

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

NAME OF PROCESSING ACTIVITY: **Staff Commuter Survey**

1) Controller(s)¹ of data processing operation (Article 31.1(a))
<p>Controller: European Maritime Safety Agency (EMSA)</p> <p>Organisational unit responsible² for the processing activity: Department 4 Corporate Services</p> <p>Contact person: Marta Martins (Unit 4.0)</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))³
<p>The data is processed by EMSA itself <input checked="" type="checkbox"/></p> <p>The organisational unit conducting the processing activity is: Department 4 Corporate Services</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>Contact point at external third party (e.g. Privacy/Data Protection Officer):</p> <p>EU Survey.</p> <p>The European Commission (DIGIT) is processor for the:</p> <ul style="list-style-type: none"> - web-based interface for the survey owner and the contributors - hosting of the survey data and any submitted responses <p>DATA-PROTECTION-OFFICER@ec.europa.eu</p>

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

¹ In case of more than one controller (e.g. joint operations), all controllers need to be listed here

² This is the unit that decides that the processing takes place and why.

³ Is EMSA itself conducting the processing? Or has a provider been contracted?

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.

Under EMSA's Environmental Policy, EMSA is committed to:

- prevent and minimise the environmental impact of everyday work,
- continuously improve individual and organisational environmental performance,
- support and stimulate innovation and development in marine-environmental matters,
- establish environmental objectives and tasks, defining clear responsibilities and openly providing information,
- comply with all environmentally relevant legislation and obligations, as well as with voluntarily assumed obligations, namely under the EMAS and ISO14001 frameworks.

More specifically, EMSA is committed to:

- minimise its carbon dioxide emissions;
- promote the efficient use of energy and minimise its consumption;

An online survey to examine how staff commutes to and from the office will be launched in November 2023 and repeated after six months to make a deep analysis of the impact of the staff commuting in EMSA's total carbon dioxide emissions. The goal will be to assess the choices made by staff and see if they can be influenced in order to reduce the CO2 emissions in the workplace context.

The online survey is set as anonymous on the EU Survey website. However, some answers are open, and it may be possible that staff voluntarily disclose details about their commuting habits, which could lead to their identification.

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) ☒
(Examples of legal basis: e.g. Article 2 'Core tasks of the Agency', par.4 b) EMSA founding regulation)
[EMSA's Environmental Policy](#)
- (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) ☐
Describe how consent will be collected and where the relevant proof of consent will be stored

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

Whose personal data are being processed?

EMSA staff ☒

Officials, Temporary Agents and Contract Agents

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

Seconded National Experts, Trainees, Interims, NEPTs, contractors staff

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) ☐

Education & Training details ☐

Employment details ☐

Financial details ☐

Family, lifestyle and social circumstances ☒

Commuting habits

Goods or services provided ☐

Other (please give details):

(b) **Sensitive personal data** (Article 10)

The personal data reveals:

Racial or ethnic origin ☐

Political opinions ☐

Religious or philosophical beliefs ☐

Trade union membership ☐

Genetic, biometric or data concerning health ☐

Information regarding an individual's sex life or sexual orientation ☐

7) Recipient(s) of the data (Article 31.1 (d))

Recipients are all parties who have access to the personal data

Data subjects themselves ☒

Managers of data subjects ☐

Designated EMSA staff members ☒

- Webmaster
- Specific staff of the EMSA Greening Team
- Head of Unit 4.2
- Head of Department 4

Designated Contractors' staff members ☐

Other (please specify):

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 ☐

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) ☐

Hardcopy file ☐

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

☐

Servers of external provider

☒

EU Survey

Other (please specify):

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 at the Intranet of the Agency.

The survey is anonymised, so no personal data is retained unless the staff member discloses any information which could make him/her identifiable. In this case, the responsible member of the Greening Team will anonymise the answer.

The replies to the survey are stored in EU Survey following their privacy notice.