

EDPS record of processing activity

Record of EDPS activities processing personal data, based on Article 31 of 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.

Nr.	Item	Description
	MANAGEMENT OF PERSONAL DATA BREACHES NOTIFICATIONS FROM EU INSTITUTIONS (ART.34 OF THE REGULATION)	
1.	Last update of this record	18/12/2023
2.	Reference number	32
	<i>Part 1 - Article 31 Record (specific legal obligation to publish – see Article 31(5))</i>	
3.	Name and contact details of controller	<p>European Data Protection Supervisor (EDPS) Postal address: Rue Wiertz 60, B-1047 Brussels Office address: Rue Montoyer 30, B-1000 Brussels Telephone: +32 2 283 19 00 Email: edps@edps.europa.eu</p> <p>Responsible department or role: Technology and Privacy Unit: tech-privacy@edps.europa.eu</p> <p>Webform for data breach notifications: https://edps.europa.eu/form/personal-data-breach-notification_en</p> <p>Functional mailbox for data breach notifications: data-breach-notification@edps.europa.eu</p> <p>Contact form for enquiries on processing of personal data to be preferably used: https://edps.europa.eu/node/759</p>

Nr.	Item	Description
4.	Name and contact details of DPO	dpo@edps.europa.eu
5.	Name and contact details of joint controller (where applicable)	Not applicable.
6.	Name and contact details of processor (where applicable)	Not applicable.
7.	Very short description and purpose of the processing	<p>According to article 34 of Regulation (EU) 2018/1725 every controller (i.e. EU institution) in case of a personal data breach has to notify the EDPS without undue delay, no later than 72 hours, after becoming aware of it. The EU institution, body and agency (EUIs) should at least provide the following information:</p> <ul style="list-style-type: none"> • a description of the nature of the breach; • the name and contact details of the data protection officer or other contact point; • a description of the likely consequences of the breach; and • a description of the measures taken or proposed to be taken by the controller to address the breach. <p>The EDPS will collect these notifications in a specific register</p> <p>The purpose of the Data Breach Notification register is to enable the EDPS to process all Personal Data Breach Notifications¹ from the EUIs and verify that the EUIs acted in compliance with articles 34 and 35 of the Regulation. The Data Breach Notification Register is also used by EDPS to draw conclusions on trends and provide guidelines and/or statistics regarding personal data breaches in EUIs as well as for the purpose of other activities related to the EDPS's tasks, including complaints in relation to a personal data breach, audits and/or investigations.</p>

¹ A specific form of a Personal Data Breach Notification is provided by the EDPS which is included in the end of the record.



Nr.	Item	Description
		<p>All the Data Breach Notifications and any additional information submitted via email or the webform by the controllers for all cases are processed in the Case Management System (CMS) of the EDPS in a structured and specific directory located for this purpose.</p> <p>A summary list of all Data Breach Notifications are also processed in a separate file.</p>
8.	Description of categories of persons whose data the EDPS processes and list of data categories	<p>A Data Breach Notification form includes the following personal data:</p> <ul style="list-style-type: none"> -Name and contact details of the EU institution's contact persons responsible for the data breach incident (controller) -Name and contact details of the Data Protection Officer of the controller -In case a notification is submitted via email, the personal data contained in the personal data breach notification form, as well as any personal data included in the email (e.g. email address and signature of the sender, email addresses in copy of the email). -In case a processor is involved in the personal data breach notification, the name and contact details of the processor's contact persons responsible for the data breach and of the Data Protection Officer. -In exceptional cases, it might be necessary to process personal information of the individuals who were affected by the breach (e.g. for the controller to demonstrate that the data subjects were informed).
9.	Time limit for keeping the data	<p>We keep personal data for ten years after closure of the case. We may keep it for longer if circumstances such investigations, appeals are ongoing at the planned expiration date.</p> <p>Inadmissible requests that do not concern EU institutions, agencies and bodies (EUIs) are kept for one year after case closure, while inadmissible requests that concern EUIs are kept for five years.</p>
10.	Recipients of the data	<p>The Personal Data Breach Register of the EDPS is not public. Only authorized staff of the EDPS responsible for the management of the data breach notification and handling of the case, as well as for supervision and enforcement of legal requirements will have access to the data.</p>



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11.	Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?	No.
12.	General description of security measures, where possible.	<p>Personal Data Breach Notificatons are transmitted to the EDPS through a form on the EDPS website and are secured both in transit (SSL protocol) and at rest and accessed on a need-to-know basis. Only authorised EDPS staff responsible for the data breach notifications have access to the submitted notifications via the webform. The EDPS staff members delete the received form from the IT system as soon as it is registered in CMS.</p> <p>Notifications sent to the functional mailbox must be sent using encryption.</p>
13.	For more information, including how to exercise your rights to access, rectification, object and data portability (where applicable), see the data protection notice:	<p>https://edps.europa.eu/sites/edp/files/publication/18-12-07_data_protection_notice_data_breach_web_form_en.pdf</p>

