

Resolution on the Conference Vision, Mission and Steering Group

SPRING CONFERENCE OF THE EUROPEAN DATA PROTECTION AUTHORITIES 18-20 MAY 2022

Cavtat, CROATIA



30th European Conference of Data Protection Authorities

May 2022 / Cavtat - Dubrovnik - Croatia

Sponsor: ICO

Co-sponsors: FotC WG: Albanian Data Protection Authority (“DPA”); Croatian DPA; EDPS; German DPA (BfDI); Georgian DPA; Swiss DPA (FDPIC); Gibraltarian DPA; Dutch DPA.

Preamble

In 2017 Member Authorities agreed to the establishment of a Working Group on the Future of the Conference (“FotC WG”). More specifically the FotC WG was asked to work on the strategic goals of the Conference. A small group of Data Protection Authorities (“DPAs”) agreed to collaborate to take forward the Conference’s work considering its future direction, notably from Limassol (Cyprus) in 2017 and Tirana (Albania) in 2018. The Working Group resolved to continue that work in order to effectively deliver meaningful proposals for discussion among the wider membership at the Conference originally planned in 2021.

All members and Observers were asked to contribute to a Survey laying the foundations of this work in October-November 2020. 60% of the Conference’s authorities responded to the survey and the WG continued work on this basis. Members were informed of the preliminary results of the Survey in November 2021 including that the work undertaken by the FotC WG will need to explore the feasibility of developing a Working Group in charge of governance.

The FotC WG has consulted the Membership of the Conference on the Resolution and on the two Reports produced by the WG in March 2022.

The FotC WG would like to propose to the wider membership some steps that the survey suggested to ensure the continuity of the Conference, notably with the creation of a Steering Group that would cover the remit of the FotC WG¹.

The European Conference of Data Protection Authorities noting that:

- The current Conference Rules and Procedure adopted in Limassol in 2017 could usefully be complemented by a Vision and Mission Statement to further describe the Conference’s purposes. The Vision and Mission Statements are complementary to the purposes put forward in the Limassol Resolution. The Vision and Mission Statements would acknowledge

¹ The FotC Working Group’s mission is addressed by the new Group and therefore the FotC WG will not carry on to gather.

clearly the role that the Conference can play on the one hand and on the other hand would identify key missions the Conference should pursue.

- The results of the 2020 survey recognised that the work currently carried out by the FotC WG should continue. The results of the survey recognised in particular that a working group is needed for example to support the host in identifying themes, to develop the agenda and to consider a possible handover as well as to work on a potential website.

- The FotC WG has been asked an additional set of questions by the 2022 Conference host that would benefit from being clarified for future hosts (for example: guests; sponsoring; accreditation deadline). These questions would merit further reflection including views from the membership.

The Conference hereby resolves:

- To take note of the two reports that underpin this Resolution:
 - o Report on the Conference Purpose and Achievement
 - o Report on the Conference Identity and Continuity and Steering Group proposal.

- To set up an Interim Steering Group for the period running from May 2022 to May 2023 made up of up to 8 volunteers². The coordinator of that group is to be selected by consensus and presented to the Conference;

- To give a mandate to that Interim Steering Group in 2023 to update the Conference Rules of Procedure - Limassol Resolution, 2017 (the “RoP”) to reflect the Vision and Mission Statement;

- To give a mandate to the above-mentioned Interim Steering Group to propose a revision of the RoP in 2023 to create a permanent Steering Group and describing the role and missions of such Steering Group and that would also include the Conference’s existing Committee on accreditation as a sub-section of the Steering Group as indicated at the end of Annex 2 in this document³;

- To allow the Conference host in 2023 to hold a call for members for the future Steering Group in 2023 and to confirm/ elect (as appropriate) those members at the Conference on the basis of this Resolution.

- To agree that the Interim Steering Group will work on the following priorities for 2022-2023:
 - o Advising the future host on the next Conference as appropriate;
 - o Working on support for future handovers between the previous host and the next (including production of a Guide or Manual for future host)
 - o Consider delivery of a new survey that will help progress governance and strategic intent and some of the outstanding questions about the RoP that were raised in

² A call for members of the Interim Steering Group took place before the Conference.

