

## **Data Protection Privacy Statement**

### **on the processing of personal data in the context of the Management of Experts/Visitors attending EMSA Meetings/Conferences/Trainings**

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 (EU) No. 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 (EU) No. 2018/1725.

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

The purpose(s) of the processing of personal data:

According to EMSA Regulation (EC) N° 1406/2002, among other core tasks the Agency shall work with Members states to organise, where appropriate, relevant training activities in fields which are responsibility of the Member State (Article 2, point 3(b)), to provide technical assistance to the Member States and to the Commission to contribute to the relevant work of technical bodies. The organisation of workshops (technical assistance and information provider), trainings and other relevant events is part of EMSA core business. Therefore, for logistic organisation and security purpose, it is necessary to collect experts or visitor's personal data for:

- to manage a financial file for the reimbursement of travel expenses, accommodation and daily subsistence allowances to the Experts or visitors and
- to generate attendance lists and badges for safety and security purposes
- to verify EU Digit Certificate by scanning of a QR code and verification of an antigen test (for experts originating from states not applying EU Digit Certificate) for physical attendance of events, meetings, trainings, and or conferences when such measures are allowed in the national legal setting of EMSA's host country. In case of contact with an individual who has been found to be COVID-19 infected, access register or meeting attendance lists may be used for manual contact tracing by National Health Authorities and EMSA.

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 data which is processed includes the information contained in the online registration form available at EMSA extranet and (if applicable) any additional information provided by e-mail via Events dedicated mail address.

#### Data processed during online registration form and e-mails:

During the registration process:

Personal details: first name, surname, city, country, organisation, e-mail, bank account.

Professional information: position held, employer information (name, city, country, address, website, business or sector).

#### Data processed during the reimbursement claim and payment stage:

Personal details: first name, surname, city, country, organisation, e-mail, bank account, travel details, financial information and (if applicable) name, city, country, e-mail of used travel agency

Information and documents related to the travelling for experts meeting attendance are also handled electronically in order to process the reimbursement. Following the meeting, the travel and accommodation expenses incurred will be reimbursed to the experts. The reimbursement file is composed of supporting documents listed in the online form and EMSA Rules on Reimbursement of Expenses to Experts (available online), i.e. documents proving the price of the travel for the flight (e.g. e-ticket, copy of the travel agency invoice) or of any other mode of public transport such as train or bus (e.g. copy of the ticket). The reimbursement file will be handled by a Human Resources Assistant/Officer, verified by the relevant colleagues in the Legal and Financial Affairs Unit and subsequently signed off by the Authorising Officer, prior to final processing by the Accountant.

#### Data processed for physical attendance of events, meetings, trainings, and or conferences at EMSA's premises

During registration process participants will be asked to present a valid EU Digit Certificate verified by scanning the QR code and antigen test results only as a visual check to access EMSA's premises. No data will be recorded.

Please note that during normal day-to-day operation, EMSA collects personal data such as access register or meeting lists of non-staff contacts regularly or occasionally visiting its premises. This data might, incidentally, be of interest for manual contact tracing operations by National Health Authorities and/or EMSA.

EMSA may be informing an expert/visitor that he or she may have been in contact with an individual who has been found to be infected. In this case, the processing will be strictly limited to the purpose of informing the contacts and providing him/her with the contact details of local health authorities. EMSA will not collect medical or health related information from experts/visitors aside from the information required to contact trace its staff.

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

The processing of the personal/financial data is carried out under the responsibility of the Head of Unit 4.2. Legal, Finance & Facilities, acting as delegated EMSA data controller.

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

The personal data is disclosed to the following recipients:

- The relevant Administrative Officer (Unit 4.0) and/or Events Assistants (Unit 4.2);

- The Legal and Finance staff handling the reimbursement of travel costs linked to the meeting, the allowances payment;
- The Authorising Officer of the relevant units and the Accountant;
- Occasionally, specialised members of the ICT Unit involved in the management and development of IT applications;
- 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;
- Also, if appropriate, Serviço Nacional de Saúde (SNS) the Portuguese health authority and the competent entity that deals with any COVID-19 situation in Portugal.

The personal information processed concerning the Management of Experts/Visitors attending EMSA Meetings/Conferences/Trainings will only be shared as 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.

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

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 the Management of Experts/Visitors attending EMSA Meetings/Conferences/Trainings 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* on an individual basis only to the above-mentioned recipients (point 4 above).

All persons dealing with personal data in the context of the Management of Experts/Visitors attending EMSA Meetings/Conferences/Trainings procedures, at any stage, sign a confidentiality declaration that is kept in the folder of the procedure.

## **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 (EU) No. 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 Unit 4.2. Legal, Finance & Facilities.

The right of rectification can only apply to inaccurate or incomplete factual data processed within the Experts reimbursement and meeting attendance procedures.

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 (EU) No. 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**

Lawfulness of the processing is ensured by compliance with Article 5(b) of the Regulation 2018/1725, namely: Processing is necessary for the compliance with a legal obligation to which EMSA is subject as described in the paragraph below.

According to EMSA Regulation (EC) N° 1406/2002, among other core tasks the Agency shall work with Member states to organise, where appropriate, relevant training activities in fields which are responsibility of the Member State (Article 2, point 3(b)), to provide technical assistance to the Member States and to the Commission to contribute to the relevant work of technical bodies. The organisation of workshops (technical assistance and information provider), trainings and other relevant events is part of EMSA core business. Therefore, for logistic organisation and security purpose, it is necessary to collect expert's personal data.

The personal data are collected and processed in accordance with the Decision of EMSA Executive Director No 2007/19 Relating to the Reimbursement of Travel, Subsistence and Other Expenses to Experts and Candidates in Recruitment Procedures and amended by ED Decisions No. 2008/24, 2008/37, 2010/18, 2012/018, 2013/028, 2015/002 and 2018/36.

## **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 retained as described below:

- Data collected for contact tracing is stored only for the required amount of time needed to achieve the primary goal of such processing operation. Thus, following the complete tracing of the contacts of the individual who has been found to be infected during the physical presence of an event, training, conference or meeting at EMSA. The data collected for this specific purpose is stored for a maximum of 14 days then deleted in due time.
- Experts Reimbursement data (electronic) – 7 years.
- Joomla database – eliminated 1 year after the payment file is complete.
- Paper version for reimbursements – 7 years.
- Paper version for visitors: file eliminated after any business related to the meeting is closed, no more than 6 months after the event.

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. Legal, Finance & Facilities, under the following mailbox: [events@emsa.europa.eu](mailto:events@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).