



RECORD OF A PERSONAL DATA PROCESSING ACTIVITY

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

Title

Competing interest management - the processing, assessment and validation of Annual, Specific and Oral Declarations of Interest

1) Controller(s) of data processing activity (Article 31.1(a))

EFSA unit in charge of the processing activity:
 EFSA Executive Director, who can be contacted via the Legal Affairs Services Unit at interestmanagement@efsa.europa.eu
 EFSA Data Protection Officer (DPO): 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:

- The EFSA designated staff involved in the assessment and validation process: Heads of Departments, Heads of Unit, delegated officers or assistants 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 employed/recruited in their units.
- LA Unit staff in charge of coordinating competing interest management at EFSA

The processing operation is conducted together with an external party

Please provide below details on the external involvement:

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

The competing interest management process aims at safeguarding the independence of EFSA and its constituent bodies. DoIs are screened in function of the criteria laid out in the EFSA rules on competing interests management. In line with transparency principles, the DoIs of certain categories of persons are published on the EFSA website (see below point 7).
 Personal data is not used for any automated decision-making including profiling.

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

Processing necessary for:

- a task carried out in the public interest or in the exercise of official authority vested in EFSA
- compliance with a legal obligation to which EFSA is subject
- performance of a contract with the data subject or to prepare such contract
- The data subject has given consent (ex ante, explicit, informed)

Further details on the legal basis:

- For members of EFSA’s Management Board, the Executive Director, members of the Advisory Forum, members of the EFSA Scientific Committee and panels and scientific experts in working groups, Articles 37 and 38 of the EFSA Founding Regulation (EC) No 178/2002 of 18 January 2002 as amended by Regulation (EU) 2019/1381 ;
- For EFSA Networks members, Hearing Experts, staff of EU Institutions, bodies or other agencies participating in EFSA’s meetings in their private capacity, tenderers in EFSA public procurement procedures and participants in EFSA grant awarding procedures: the Decision of the Executive Director on Competing Interest Management of 1 July 2018, available on the EFSA website;
- For EFSA statutory staff: Article 11 and 11(a) of the Staff Regulations, as well as the Decision of the Executive Director on Declarations of Interests of 31 July 2014, Articles 19 and 20, available on the EFSA website;
- For Seconded National Experts (SNE), the Decision of the Executive Director laying down rules on the secondment to EFSA of national experts of 23 May 2019, Article 7, available on the EFSA website;
- For Guest Program Professionals, the Decision of the Executive Director laying down rules on the Guest programme of 22 May 2019, Article 5, 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, including candidates for recruitment
- 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:

The nature of interests to be declared, the obligation to do so, as well as possible consequences of not declaring are explained in the relevant Decisions of the Executive Director of 31 July 2014 for EFSA statutory staff and of 1 July 2018 for other categories of data subjects and concerns the following:

- 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 | <input checked="" type="checkbox"/> |
| Designated EFSA staff members | <input checked="" type="checkbox"/> |
| Other recipients (<i>please specify</i>): | <input checked="" type="checkbox"/> |
- The EFSA designated staff involved in the DoI assessment and validation process (see point 2 above)
 - 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 operational management in view of the role they play in the development of EFSA's scientific outputs.

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 | <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:

In the current work process 'DoI complete solution', declarants submit their DoIs by means of a customised module in EFSA's Oracle Taleo/Human Capital management system. DoI data are then automatically transferred in EFSA's cloud-based Microsoft Azure data storage platform. The DoI screening process is supported by a cloud-based customisation of the system Appian. After the DoI approval and for those categories of DoI declarants required (see point 7), DoIs are published on EFSA's cloud-based Microsoft Azure dissemination portal.

10) Retention period (Article 4.1 (e))

EFSA keeps Declarations of Interest for a period not longer than 10 years from their submission;

Declarations related to non-recruited staff, SNEs and guest visitors will be deleted where possible when those data are not necessary for budgetary discharge, control and audit purposes at expiration of the 2 years retention period;

Declarations related to non-recruited TA, CA candidates entered on a reserve list are kept until the expiration of the reserve list.

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' work process.

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 submitting DoIs 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.

A data protection notice is included in the 'DoI complete solution' system architecture supporting the process submission, evaluation, storage and publication.

Last update of this record: 03/08/2021

Reference: DPO/GOV/1