

Data Protection Statement/Privacy Statement on the processing of personal data in the procedure/context of Management of Job Descriptions (JD) at EMSA

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 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 operation¹

The purpose(s) of the processing of personal data is to have meaningful and up-to-date Job Descriptions (JDs) that enable effective staff resource management at EMSA. In addition, to manage the work and assess staff performance, it is important to have accurate JDs. As a management tool, JDs clarify which Functions, Responsibilities and Competencies are expected from the job holder that will occupy a job.

All EMSA staff have access and can view the content of their individual JD in their e-personal file. Job descriptions containing the job title, field of activity, job holder's and reporting officer's name, initial contract start date, department/unit, contract type, job responsibility range, job family, position occupied from, functions and duties, skills and competencies are published on the intranet through a link to a Sharepoint folder that is available to all EMSA officials, temporary and contract agents, Seconded National Experts and National Experts in Professional Training. This enables EMSA to foster harmonisation in job titles and job descriptions for staff in the same job family and for managers and job holders to have an overview of jobs available in the organisation and make more informed career and mobility choices in addition to enhance transparency within the organisation.

The term Job Description (JD) includes the Job Holder Details and the Job Profile which is divided as follows:

1. Department/unit
2. Contract type: Official, temporary agent, contract agent
3. Job responsibility range: These are based on the [guidance on job responsibilities](#) and are separated by grades and function groups
4. Job families – These are taken from the [job families document](#)
5. The date the position is occupied from

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

6. Functions & Duties: list of activities and tasks to be carried out, using the [job families document](#) as reference.
7. Skills and Competences: Experience, Languages, Competencies and Knowledge considered essential to fulfil the specific job, , using the [job families document](#) as reference.

Procedure Steps for the completion of the job description:

1. The job description templates for each staff member in their department/unit are available for managers on a Sharepoint drive to complete or HR sends by email the job description template to the Job Holder (JH) and their Reporting Officer (RO) /Head of Unit (HoU).
2. The JH and Reporting Officer discuss the content of the job description. The Reporting officer returns a draft job description to HR by email to check.
3. Once informed by HR that the draft is ok, the secretariat of the unit circulates the job description in ARES for the e-signature of both, JH and RO.
4. The signed job description is filed in ARES, stored in the e-personal file of the JH concerned.
5. The job description is published on the intranet through a link to a Sharepoint folder.

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

2. Categories/types of personal data processed

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

Personal details:

- For the staff member: Name and Surname
- For the Reporting Officer: Name and Surname

Employment details:

- For the staff member: Job title, field of activity, personnel number, contract start date, Department/Unit, Contract Type, job responsibility range, job family, date of position occupation of activity, functions and duties, skills and competencies.
- For the Reporting Officer: job title

3. Processing the personal data

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

4. Access to and disclosure of personal data

The personal data is disclosed to the following recipients:

- Data subjects themselves: The job description is filed the e-personal file of the concerned staff member and is published on the intranet through a link to a Sharepoint folder.
- Managers of data subjects: Reporting Officers of the staff members.

- All EMSA officials, temporary and contract agents have access to the Sharepoint folder where the job descriptions are saved.
- Members of the ICT Unit assisting with the e-Personal file.
- Others: Seconded National Experts and National Experts in Professional Training, who have access to the Sharepoint folder through the link to the intranet.
- 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.

The information concerning Management of Job Descriptions (JD) will only be shared with people necessary for the implementation of such measures on a need-to-know basis. The data are not used for any other purposes nor disclosed to any other recipient.

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 Management of Job Descriptions (JD) 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, The Head of Human Resources and Internal Support Unit.

The right of rectification can only apply to inaccurate or incomplete factual data processed within the Management of Job Descriptions (JD) 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 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 5a f the Regulation 2018/1725.

The personal data are collected and processed in accordance with Article 21 of the Staff Regulations, which stipulates that the official "shall be responsible for the performance of the duties assigned to him.

8. Storing Personal data

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

According to art. 26 of the SR, job descriptions are kept in the personal file of the staff member. The job descriptions have to be kept as long as the personal file is retained. Personnel files are destroyed 10 years following the termination of employment or the last pension payment.

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 Human Resources and Internal Support Unit under the following mailbox: HR.Career@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.