

## TEMPLATE FOR RECORDING OF PROCESSING ACTIVITY

### NOTIFICATION TO THE DATA PROTECTION OFFICER (ARTICLE 31 REGULATION 1725/2018)

NAME OF PROCESSING ACTIVITY<sup>1</sup>: Accident Insurance for non-statutory staff and visitors - Recording of Processing Activity + Privacy Statement

1)	Controller(s) <sup>2</sup> of data processing operation (Article 31.1(a))
<p>Controller: European Maritime Safety Agency (EMSA)</p> <p>Organisational unit responsible<sup>3</sup> for the processing activity: Unit 4.1, Human Resources and Internal Support.</p> <p>Data Controller: Cristina Romay Lopez, Head of Unit 4.1, Human Resources and Internal Support.</p> <p>Data Protection Officer (DPO): Radostina Nedeva-Maegerlein: <a href="mailto:dpo@emsa.europa.eu">dpo@emsa.europa.eu</a></p>	
2)	Who is actually conducting the processing? (Article 31.1(a)) <sup>4</sup>
<p>The data is processed by EMSA itself <input checked="" type="checkbox"/></p> <p>The organisational units conducting the processing activity are: Unit 4.1 Human Resources and Internal Support at EMSA.</p> <hr/> <p>The data is processed by a third party (contractor) <input checked="" type="checkbox"/> or the processing operation is conducted together with an external third party</p> <ul style="list-style-type: none"> <li>Lusitania, Companhia de Seguros, S.A Contact point at external third party (e.g. Privacy/Data Protection Officer): <a href="mailto:dpo@lusitania.pt">dpo@lusitania.pt</a></li> <li>Costa Duarte Corretor de Seguros Contact point at external third party (e.g. Privacy/Data Protection Officer): <a href="mailto:dpo@costaduarte.pt">dpo@costaduarte.pt</a></li> </ul>	

<sup>1</sup> **Personal** data is any information relating to an identified or identifiable natural person, i.e. someone who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity. This information may, for example, be the name, date of birth, a telephone number, biometric data, medical data, a picture, professional details, etc.

**Processing** means any operation or set of operations which is performed on personal data, whether or not by automatic means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

<sup>2</sup> In case of more than one controller (e.g. joint operations), all controllers need to be listed here

<sup>3</sup> This is the unit that decides that the processing takes place and why.

<sup>4</sup> Is EMSA itself conducting the processing? Or has a provider been contracted?

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3) Purpose of the processing (Article 31.1(b))

*Why are the personal data being processed? Specify the rationale and underlying reason for the processing and describe the individual steps used for the processing.*

The data needs to be processed in the context of the establishment of the accident insurance coverage for non-statutory staff and visitors. Statutory staff are covered 24/7 worldwide by **accident insurance** through the Joint Sickness and Insurance Scheme, however a dedicated insurance coverage needs to be put in place for non-statutory staff and visitors.

In the case of SNEs and trainees, the insurer needs the name, date of birth and the Portuguese tax number (NIF or numero de contribuinte) from those concerned up front so EMSA collects this data.

In the case of visitors, including NEPTs and interims, such data will only be required in the event of a claim following an accident.

4) Lawfulness of the processing (Article 5(a)–(d)): Processing necessary for:

*Mention the legal basis which justifies the processing*

- (a) a task carried out in the public interest or in the exercise of official authority vested in EMSA (including management and functioning of the institution) ☒
- [Under 15.2\(e\) of the EMSA Founding Regulation, Regulation \(EC\) No 1406/2002](#), as amended, the Executive Director shall exercise (e) he/she shall exercise, in respect of the staff, the powers laid down in Article 6(2).  
EMSA has a duty of care towards non-statutory staff and visitors in relation to the provision of accident insurance cover.

- (b) compliance with a legal obligation to which EMSA is subject ☐

- (c) necessary for the performance of a contract with the data subject or for the preparation of such a contract ☐

- (d) Data subject has given consent (*ex ante*, explicit, informed)

The non-statutory staff and visitors will be informed of their data rights and the manner in which their personal data will be handled by a Privacy Statement made available to them.

