

RECORD OF A PERSONAL DATA PROCESSING ACTIVITY

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



Handling of complaints
DP/GOV/15

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

EFSA unit in charge of the processing activity: Legal Affairs Services Unit (LA)

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 **X**

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

The LA Unit as controller of the external complaints handling at EFSA can be contacted writing to complaints@efsa.europa.eu

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 handling process is laid down in a Standard Operating Procedure and detailed on the website (<https://www.efsa.europa.eu/en/contact/complaint>), which ensures that complaints are evaluated and replied timely and that internal and external stakeholders are informed.

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 **X**

(b) compliance with a legal obligation to which EFSA is subject

(c) performance of a contract with the data subject or to prepare such contract

(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 | X |
| Relatives of the data subject | <input type="checkbox"/> |
| Other categories of data subjects (please detail below) | X |

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 | X |
| Details on education, expertise, profession of the person | X |
| 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): | X |

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 | X |
| Other recipients (<i>please specify</i>): | X |

The complainant's personal data is accessible only internally at EFSA, namely to:

- The Head of Unit and staff of the Legal Affairs Services Unit, in charge of the complaint handling process,
- EFSA staff in Units and teams concerned by the substance of the complaint,
- The Executive Director, when endorsing or signing the reply to the complaint,
- Staff in the Communication, Engagement & 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;
- EFSA staff of CORSER Unit and Service Desk where needed for technical reasons related to the complaints reception via EFSA's Relationship Management System;
- Additionally institutions or bodies having a legitimate purpose of audit, of the exercise of supervisory tasks or in charge of judicial proceedings in relation to EFSA may have access: the Internal Audit Service, the EU Court of Auditors, the EU Ombudsman, OLAF, the EU Court of Justice, the European Data Protection Supervisor.

In certain cases, ensuring conformity with EUDPR principles (i.e. Art. 4 of the EUDPR, incl. purpose limitation and data minimization) and other applicable legal provisions, EFSA may share the reply to a complaint with an external stakeholder.

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)	<input checked="" type="checkbox"/>
On a shared EFSA network drive or in an Outlook folder	<input checked="" type="checkbox"/>
In a paper file	<input type="checkbox"/>
Using a cloud computing solution (please detail the service provider and main characteristics of the cloud solution, e.g. public, private)	<input checked="" type="checkbox"/>
On servers of an external service provider	<input type="checkbox"/>
On servers of the European Commission or of another EU Institution	<input type="checkbox"/>
In another way (<i>please specify</i>):	<input type="checkbox"/>

Please provide some general information on the security measures applied:

Complaints can be handled in the following alternative ways depending on the way of receipt:

- Via EFSA Outlook email and stored on EFSA's Document Management System (DMS);
- Via EFSA's Relationship Management system based on the cloud-based (SaaS) platform provided by <https://www.salesforce.com/> CRM software. Some key information on the system is provided in the [General Privacy Statement](#) on EFSA's Relationship Management.

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>).

The Privacy Statement "Complaints handling" available on EFSA's website within the 'External Complaint' public webpage (<https://www.efsa.europa.eu/en/contact/complaint>) and in connect.EFSA (<https://connect.efsa.europa.eu/RM/s/termsfuse/termofusecomplaints>).

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Reference: DPO/GOV/15