

TEMPLATE FOR RECORDING OF PROCESSING ACTIVITY

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

NAME OF PROCESSING ACTIVITY¹: Selection, Recruitment and Management of Trainees, implementation of the Traineeship scheme in EMSA

1) Controller(s) ² of data processing operation (Article 31.1(a))
<p>Controller: European Maritime Safety Agency (EMSA)</p> <p>Organisational unit responsible³ 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: Cristina.ROMAY-LOPEZ@emsa.europa.eu</p> <p>Data Protection Officer (DPO): Radostina Nedeva-Maegerlein: dpo@emsa.europa.eu</p>
2) Who is actually conducting the processing? (Article 31.1(a)) ⁴
<p>The data is processed by EMSA itself. x</p> <p>The organisational unit conducting the processing activity is: Unit 4.1, Human Resources and Internal Support.</p> <hr/> <p>The data is processed by a third party (contractor) or the processing operation is conducted together with an external third party: <input checked="" type="checkbox"/></p> <p>External Medical Service Provider: If a recruited trainee has any physical disabilities, he/she is requested to send a medical report including the special arrangements needed and/or the disability decision of the national health insurance in a sealed envelope inside the envelope with the other documents for his/her traineeship. This envelope will be transmitted sealed to the EMSA Medical Advisor for his opinion.</p> <p>A disability allowance may be granted. In this context, the medical data as such is only handled by the in-house Medical Advisor.</p>

¹ **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.

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

³ This is the unit that decides that the processing takes place and why.

⁴ Is EMSA itself conducting the processing? Or has a provider been contracted?

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 European Maritime Safety Agency offers traineeships for a period from 3 to 6 months. The candidates apply following a call on EMSA's webpage until a published deadline and provide the required documents to confirm their eligibility. Then, the pre-Selection Committee establishes a list of suitable candidates that is forwarded to the relevant units for their selection. The final nomination is confirmed by the Executive Director who has delegated this responsibility to the Head of Department for Corporate Services (Annex I). Personal data is processed to select the most suitable trainee for each unit. To this end, the Agency collects, manages, and stores data relating to candidates for a traineeship who apply for these vacancies. Data are related to the educational background, professional experience and personal profile of candidates including motivation letter and copies of university diplomas and languages certificates. The data is submitted by candidates themselves in the e-recruitment tool (available on EMSA website) to create an e-recruitment CV. A copy of their university diploma(s) giving access to the traineeship is sent to a dedicated mailbox to confirm their eligibility to the traineeship.

The candidate's data is handled and/or consulted by different actors in the selection process: namely specific staff members in the Human Resources sector, the members of the pre-selection committee and the advisors and Head of Units in the Units who have requested a trainee.

If a candidate has been selected, additional data contained in the following documents will be processed:

- Diplomas and Languages Certificates mentioned in their application
- Identity Card or Passport,
- Acceptance Form,
- Legal Entity Form,
- Financial Form,
- Emergency Contact Details Form,
- Sickness Insurance Form and proof of health insurance coverage (e.g. European Health Card)
- and supporting documents for the reimbursement of travel expenses.

In the Emergency Contact Details Form, the recruited trainee is asked to provide the contact details of a third person and to declare their relationship only for the purpose of contacting that person in case of emergency.

If a selected trainee has any physical disabilities, he/she is requested to send a medical report including the special arrangements needed and/or the disability decision of the national health insurance in a sealed envelope inside the envelope with the other documents mentioned above. This envelope will be transmitted

sealed to the EMSA Medical Advisor for his opinion. (see point 2 above).

Recruited trainees are asked to provide a copy of language certificates declared in their application and a certified true copy of the university diploma giving access to the traineeship (first cycle of a higher education course (university education). Alternatively, they may be requested to bring the original of their diploma for EMSA to certify this document true copy when they start their traineeship.

Furthermore, trainees are asked to sign a declaration of confidentiality.

Data processed during the traineeship period at EMSA:

Other documents may be added during the course of the traineeship to the personal file of the trainee: training requests, earlier termination of traineeship, traineeship certificate, end of traineeship report, leaving form.

This list above is non-exhaustive.

Once the trainee is at EMSA she/he receives a monthly grant (and travel when applicable) for which personal and financial data need to be processed by the designated persons in HR and by the relevant actors in the financial circuit (initiating agent, verifying agent(s), delegated authorising officer, accounting officer).

For payments of the grant and travel expenses, the relevant persons in the Human Resources and Internal Support Unit, the Legal, Financial and Facilities Support Unit and the Accounting Officer have access to the necessary data. Furthermore, trainees are asked to sign a declaration of confidentiality.

All these documents are stored in the Traineeship paper folder, uploaded to ARES and to the e-personal file.

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)



The traineeship program aims to provide trainees with work experience in the field of maritime safety legislation, response to pollution at sea and cooperation among member states in safety at sea matters or in the administrative areas of legal and financial affairs, human resources, events and missions or ICT..

In-service training enables trainees to acquire practical experience by means of their work and put into practice the knowledge they have acquired during their academic studies or professional careers in the areas of maritime safety, communication or administration.

The operation is performed in public interest, so EMSA can:

- provide young university graduates with unique experience of working in EMSA;
- enable such trainees to acquire practical experience and knowledge of the work of the Agency.

- provide young university graduates with an opportunity to put in practice their knowledge acquired during their studies;
- create long-term “good will ambassadors” for European ideas and values.

