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ECB-PUBLIC
UPDATABLE

RECORD OF PROCESSING ACTIVITY

Data Protection Officer tasks under Article 45 of Regulation (EU) 2018/1725 and Decision ECB/2020/28

1. Controller(s) of data processing activities

Controller: European Central Bank (ECB)

Organisational unit responsible for the processing activity:

Data Protection Officer (DPO)

Contact: DPO@ecb.europa.eu

2. Who is actually conducting the processing activity?

The data is processed by the ECB itself

The organisational unit conducting the processing activity is:

Data Protection Officer

In the context of an audit, the data may be processed by third party auditors or consultants on a need-to-know basis.

3. Purpose of the processing

The Data Protection Officer processes personal data where strictly necessary for conducting the

Data Protection Officer tasks under Article 45 of Regulation (EU) 2018/1725 and Decision ECB/2020/28¹ (information, monitoring, investigative, auditing, consultative or cooperation activities). Namely, depending on the concrete task, the DPO processes personal data to:

- Inform and advise the Executive Board, the controllers, the Staff Committee and the data protection coordinators, and respond to consultations from any of them or any data subject on matters concerning the interpretation and application of data protection provisions at the ECB (Article 4(a) Decision (EU) 2020/665 and Article 45(1)(a) EUDPR);
- Investigate matters and incidents related to data protection either on the DPO's own initiative or at the request of the Executive Board, a controller, the Staff Committee or any data subject, and report back to the requester of the investigation (Article 4(b) Decision (EU) 2020/665 and Article 45(2) EUDPR);
- Assist a controller, upon request, in drafting data protection impact assessments and submissions for the prior consultation of the EDPS (Articles 39, 40 and 45(1)(e) EUDPR and Article 4(d) Decision (EU) 2020/665);
- Respond to requests from the European Data Protection Supervisor and, within the sphere of his or her competence, cooperate with the EDPS (Article 45(1)(g) EUDPR and Article 4(e) Decision (EU) 2020/665);
- Cooperate with the data protection officers of other Union institutions and bodies, national central banks and national competent authorities, in particular by: (i) sharing knowledge and know-how based on experience; (ii) representing the ECB in relevant discussions relating to data protection issues, excluding court cases; and (iii) participating in interinstitutional committees and bodies (Article 4(f) Decision (EU) 2020/665);
- Ensure in an independent manner the application of Regulation (EU) 2018/1725 at the ECB by monitoring compliance with Regulation (EU) 2018/1725, with other applicable Union law containing data protection provisions and with the policies of the ECB and its processors in relation to the protection of personal data, including the assignment of responsibilities, the raising of awareness and training of ECB staff members involved in processing operations and any related audits (Article 45(1)(b) EUDPR and Article 4(b) and (g) of Decision (EU) 2020/665).
- To ensure that data subjects are informed of their rights and obligations pursuant to the Article 45(1)(c) EUDPR to refer data subject requests to the relevant responsible controller within the ECB and to ensure that the identity of the requesting data subject is

¹ Decision (EU) 2020/655 of the European Central Bank of 5 May 2020 adopting implementing rules concerning data protection at the European Central Bank and repealing Decision ECB/2007/1 (ECB/2020/28).

sufficiently clear;

- To provide advice where requested as regards the necessity for a notification or a communication of a personal data breach pursuant to Articles 34 and 35 EUDPR (Article 45(1)(d) EUDPR);
- To provide advice where requested as regards the need for prior consultation of the European Data Protection Supervisor pursuant to Article 40 EUDPR; to consult the European Data Protection Supervisor in case of doubt as to the need for a prior consultation (Article 45(1)(f) EUDPR);

To ensure that the rights and freedoms of data subjects are not adversely affected by processing operations (Article 45(1)(h) EUDPR).

4. Description of the categories of data subjects

Whose personal data are being processed?

