

RECORD OF PROCESSING ACTIVITY

Enforcement and sanctioning procedures

1. Controller(s) of data processing activities

Controller: European Central Bank (ECB)

Organisational unit responsible for the processing activity: *Directorate General Secretariat SSM Governance and Operations / Enforcement and Sanctions Division (DG/SGO-ESA)*

Data Protection Officer (DPO): 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:
DG/SGO-ESA

This record of processing activity also covers the processing of personal data carried out through Athena, an AI-powered tool that summarises, translates, and analyses documents. Athena collects, transmits, and indexes information (including personal data) to support SSM business areas in efficiently identifying relevant information for their supervisory responsibilities. Fully integrated into the ECB's information management systems, Athena provides advanced search, Natural Language Processing (NLP) and AI capabilities.

3. Purpose of the processing

The ECB collects and further processes personal data for the purposes of prudential supervisory tasks, responsibilities and powers conferred upon it by the SSM Regulation

(particularly Articles 4, 5, 6, 7, 8 and 18 of that Regulation). DG/SGO-ESA is a business unit responsible for conducting sanctioning and enforcement proceedings and making use of its investigatory powers concerning alleged breaches in line with Articles 9 and 18 of the Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions (SSM Regulation) and Articles 123 to 126 and 129 of the Regulation (EU) No 468/2014 of 16 April 2014 establishing the framework for cooperation within the Single Supervisory Mechanism between the European Central Bank and national competent authorities and with national designated authorities (SSM Framework Regulation).

4. Description of the categories of data subjects

- ☒ ECB staff members
- ☒ Non-ECB staff members (agency staff, consultants, trainees or cost-free secondees working at the ECB)
- ☒ National Central Bank (NCB) or national competent authority (NCA) counterparts (in the ESCB or SSM context)
- ☒ Other:
 - 1) *Natural persons related to the investigated supervised entity (e.g. board members, managers, staff), named in the investigation case file;*
 - 2) *natural persons from the category 1 above, who are suspected of having committed a breach or criminal offence;*
 - 3) *natural persons representing or assisting the supervised entity under investigation in the course of the investigation (e.g. legal advisors);*
 - 4) *natural persons (non-SSM staff) participating in the course of the investigating procedure (e.g. witnesses, experts);*
 - 5) *other natural persons named in the investigation case file and not included in the abovementioned categories of data subjects.*

5. Description of the categories of personal data processed

- ☒ Personal details (name, address etc)
- ☒ Education & Training details
- ☒ Employment details
- ☒ Financial details
- ☒ Other (please give details):
 - criminal records including (suspected) criminal offences, convictions, information on criminal investigations and proceedings, relevant civil and*

administrative proceedings, and disciplinary actions (if part of the documentation in the file);

-data that has come to the knowledge of the competent authority by other means (e.g. via the media)

6. The categories or recipients to whom the personal data have been or will be disclosed, including the recipient(s) of the data in Member States, third countries or international organisations

- ☒ Data subjects themselves
- ☒ Designated ECB staff members
- ☒ Designated NCB or NCA staff members in the ESCB or SSM context
- ☒ Other:
Data may be disclosed to other recipients who are:
 - *concerned by the investigatory procedure as per their request (exercise of the right of access to the file) or*
 - *addressees of an ECB request during the investigation (e.g. request to provide information addressed to the bank).*
 - *Supervised Entities subject to proceedings and their legal representatives*

7. Retention time

According to the ECB filing and retention plan, all relevant personal data will be stored for a set retention period of 10 years after a case file has been closed. For cases, which finally resulted in sanctioning proceedings (with an ECB decision adopted) the retention period is 15 years after the case file has been closed.