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EBA Staff

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EBA Document Management Policy

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Definitions

Document A *document* is any content drawn up or received by the EBA concerning a matter relating to the policies, activities and decisions falling within the EBA’s competence and in the framework of its official tasks, in whatever medium (written on paper or stored in electronic form).

Documents

- a) are received or formally drawn up by the EBA in the course of its activities; and
- b) are likely to require action, follow-up or a reply from the EBA or involve its responsibility; and
- c) contain important information which is not short-lived.

Important and not short-lived are criteria subject to subtle judgement that will vary with the content and context of the document.

Documents may include e-mails.

Electronic document	A <i>document</i> stored on any type of medium by a computer system or a similar mechanism, which can be read, displayed or reproduced by a person or by such a system or mechanism in printed or other form.
Original document	A <i>document</i> signed or authenticated containing all the information as transmitted by the sender to the addressee, whether the latter is an individual, an organisational entity or an information system, insofar as the parties involved confer on the document concerned the status of original by mutual consent, by tacit agreement or under a well-established procedure.
Metadata	A description of the context, contents and structure of a given document which is tagged to the document for ease of searching, managing and classifying it.
Document management	The process for the efficient and systematic control of the creation, receipt, maintenance, use and disposal of documents.
EDMS (Electronic Document Management System)	The electronic tool used to support the document management activities.
Registration	Registration is the activity of capturing <i>documents</i> in an appropriate EBA system.
Life cycle	All the stages or periods in the life of a document from the time it is received or formally drawn up until it is transferred to the historical archives and/ or opened to the public or until it is destroyed.
Disposal	Disposal is the set of actions taken with regard to closed documents at the expiry of their administrative retention period (ARP) and after their appraisal; these actions can be either permanent preservation or elimination.

Authenticity	Once the <i>document</i> is archived, all its components, structure and metadata necessary to ascertain its authenticity shall not be changed. For this, the archived documents must be sustained in a non-revisable form and protected against intentional or accidental changes to their content, context, structure and appearance.
Preservation	Act of protection of a document in order for facilitating regard to due legal and administrative requirements, including transparency; access rights and archiving through its life cycle.
Appraisal	The process of determining the disposal of documents based on their archival value.
Integrity	The information contained in the document and its metadata are complete (all the data are present) and correct (each data item is unchanged).
Accessibility	Information and documents shall be made available to the appropriate persons throughout their life cycle.
Archiving	Operations and processes for storing and preserving documents for a long period of time ensuring its integrity, authenticity, reliability and accessibility.
Administrative Retention Period (ARP)	Period (in years) during which the EBA is required to keep a document depending on its usefulness for administrative purposes and the relevant statutory and legal obligations. The ARP begins to run from the time when the document is closed.
Classification	Allocation of an appropriate level of security to a document, the unauthorised disclosure of which might cause a certain degree of prejudice to the EBA or the EU or of one or more of its Member States.-

1. Introduction

All the EBA's activities and decisions ultimately lead to the production of documents. The EBA should be able, at any time, to provide information on the matters for which it is accountable. Furthermore, it should also be able to retrieve, in an efficient and unambiguous manner all relevant information held in its systems.

As a European Union (EU) body¹, the EBA has a number of legal requirements for implementing and keeping adequate *documents* related to its functions and activities, also in terms of access to the information.

Accordingly, the documents kept by the EBA must therefore preserve the EBA's corporate memory, facilitate the exchange of information, provide proof of operations carried out and meet the EBA's legal obligations.

This policy describe how all *documents* produced or received by the EBA should be systematically and efficiently managed throughout their entire life cycle (i.e. from their creation and/or reception until their disposal, taking into account all the stages in their life cycle) in order to preserve their integrity, availability and, when required, confidentiality.

In this context, this policy aims to articulate the processes that would ensure that these principles are applied consistently and efficiently in the deployment of the EBA's mandate.

2. Objectives

The ultimate objective of this policy is to support the efficient delivery of the EBA's mandated activities. In addition, the document management practices described in this policy aim to support the EBA to:

- Help fulfil corporate governance obligations, such as transparency and good administrative behaviour²,
- Enhance business continuity and efficiency by facilitating the access to corporate knowledge so that information required can be found or retrieved with minimum delay and effort,
- Attribute appropriate level of *confidentiality* to information³, so that personal data, interests of third parties and decision-making processes are protected, and

¹ Regulation (EC) N 1049/2001 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 30 May 2001 regarding public access to European Parliament, Council and Commission documents

² Annex Code of good administrative behaviour for staff of the European Commission in their relations with the public of the Commission Decision of 17.10.2000 - OJ L 267/2000, p. 63 - [Decision 2000/633/EC, ECSC, Euratom](#)

Regulation (EC) N 1093/2010 [EBA Reg] of the European parliament and of the Council

³ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data

- Comply with the legal, fiscal and institutional framework within which the EBA operates.