- ECB staff
- Externals (agency staff, consultants, trainees or secondees)
- NCB or NCA counterparts (in the ESCB or SSM context)
- Visitors to the ECB, including conference participants and speakers
- Contractors providing goods or services
- Complainants, correspondents and enquirers
- Relatives of the data subject
- Other (please specify):

Depending on the concrete DPO task and its source (internal or external), the categories of individuals whose personal data may be processed are:

- exercise their rights under Regulation (EU) 2018/1725 and Decision ECB/2020/28 as data subjects;

- bring to the attention of the Data Protection Officer any matter alleging that a breach of Regulation (EU) 2018/1725 has taken place;
- request that the Data Protection Officer monitors, investigates or audits a specific processing operation of the ECB;
- consult the Data Protection Officer on any matter concerning the interpretation of Regulation (EU) 2018/1725;
- complain to the European Data Protection Supervisor pursuant to Articles 63 and 68 of Regulation (EU) 2018/1725 and whose complaints and personal data are transmitted to the Data Protection Officer;

are concerned by a specific monitoring, investigative, auditing, consultative or cooperation activity of the Data Protection Officer.

5. Description of the categories of personal data processed

Pursuant to Article 5(b) of Decision (EU) 2020/665, the DPO shall have access to personal data being processed, to all ECB premises, and to all information, data processing operations and databases at any time. Therefore, any personal data processed by the ECB or its processors might potentially be collected in the execution of the DPO's tasks.

Depending on the concrete DPO task:

(a) General personal data:

The personal data contains:

- Personal details (name, address etc)
- Education & Training details
- Employment details
- Financial details

<input checked="" type="checkbox"/> Family, lifestyle and social circumstances <input checked="" type="checkbox"/> Goods or services provided <input checked="" type="checkbox"/> Other (please give details): <p>(b) Special categories of personal data</p> <p>The personal data reveals:</p> <input checked="" type="checkbox"/> Racial or ethnic origin <input checked="" type="checkbox"/> Political opinions <input checked="" type="checkbox"/> Religious or philosophical beliefs <input checked="" type="checkbox"/> Trade union membership <input checked="" type="checkbox"/> Genetic data, biometric data for the purpose of uniquely identifying a natural person or data concerning health <input checked="" type="checkbox"/> Data regarding a natural person's sex life or sexual orientation
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<p>6. The categories of recipients to whom the personal data have been or will be disclosed, including the recipients of the data in Member States, third countries or international organisations</p>
<input checked="" type="checkbox"/> Data subjects themselves <input type="checkbox"/> Managers of data subjects <p>Designated ECB staff members: staff members and trainees supporting the</p> <input checked="" type="checkbox"/> Data Protection Officer in the performance of his/her tasks; other staff members within the responsible Business Areas, members of ECB decision-making bodies, if involvement is necessary. <input type="checkbox"/> Designated NCB or NCA staff members in the ESCB or SSM context

- Other (please specify): The European Data Protection Supervisor and other European Institutions, bodies and agencies; auditors or consultants on a need-to-know basis; where necessary to ensure their data subject rights enjoyed under the EUDPR, the individual who requested a data protection investigation; and the ECB's Executive Board may also be a recipient of your data as the DPO may bring to the Executive Board's attention any data protection related issue.

7. Transfers to/Access from third countries or an international organisation

Data are processed by third country entities:

- Yes

Specify to which countries:

Specify under which safeguards:

- Adequacy Decision of the European Commission
- Standard Contractual Clauses
- Binding Corporate Rules
- Administrative arrangement containing enforceable and effective data subject rights

If the third country's legislation and/or practices impinge on the effectiveness of appropriate safeguards, the personal data can only be transferred to, accessed from or processed in such third country when sufficient 'supplementary measures' are taken to ensure an essentially equivalent level of protection to that guaranteed within the EEA. These supplementary measures are implemented on a case-by case basis and may be technical (such as encryption), organisational and/or contractual.

- No, with the exception of the European Institutions, bodies and agencies, and,

in particular, the European Data Protection Supervisor.

8. Retention time

Your personal data will be stored for a maximum of ten years before being deleted or anonymized.