³ Please note the Annexes are internal documents of the Conference.

responses to the 2020 survey and during organisation of recent conferences (for example accreditation)

- Undertake work to reflect this Resolution
- Include the accreditation of future members/ observers as a sub-section of its work to provide support to the Accreditation Committee

Annex 1. Conclusion of Report on the Conference Purpose and Achievement (Section 1 of the Survey)

Recommendations

On the basis of the analysis above and further discussion, the FotC Working Group makes the following set of recommendations with regard to the Purpose of the Conference:

1. Vision and Mission Statements: The Conference adopts a vision statement and mission statement (in the same way as the GPA⁴ has) which reflects the uniquely pan-European composition of its membership and sets out in general terms a spirit of practical collaboration between data protection regulators in support of one another. Rather than specifying a number of defined purposes for the Conference, we propose instead to future-proof the ethos of the forum and set out what it seeks to do both now and in the future (i.e. articulating our mission/ambition rather than set objectives).

2. Resolutions and Communiqués: The Conference works towards developing a discernible collective European voice by means such as: circulating a communiqué after each annual event, highlighting the areas of our collective focus and likely future effort; or adopting resolutions. In particular, an annual conference communiqué might usefully set out challenges and trends as they present themselves in the European context, such as the impact of case law; or highlight legislative developments or perspectives that present a constructive challenge to Members. Where there is appetite for further work eg. following up on a commonly agreed requirement decided within the Conference, the Rules and Procedures make provision for the Conference to grant a mandate for a working group.

3. Practical focus of the Conference: The Conference strengthens its practical focus in as much as its annual meeting allows for sharing and comparison of practice. This could include for example, what regulators are doing and *how* (implementation); *how* regulators are mitigating issues etc. which results in ‘take-aways’ for DPAs to consider/take forward/further explore in their own jurisdiction, and which starts an ongoing dialogue between interested parties. This could be facilitated by discussions in parallel sessions. This recommendation can also be supported by the role the Steering Group can play in making itself available to advise on the Programme.

Over time, the Conference should continue to provide a network for privacy professionals to collaborate, develop skills and gain experience, whether at Commissioner, policy or practitioner level by promoting the Conference’s attendance in every DPA.

⁴ ‘The Global Privacy Assembly’s vision is an environment in which privacy and data protection authorities around the world are able effectively to act to fulfil their mandates, both individually and in concert, through diffusion of knowledge and supportive connections.’ Accessed at [Mission and Vision – Global Privacy Assembly](#).

4. **The Rules and Procedures** can be refreshed in 2023 to reflect the amendments below together with the Steering Group responsibilities (see separate document for the Steering Group).

Proposed Vision Statement

The Conference of European Data Protection Authorities – the ‘Spring Conference’ – commits to being the continent’s forum for all European data protection regulators, bridging borders and fostering practical collaboration and exchange of best practice among its Members to promote and uphold the protection of personal data and privacy in Europe.

Proposed Mission Statement

The Conference will:

- address issues of common interest, emergent trends and novel developments relating to the rights to privacy and data protection, as applicable to the European context including by looking at relevant developments globally as appropriate to inform European developments
- reflect the pan-European composition of its membership, thus serving to strengthen the relationship between regulators across Europe and their ability to consider communiques or resolutions.
- build cooperation between the different systems in Europe, and between the professionals who work within these systems, in pursuit of an unparalleled regional data privacy eco-system.
- focus on the practical exchange and discussion of best practice in the development and implementation of policy and privacy-related legislation, as well as stakeholder and engagement activity.

This Mission Statement could complement the current purposes contained in the RoP.

Annex 2. Conclusion of Report on the Conference Identity and Continuity and Steering Group proposal.

Proposal of Conference Steering Group (the “SG”) - Responsibilities and purpose

1. Purpose

To guide and advise on the organisation of the annual meeting of the Spring Conference (the “Conference”), including its transition from one host to the next, and help ensure the relevance, continuity and coherence of its work. The SG should not be conceived as a Secretariat function, for which the host is primarily responsible

2. Responsibilities and Relationship to the Conference

Conference Organisation

- a. Seek expressions of interest to host the annual meeting; review applications to host the annual meeting and make a host recommendation to the Conference for the subsequent year.
- b. Provide support to potential meeting host applicants to understand the task of hosting.
- c. Advise the host country with the organisation of the annual meeting of the Conference (advise on format: panels vs parallel workshops; propose moderators/ external speakers/ key speakers as requested).
- d. Support the host with the development of the strategic aspects of the agenda for the Conference’s annual meeting.
- e. Support the handover from the current to the incoming host.

