

## **Privacy Statement on the processing of personal data in the Survey on Post COVID-19 Outbreak Return to Work**

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 Regulation 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 2018/1725.

### **1. Nature and the purpose(s) of the processing operation**

The purpose(s) of the processing of personal data is/are:

A Survey will be launched among EMSA staff in order to collect indication from staff if they are willing to work from premises or if they prefer to continue teleworking, following the outbreak of COVID – 19 and the subsequent quarantine measure. The Survey will be taking into account their personal/family situation as well as safety measures that need to be implemented in line with requirement from the Portuguese authorities. The collected data will facilitate the ED's decision on types of phases anticipated for gradual return. In case staff is indicating willingness to return, the aggregated data will be used in order to define rotas and location of staff in the premises, in order to ensure deeper cleaning and managing working time.

EMSA will not reuse the personal data for another purpose that is different to the one stated above.

The processing is not intended to be used for any automated decision making, including profiling.

### **2. Categories/types of personal data processed**

The categories/types of personal data processed are the following: Name, surname and e-mail address.

### **3. Processing the personal data**

The processing of the personal data is carried out under the responsibility of the acting Head of Department 4, acting as delegated EMSA data controller.

### **4. Access to and disclosure of personal data**

The personal data is disclosed to the following recipients:

The information collected through the Survey will only be shared with people necessary for the implementation of such measures *on a need to know* basis. Access to the personal data collected will only be granted to a limited number of identified staff – the Senior Management for decision making. Should voluntarily rota/ work in premises be agreed, data need to be shared with HoU, HR and Facilities staff.

The data are not used for any other purposes nor disclosed to any other recipient.

The information in question will not be communicated to third parties, except where necessary for the purpose(s) outlined above.

## **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 Survey are stored in secure IT applications according to the security standards of the Agency as well as in specific electronic folders accessible only to the authorised recipients. Appropriate levels of *access are granted* individually only to the above recipients.

## **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 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, acting Head of Department 4.

The right of rectification can only apply to inaccurate or incomplete factual data processed within the Survey in subject of this Privacy Statement.

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 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 2018/1725.

The personal data are collected and processed in accordance with Article 15.2(e) of the EMSA Founding Regulation, Regulation (EC) No 1406/2002, as amended. Pursuant to the above Article, the Executive Director shall exercise (e) he/she shall exercise, in respect of the staff, the powers laid down in Article 6(2). As part of the duty of care incumbent upon the Executive Director as Appointing Authority, staff need to be assisted during disruptions affecting the normal functioning of EMSA and which may have consequences for the health and wellbeing of the staff.

## **8. Storing Personal data**

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

The data will be only retained for a maximum period of 6 months.

In the event of a formal appeal, all data held at the time of the formal appeal should be retained until the completion of the appeal procedures.

## **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, Head of Unit 4.2 under the following mailbox: [HelpdeskFM@emsa.europa.eu](mailto:HelpdeskFM@emsa.europa.eu)

Any data subject may also consult EMSA Data Protection Officer at: [DPO@emsa.europa.eu](mailto: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](mailto:edps@edps.europa.eu).