3. Scope

This policy concerns the management of the life cycle of documents (registration, preservation, maintenance of metadata, appraisal, archiving and disposal) received or drawn up by the EBA.

All staff working for the EBA (temporary agents, contract agents, seconded national experts, trainees and contractors (including consultants and interims)) should apply the provisions contained in this policy.

4. Responsibilities

4.1 EBA Management

The EBA's **Executive Director** is the Document Management (DM) Policy owner.

It is the responsibility of the **EBA Management Team** (comprising the **Chairman, Executive Director, Directors of Departments** and the **Heads of Units**) to ensure that the policy and procedures on DM are respected, that all staff members are fully aware of their responsibilities under this policy, and to assign the appropriate resources to make this possible.

Any proposed changes to the policy, shall be tabled to and discussed by the **EBA Management Team**, and proposed to the **Executive Director**, who shall decide on the policy.

4.2 Document Management Officer

The **Document Management Officer** (DMO) is responsible for promoting awareness, supporting, and, where appropriate, updating, the implementation and application of the policy, including the development and implementation of specific rules of the Document Management Policy.

The updating shall in particular, take account of:

- Developments in the standardisation and presentation of EBA documents,
- The rules laid down concerning the evidential value of electronic documents.

The **DMO** shall ensure horizontal coordination between all the Local Document Management Officers.

The **DMO** will be responsible for conducting regular monitoring exercises to identify areas for improvement and setting up action plans accordingly.

The **DMO** shall co-ordinate with the Local Document Management Officers in order to develop and implement homogeneous and compatible procedures.

4.3 Local Document Management Officers

Each Head of Department and, for those Units and Business Functions which report directly to the Executive Director, the Head of Unit and Head of Business Function shall designate a **Local Document Management Officer**.

The tasks of the **Local Document Management Officer** shall be to:

- Identify the types of documents specific to the fields of activity of their respective Department/Unit/Business Function,
- Draw up and update the inventory of the existing specific databases and systems,
- Draw up local procedures specific to the Department/Unit/Business Function to implement this policy, and to ensure that these procedures are applied.

4.4 Data Protection Officer

The **Data Protection Officer** will be responsible for ensuring that the provisions of Regulation (EC) No 45/2001 are applied within the EBA, including as regards the document management policy and its implementation all issues relating to *Data Protection policy*.⁴

4.5 EBA Staff

It is the responsibility of all staff members to:

- Comply with the document management policy, other policies and related processes and procedures,
- Timely register the documents that they are responsible for,
- Adhere to the obligation of integrity and discretion, including protecting documents of their custody from unauthorised access and improper use (management of document classification).

⁴ The responsibilities of the EBA Data Protection Officer are set out in Decision EBA DC 037 of 5 May 2011.

5. Assessment of Information

All EBA staff shall analyse the *information* they receive or formally draw up with a view to determining if they constitute a **document** as defined in this policy, and its subsequent treatment.

6. Document classification

The EBA shall have a *Document Classification policy* which shall describe how the EBA classifies documents to ensure they are appropriately protected and meet the requirements of relevant legislation and obligations. This policy shall apply to all information that the EBA collects, stores, processes, generates or shares to perform its duties, including information received from or exchanged with external partners.

The EBA shall provide to EBA Staff *Guidance on Document Handling* to inform staff how all documents, whether in paper and/or electronic format, should be suitably secured.

7. Document Life cycle

The EBA shall have a *Document life cycle policy*, which shall detail the different stages of a document's life cycle.

8. Access rights to documents

All documents should be available to all staff unless access needs to be restricted to specific staff/groups of staff, taking into account the classification of the document. In such cases, access rights are restricted on a "needs to know" basis.

9. Inventory of Document Management Systems

The EBA shall maintain an **inventory** of documents management systems.

Given that some documents will be stored electronically and in paper format, the inventory will assist the EBA managing them in the most efficient possible way.