Legal basis of processing:

Regulation (CE) n° 1406/2002 of the European Parliament and of the Council establishing a European Maritime Safety Agency, as amended.

Director's Decision n° 2016/036 of 21.11.2016 relating to the rules governing the traineeship scheme of EMSA (Annex II).

(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) ☐

Candidates applying to traineeship will be informed of their data rights and the manner in which their personal data will be handled during the recruitment procedure via the privacy statement published on EMSA website (Data Protection Privacy Statement on the processing of personal data in the context of Selection of Trainees at EMSA). The traineeship calls for applications contains a general privacy statement as well.

The Specific Data Protection Privacy Statement on the processing of personal data in the context of the Recruitment and Management of the Personal Files of Trainees at EMSA is sent to the candidate with the traineeship offer letter.

5) Description of the categories of data subjects (Article 31.1(c))

Whose personal data are being processed?

EMSA staff ☐

Non-EMSA staff (contractors staff, external experts, trainees) ☒

Trainees and candidate trainees

Visitors to EMSA building ☐

Relatives of the data subject ☐

Other (please specify):

6) Categories of personal data processed (Article 31.1(c))

Please tick all that apply and give details where appropriate

(a) General personal data:

The personal data contains:

Personal details (name, address etc)



First name, Family name, Date of birth, Place and country of birth, Gender, Nationality(ies), Private telephone, number, Work telephone number, Mobile number, Fax number, Email, Current residence address.

Education & Training details



Candidates are asked to declare how they fulfil the Eligibility and Selection Criteria of the positions chosen, which are linked to their educational background.

In addition, to each course, name and location of the organisation providing the education or training, main study subjects, Diplomas or certificates obtained including grades achieved, start and end dates.

Knowledge of languages: level of English other languages and level.

Employment details



Length of the legal notice period required and objections to making enquiries to the present employer. For each experience: the start and end dates/ongoing, employer information (name, city and Country), description of the position (title, number of employees under direct supervision, place of employment, name and title of the supervisor, Detailed description of your work, languages used.

Security level (if applicable)

Financial details



The recruited trainee is asked to provide his financial details for the grant payment.

Family, lifestyle and social circumstances



In the Emergency Contact Details Form (Annex III), the recruited trainee is asked to provide the contact details of a third person and to declare their relationship for the only purpose of contacting that person in case of emergency.

Goods or services provided



Other (please give details):

Preference of Unit: Applicants are requested to express their preference for two Units .

Skills and Competences: Knowledge of office computer software, Periods of at least three months spent abroad and any other information relevant for the applicants.

Motivation for the traineeship.

In addition to the data above the applicants are also requested to submit a copy of university diploma giving access to the traineeship (first cycle of a higher education course (university education) by e-mail.

(b) Sensitive personal data (Article 10)

Racial or ethnic origin	n/a
Political opinions	n/a
Religious or philosophical beliefs	n/a
Trade union membership	n/a
Genetic, biometric or data concerning health	n/a
A disability allowance may be granted. In this context, the medical data as such is only handled by the in-house Medical Advisor.	
Information regarding an individual's sex life or sexual orientation	n/a
7) Recipient(s) of the data (Article 31.1 (d))	
<i>Recipients are all parties who have access to the personal data</i>	
Data subjects themselves	<input checked="" type="checkbox"/>
Applicants have access to their own application via their profile on E-Recruitment tool available on EMSA website.	
Selected candidates have access via the e-Personal file to all the documents provided to EMSA.	
Managers of data subjects	<input checked="" type="checkbox"/>
The Selection Committee, future advisors and line managers are involved in the selection procedure.	
Designated EMSA staff members	<input checked="" type="checkbox"/>
The Appointing Authority, the Human Resources sector (service responsible for the selection of trainees) and members of the selection committees as well as financial actors who have access only to the relevant information to process the payment of the grants and travel expenses.	
Occasionally, specialised members of the ICT Unit involved in the management and development of the Human Resources IT applications.	
Designated Contractors' staff members	<input type="checkbox"/>
Other: if appropriate, 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))	
<i>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.</i>	

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 ☐

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 ☒

Only accessible to staff members responsible for the recruitment procedure within Unit 4.1, Human Resources and Internal Support. As well as access restriction, the files concerned will be password protected.

Outlook Folder(s) ☒

All emails with the applications received are saved in a dedicated Outlook folder with limited access rights.

Hardcopy file ☒

All documents that selected candidates send via post are kept in a hardcopy file that is later storage in 4.1.1 archives.

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

Servers of external provider ☐

Other (please specify): E-Recruitment tool, e-Personal File., ARES and ABAC.

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 files relating to the selection procedure of trainees are kept for 5 years and then a group of files is chosen for preservation and the remainder is destroyed. The files identified for preservation are transferred to EMSA's archives.

The files on candidates who were rejected, not selected or who withdrew their application are destroyed 2 years after the end of the selection procedure.

Trainee personal files are kept for 5 years after the end of the traineeship but the data necessary for providing a copy of the traineeship certificate (i.e. information on the duration of the traineeship, the department to which the trainee was assigned, the name of the supervisor and the nature of work performed) are destroyed 50 years after the end of the selection procedure.

The payments of the monthly and travel grants are stored in ABAC and destroyed 7 years after the end of the traineeship.