Communication

- f. Advise the current host on how the host (data controller) can best maintain an accurate database of members, and observers which should include how to address the existence and maintenance of the database in any data protection policy.
- g. In conjunction with the current host, support timely communications with Members and Observers.

Governance & Accountability

- h. If relevant, lead the implementation of any deliverables allocated to the SG agreed at the annual meeting.
- i. Monitor the progress of any activity mandated by the Members at the annual meeting.
- j. Receive and support the review of new applications for accreditation, and recommend the accreditation of new Members/Observers, in collaboration with the Accreditation Committee who is in charge of providing Accreditation Reports.
- k. Receive and publish updates from any Spring Conference Working Groups where applicable.
- l. Keep the Conference Rules and Procedures under review to ensure they remain fit for purpose.
- m. Analyse and present requests for amendments to the Rules and Procedures at the annual meeting.

Maintaining Conference Sustainability

- n. Further develop the processes governing the workings of the Conference, in consultation with the Membership.

- o. Progress work to help ensure the continuity and coherence of the Conference year-to-year, to secure its future and delivery of its objectives, e.g. exploring website options.

3. Eligibility / Composition

[Note for the Membership: this disposition would start applying in 2023 after any change to the RoP is enacted. Please see point 8 of this document for the proposed rules governing the Interim SG 2022-2023]

- a. Any Member of the Conference can volunteer to participate in the SG
- b. The SG strives for wide representation to reflect the diversity of the Conference's Membership (i.e. geographical, linguistic, size of authority, EU/non-EU).
- c. The SG comprises up to 8 members: the current conference host, the most immediate previous conference host, and (optionally) the current host of the European Case-Handling Workshop, plus up to four ordinary seats. It is considered that a minimum of two ordinary seats are required for the SG to fulfil its mandate.
- d. A call for candidates to the SG should be issued at least two calendar months before the Conference. Applications to join the SG should be made to a single point of contact (usually the current SG coordinator or to the Conference host) three weeks before the Conference takes place.
- e. In the event that there are more applicants than seats, an election will take place at the Spring Conference annual event for filling each seat.
- f. Where the future year's host is already known, this Spring Conference Member can be invited to observe the Steering Group.

4. Duration of Mandate

- a. The current conference host and the previous conference host each serve for one year in these respective capacities (a conference host can expect to be on the SG for 2 years – one year as host and one year afterwards).
- b. Ordinary seats serve for three years (unless the Member indicates a wish to step down).
- c. An existing Steering Group seat may serve on the SG as current host if the Conference Member is successful in their host application. In this event, the substantive ordinary seat is advertised for the remaining term but there is no requirement for it to be filled.
- d. A Member may stand again after a period of two years (or sooner, subject to the agreement of the Conference, if there is an otherwise unfilled seat on the SG and the Member wishes to continue their involvement).

5. Decision-making

- a. The position of SG Coordinator is agreed by consensus annually by the members of the Group itself and announced to the Conference.
- b. Decisions by the SG are done by consensus. In cases where a consensus is not possible, a decision requires a two-thirds majority (e.g. 5/7) of the Members of the SG. The SG is quorate with four Members present, which must include the current host (or, in their absence, their nominated alternate).

6. Commitments

- a. Participants commit to actively engaging in the activities and outputs of the SG.
- b. Each authority will bear for itself any costs associated with participating in the work of the SG.

7. Frequency of Meetings

- a. The SG will decide for itself the frequency of its meetings, dependent on the workplan and activities of the SG at that time, with quarterly (video) calls as a minimum.
- b. Meetings will generally be held remotely via teleconference, with further communication via e-mail. The SG will seek to meet in person when there are opportunities to do so.

8. Transitional Provisions for the Interim Steering Group Membership May 2022- May 2023

- a. As of May 2022, an Interim Steering Group will be comprised of the past Host and future Host and the FotC Working Group members primarily as appropriate.
- b. Beforehand a call for interest will be launched in the run-up to the 2022 Conference to gauge interest of any additional members of the Conference to join the Group.