Annex - References

1. EBA Regulation

REGULATION (EU) No 1093/2010 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC

REGULATION (EU) No 1022/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 22 October 2013 amending Regulation (EU) No 1093/2010 establishing a European Supervisory Authority (European Banking Authority) as regards the conferral of specific tasks on the European Central Bank pursuant to Council Regulation (EU) No 1024/2013

2. Direct legal basis

Simplification and modernisation of the management of the Commission's documents (Action 9 of the interim action plan on simplification) - Communication to the Commission - [C\(2002\)99](#)

Provisions on electronic and digitised documents - Memorandum to the Commission - [C\(2004\)2470](#)

Annex **Provisions on document management** of the Commission Decision amending its Rules of Procedure - OJ L 21 of 24.1.2002, p. 23 - [Decision 2002/47/EC, ECSC, Euratom](#)

Annex **Provisions on electronic and digitised documents** of the Commission decision amending its Rules of procedures - OJ L 251 of 27.7.2004, p.9 - [Decision 2004/563/EC, Euratom](#)

Implementing rules for Decision 2002/47/EC and for Decision 2004/563/EC, adopted on 30.11.2009 - [SEC\(2009\)1643](#)

These implementing rules recast and replace those adopted between 2003 and 2008 under the numbers SEC(2003)349 vol.1 (Registration) and vol.2 (Filing), SEC(2005)1578 (Electronic and digitised documents), SEC(2007)734 (Preservation), SEC(2008)2233 (Appraisal and transfer).

[Recast document](#) (Decision 2002/47/EC, Decision 2004/563/EC and SEC(2009)1643)

Common nomenclature - Cover note and content (three first levels of the Institution's filing plan) - 2013 update - [fr](#) (replacing [SEC\(2003\)903/1](#))

Common Retention List (CRL) for European Commission files - [SEC\(2012\)713](#) - [CRL](#) - Cover note - [fr](#) (replacing [SEC\(2007\)970](#) and SEC(2007)969 Cover note - [fr](#))

Specific Retention List (SRL) for the PMO's files: Ares(2011)1049880 - [fr](#)

3. Related legal documents

a. Rules of procedure and public access to documents

[Regulation \(EC\) No 1049/2001](#) of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents - OJ L 145/2001, p. 43

Proposal for a Regulation of the European Parliament and of the Council regarding public access to the European Parliament, Council and Commission documents - [COM\(2008\)229](#)

EBA DC 036 [Decision of the Management Board on Access to Documents](#)

b. Security and personal data protection

Commission Decision amending Commission Decision 2001/844/EC, ECSC, Euratom of 3.2.2005 - OJ L 31/2001 - [Decision 2005/94/EC](#)

Annex Provisions on security of the Commission Decision of 29.11.2001 - OJ L 317/2001, p. 1 - [Decision 2001/844/EC, ECSC, Euratom](#) (16.1. Levels of classification)

Commission note on Protection of individuals with regard to the processing of personal data - [SEC\(2002\)1053](#)

Regulation on the protection of individuals with regard to the processing of personal data - OJ L 8, p. 1 - [Regulation \(EC\) No 45/2001](#)

Decision EBA DC 037 of the Management Board on Implementing Rules relating to Regulation (EC) No 45/2001 of the European Parliament and of the Council on the Protection of Individuals with regard to the Processing of Personal Data by the Community Institutions and Bodies and on the Free Movement of such Data

c. Code of good administrative behaviour

Annex Code of good administrative behaviour for staff of the European Commission in their relations with the public of the Commission Decision of 17.10.2000 - OJ L 267/2000, p. 63 - [Decision 2000/633/EC, ECSC, Euratom](#)

EBA DC 006 [Decision of the Management Board on EBA Code of Good Administrative Behaviour](#)

EBA DC 004 Decision of the Management Board on Professional Secrecy at the European Banking Authority

d. Audit, budget, finances

Regulation (EU, EURATOM) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union - OJ L 298 of 26/10/2012 -

EBA Financial Regulation of 23/12/2013 (Article 44.5)

Rules for the implementation of the EBA Financial Regulation of 24/09/2014 (Article 21)

e. Historical archives

Council Regulation concerning the opening to the public of the historical archives - [Regulation \(EEC, Euratom\) No 354/1983](#)

Council Regulation amending Regulation (EEC, Euratom) No 354/1983 - OL L 243 of 27/09/2003 - [Regulation \(EC, Euratom\) No 1700/2003](#)