<b>5) Description of the categories of data subjects (Article 31.1(c))</b> <i>Whose personal data are being processed?</i>	
EMSA staff Officials, Temporary Agents, Contract Staff and Project Financed Contract Staff.	<input type="checkbox"/>
Non-EMSA staff (contractors staff, external experts, trainees) SNEs, NEPTS, Interims and trainees.	<input checked="" type="checkbox"/>
Visitors to EMSA building Job applicants, visitors expressly invited or who have a professional link with EMSA, experts or evaluators, speakers.	<input checked="" type="checkbox"/>
Relatives of the data subject	<input type="checkbox"/>
Other (please specify):	
<b>6) Categories of personal data processed (Article 31.1(c))</b> <i>Please tick all that apply and give details where appropriate</i>	
<b>(a) General personal data:</b> The personal data contains:	
Personal details (name, address etc) Name, date of birth to be provided up front for SNEs and trainees and in the event of an accident for visitors, including NEPTs and interims.	<input checked="" type="checkbox"/>
Education & Training details	<input type="checkbox"/>
Employment details	<input type="checkbox"/>
Financial details Portuguese tax number (NIF or numero de contribuinte) to be provided up front for SNEs and trainees and in the event of an accident for visitors, including NEPTs and interims, if applicable.	<input checked="" type="checkbox"/>
Family, lifestyle and social circumstances	<input type="checkbox"/>

Goods or services provided	<input type="checkbox"/>
Other (please give details):	<input type="checkbox"/>
<b>(b) Sensitive personal data</b> (Article 10)	
Racial or ethnic origin	<input type="checkbox"/>
Political opinions	<input type="checkbox"/>
Religious or philosophical beliefs	<input type="checkbox"/>
Trade union membership	<input type="checkbox"/>
Genetic, biometric or data concerning health	<input type="checkbox"/>
Information regarding an individual's sex life or sexual orientation	<input type="checkbox"/>
<b>7) Recipient(s) of the data</b> (Article 31.1 (d))	
<i>Recipients are all parties who have access to the personal data</i>	
Data subjects themselves	<input checked="" type="checkbox"/>
Managers of data subjects	<input type="checkbox"/>
Designated EMSA staff members Relevant staff in Units 4.1 and 4.2 taking care of the arrangements for the insurance.	<input checked="" type="checkbox"/>
Designated Contractors' staff members Relevant staff of the contractors (Lusitania and Costa Duarte) taking care of the arrangements for the insurance.	<input checked="" type="checkbox"/>
Other (please specify):	<input checked="" type="checkbox"/>

- Access will be given to EU staff with the statutory right to access the data required by their function, i.e. the European Ombudsman, the Civil Service Tribunal, the Internal Audit Service, the European Court of Auditors, OLAF and the European Data Protection Supervisor.

#### 8) Transfers to third countries or recipients outside the EEA (Article 31.1 (e))

*If the personal data are transferred outside the European Economic Area, this needs to be specifically mentioned, since it increases the risks of the processing operation.*

Data are transferred to third country recipients:

Yes ☐

No ☒

**If yes, specify to which country:**

**If yes, specify under which safeguards:**

[Adequacy Decision of the European Commission with the United Kingdom](#) ☐

Standard Contractual Clauses ☐

Binding Corporate Rules ☐

Memorandum of Understanding between public authorities ☐

#### 9) Technical and organisational security measures (Article 31.1(g))

*Please specify where the data are stored during and after the processing*

How is the data stored?

EMSA network shared drive ☐

Outlook Folder(s) ☒

By email

Hardcopy file

☐

Cloud (give details, e.g. public cloud)

☐

Servers of external provider

☒

Servers of the contractors concerned (Lusitania and Costa Duarte)

Other (please specify): E-Personal File

☒

#### 10) Retention time (Article 4(e))

*How long will the data be retained and what is the justification for the retention period? Keep in mind that there are pre-determined retention periods for most types of files. Those are explained in the Records Management Policy and Procedure of the Agency. You can check EMSA Records Management Policy and Procedure [here](#).*

The contractors will be asked to delete the information for those concerned if there are no claims by the end of the insured period.

SNEs' personal data, including NIF, are kept in their personal file for 10 years following the termination of employment or the last pension payment.

Trainees' personal data, including NIF, are kept in their personal file for 50 years and then eliminated.

In the case of visitors, NEPTs and Interims, they can contact the insurance contractors directly so that EMSA does not collect personal data for this purpose.