 years after the end of employment.</li><li>• In the case of non-recruited candidate, their medical data are kept for a period of 1 year following the conclusion of the relevant recruitment procedure, or up until the expiration of the validity of the respective reserve list, unless a relevant dispute or appeal is underway.</li></ul> Health related administrative documents (such as sick and special leave requests, as well as requests for reimbursement of medical expenses), are retained for 3 years, unless a relevant dispute or appeal is underway.. |
| For further processing envisaged beyond the original retention period for historical, statistical or scientific purposes, please specify whether the personal data will be anonymised:<br><input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes  |
| <b>Technical &amp; organisational security measures taken</b>   |

Several technical and organisational measures have been adopted in order to ensure the optimum security of the documents and personal data collected in the context of the procedures described under section II a).