

Data Protection Privacy Statement

on the processing of personal data in the context of the provision of information related to staff members to Embassies and Permanent Representations of the nationality of the staff members concerned.

The protection of privacy is of high importance to the European Maritime Safety Agency ('EMSA'). EMSA is responsible for the personal data it processes. Therefore, we are committed to respecting and protecting the personal data of every individual and to ensuring efficient exercising of data subject's rights. All the data of personal nature, namely data that can identify an individual directly or indirectly, will be handled fairly and lawfully with the necessary due care.

This processing operation is subject to Regulation (EU) No. 2018/1725 of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data. The information in this Privacy Statement is given pursuant to Articles 15 and 16 of the Regulation (EU) No. 2018/1725.

1. Nature and the purpose(s) of the processing operation¹

The purpose(s) of the processing of personal data is to provide data requested by Embassies and Permanent Representations in order for them to update their databases, invite the staff concerned to events and for statistical purposes, among others.

2. Categories/types of personal data processed

The categories/types of personal data processed are the following:

Personal details: name, gender, email, date of birth and nationality;

Employment details: grade, position and job title.

3. Processing the personal data

The processing of the personal data is carried out under the responsibility of the Head of Unit 4.1. Human Resources and Internal Support acting as delegated EMSA data controller.

The personal data being processed is extracted from the HR database and a table is normally sent by email to the Embassy/Permanent Representation with the data requested after obtaining the consent of the data subjects.

¹ Please, provide a brief description of the processing operation and clearly define the purpose(s).

4. Access to and disclosure of personal data

The personal data is disclosed to the following recipients:

- Head of Unit 4.1, Administrative Assistant to the Head of Unit 4.1 and HR Officers involved in preparing the data.
- Head of Department 4, Corporate Services.
- EMSA Data Protection Officer.
- The Executive Director and the Head of the Executive Office in the case that the data is sent out by the Executive Director.
- Employees of the Embassies and Permanent Representations requesting the data.

The information will only be shared with people necessary for the implementation the request from the Embassies/Permanent Representation *on a need to know* basis.

The information in question will not be communicated to any other third parties, except those outlined above.

Personal data are not intended to be transferred to third countries.

5. Protecting and safeguarding personal information

EMSA implements appropriate technical and organisational measures in order to safeguard and protect data subjects' personal data from accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to them.

All personal data related to the personal data concerned are stored in a secure IT application according to the security standards of the Agency accessible only to the authorised recipients. Appropriate levels of *access are granted* individually only to the above recipients.

All HR staff dealing with personal data sign a confidentiality declaration that is kept in his/her personal file.

6. Access, rectification, erasure or restriction of processing of personal data

Data subjects have the right to access, rectify, erase, and receive their personal data, as well as to restrict and object to the processing of the data, in the cases foreseen by Articles 17 to 24 of the Regulation (EU) No. 2018/1725.

If data subjects would like to exercise any of these rights, they should send a written request explicitly specifying their query to the delegated data controller, the Head of the Unit 4.1 Human Resources and Internal Support.

The right of rectification can only apply to inaccurate or incomplete factual data processed within the current procedure.

The above requests will be answered without undue delay, and in any event within one month of receipt of the request. However, according to article 14 (3) of the Regulation (EU) No. 2018/1725, that period may be extended by two further months where necessary, taking into account the complexity and number of the

requests. EMSA shall inform the data subject of any such extension within one month of receipt of the request, together with the reasons for the delay.

7. Legal basis for Data processing

Processing is based on Article 5 (a) of the Regulation (EU) No. 2018/1725 of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data., providing that:

(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).

Processing is necessary for the performance of tasks carried out in the public interest on the basis of the Article 6 and Article 15.2(e) of the Regulation (CE) n° 1406/2002 of the European Parliament and of the Council establishing a European Maritime Safety Agency (as amended).

The personal data are collected and processed in accordance with Staff Regulations of the European Union ('Staff Regulations') and the Conditions of Employment of Other Servants of the European Union ('CEOS'), laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68, as amended.

8. Storing Personal data

EMSA does not keep personal data longer than necessary for the purpose(s) for which that personal data is collected.

Once the data is provided by EMSA to the Embassies and Permanent Representations, as described above, EMSA retains the data for 10 years and then eliminates it. The Embassies and Permanent Representations retain the information based on their national legislation's provisions and the applicable Data Protection and Retention Rules.

9. Data protection points of contact

Should data subjects have any queries/questions concerning the processing of your personal data, they should address them to the data controller, the Head of Unit 4.1. Human Resources and Internal Support under the following mailbox: Cristina.ROMAY-LOPEZ@emsa.europa.eu

Any data subject may also consult EMSA Data Protection Officer at: DPO@emsa.europa.eu.

Recourse:

Complaints, in cases where the conflict is not resolved by the Data Controller and/or the Data Protection Officer, can be addressed at any time to the European Data Protection Supervisor: edps@edps.europa.eu.