

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

NAME OF PROCESSING ACTIVITY<sup>1</sup>:

**INTEGRATED QUALITY, ENVIRONMENTAL AND SECURITY MANAGEMENT SYSTEM (IQES-MS)**

<b>1) Controller(s)<sup>2</sup> of data processing operation (Article 31.1(a))</b>
<p>Controller: European Maritime Safety Agency (EMSA)</p> <p>Organisational unit <b>responsible</b><sup>3</sup> for the processing activity: Executive Office</p> <p>Contact person: Marin Chintoan Uta – <a href="mailto:marin.chintoan-uta@emsa.europa.eu">marin.chintoan-uta@emsa.europa.eu</a></p> <p>Data Protection Officer (DPO): Radostina Nedeva-Maegerlein: <a href="mailto:dpo@emsa.europa.eu">dpo@emsa.europa.eu</a></p>
<b>2) Who is actually conducting the processing? (Article 31.1(a))<sup>4</sup></b>
<p>The data is processed by EMSA itself <input checked="" type="checkbox"/></p> <p>The organisational unit conducting the processing activity is: EO</p>
<p>The data is processed by a third party (contractor) <input checked="" type="checkbox"/> or the processing operation is conducted together with an external third party</p> <p>QSA.net srl Italy - <a href="https://www.qsa.net/Informativa-Privacy-e-Cookie">Informativa Privacy e Cookie (qsa.net)</a></p> <p>ISMS online UK - <a href="https://www.isms.online/Privacy-Policy">Privacy Policy   ISMS.online</a></p> <p>Contact point at external third party (e.g. Privacy/Data Protection Officer): System administrator</p>

<sup>1</sup> **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.

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

<sup>3</sup> This is the unit that decides that the processing takes place and why.

<sup>4</sup> Is EMSA itself conducting the processing? Or has a provider been contracted?

QSA.net srl Italy - [im@qsa.net](mailto:im@qsa.net)

ISMS online UK - [dataprotection@isms.online](mailto:dataprotection@isms.online)

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.*

Implementation of IQES-MS (ISO 9001, 14001, 27001) was decided by the Executive Director in line with European Commission recommendation for using quality and environmental standards for the continual improvement of performance in EU Agencies.

All the above standards require allocation of specific roles and responsibilities aligned with the job title of staff members. Therefore, for compliance purposes, the name, email address and job title are needed to set-up and operate the system.

Name and job title are used within IQES-MS documents to indicate people involved in various processes and tasks.

The emails are used for information, communication and distribution of IQES-MS documents.

EMSA uses two software to implement the IQES-MS provided by the contractors.

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 exercise of official authority vested in EMSA  
(including management and functioning of the institution) ☒

The IQES-MS Manual is approved by the ED ([Ares\(2022\)8438904](#))

- (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	<input checked="" type="checkbox"/>
Non-EMSA staff (contractors staff, external experts, trainees) Seconded National Experts, Trainees, Interims, NEPTs	<input checked="" type="checkbox"/>
Visitors to EMSA building	<input type="checkbox"/>
Relatives of the data subject	<input type="checkbox"/>
Other (please specify):	
6) Categories of personal data processed (Article 31.1(c)) <i>Please tick all that apply and give details where appropriate</i>	
(a) <b>General personal data:</b> The personal data contains:	
Personal details (name, address etc) Name, surname	<input checked="" type="checkbox"/>
Education & Training details	<input type="checkbox"/>
Employment details e-mail and job title	<input checked="" type="checkbox"/>
Financial details	<input type="checkbox"/>
Family, lifestyle and social circumstances	<input type="checkbox"/>
Goods or services provided	<input type="checkbox"/>
Other (please give details):	
(b) <b>Sensitive personal data</b> (Article 10)	

The personal data reveals:	
Racial or ethnic origin	<input type="checkbox"/>
Political opinions	<input type="checkbox"/>
Religious or philosophical beliefs	<input type="checkbox"/>
Trade union membership	<input type="checkbox"/>
Genetic, biometric or data concerning health	<input type="checkbox"/>
Information regarding an individual's sex life or sexual orientation	<input type="checkbox"/>
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"/>
Managers of data subjects	<input checked="" type="checkbox"/>
Designated EMSA staff members	<input checked="" type="checkbox"/>
Administrators of the system	
Designated Contractors' staff members	<input checked="" type="checkbox"/>
Other (please specify): external auditors.	
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 ☒

The contractor *ISMS online UK* is based on UK

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) - private cloud of the contractor	<input checked="" type="checkbox"/>
Servers of external provider	<input type="checkbox"/>
Other (please specify): <i>ARES</i>	
<p>10) Retention time (Article 4(e))</p> <p><i>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.</i></p>	
<p>The personal data stored by the contractor will be deleted by August 2024, as the two software licenses will come to an end. The contractor will be requested to delete the data from their cloud.</p> <p>According to EMSA retention list, the QMS files are kept for 6 years after being closed (the trigger of the administrative retention period is the end of the audit exercise) .</p>	