

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

NAME OF PROCESSING ACTIVITY¹:

Filming at EMSA premises, special events and trainings

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: E.1.1</p> <p>Contact person: Ruth McDonald</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 <input checked="" type="checkbox"/></p> <p>The organisational unit conducting the processing activity is: E.1.1</p> <hr/> <p>The data is processed by a third party (contractor) or the processing operation is conducted together with an external third party N.A. <input type="checkbox"/></p> <p>Contact point at external third party (e.g. Privacy/Data Protection Officer):</p>

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

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 purpose of processing the personal data is: the production of information and awareness material related to EMSA.

In order to ensure awareness of EMSA's activities, and to pass information about its tasks, mandate, and role, the communication team of EMSA uses photographic and video material in which natural persons (data subjects) are recognisable. These data subjects can be members of EMSA's own staff or third parties, attending functions or events on EMSA's own premises or outside EMSA.

Photographs and video materials are used for a variety of channels, including (but not limited to) EMSA's website, EMSA's printed publications, EMSA's social media accounts, etc.

The processing steps are as follows:

1. Subjects are informed that recording and/or photography will take place, with potential subsequent publication on EMSA's channels as mentioned above, to enable them to give consent or not as necessary (consent forms are used on a case-by-case basis). See 4(d) below for more on consent.
2. The photographs and/or video material taken are stored in a restricted area of EMSA's server, to which only the communication team and the Head of Unit have access.
3. The photographs and video material are then edited for dissemination. Edited versions are also stored in the same restricted area of EMSA's service to which only the communication team and the Head of Unit have access.

Processing for further purposes:

- Archiving in the public interest
- Scientific and historical research purposes

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)
- (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 ☐

Important Note

Consent may not be the most appropriate legal basis, in particular in the employment context. However, if you wish to use consent as legal basis, ensure that it complies with the following: it must be freely given, specific, informed and unambiguous consent. Contact the DPO if you need further clarifications.

(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

Consent will be solicited when applicable. The Consent Form attached will be used when photos or footage are used for publications (used on a case by case basis). The Consent forms will be scanned and stored in: locked cabinets and in a restricted area of EMSA's server, to which only the communication team and the Head of Unit have access.

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)



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	<input type="checkbox"/>
Family, lifestyle and social circumstances	<input type="checkbox"/>
Goods or services provided	<input type="checkbox"/>
Other (please give details): Personal image	
(b) Sensitive personal data (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"/>
<div style="border: 1px solid black; padding: 10px; text-align: center;"> <p>Important Note</p> <p>If you have ticked any of the sensitive data boxes, please contact the DPO before processing the data further.</p> </div>	
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 type="checkbox"/>
Designated EMSA staff members	<input checked="" type="checkbox"/>

Designated Contractors' staff members

☐

Other (please specify): General public (in case of publications)

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

☐

Important Note

If no safeguards are applicable, please contact the DPO before processing the data further.

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	<input checked="" type="checkbox"/>
Outlook Folder(s)	<input type="checkbox"/>
Hardcopy file	<input type="checkbox"/>
Cloud (give details, e.g. public cloud)	<input type="checkbox"/>
Servers of external provider	<input type="checkbox"/>
Other (please specify):	
<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 here.</i></p>	
<p>In accordance with EMSA's Records Management Policy and Procedure of the Agency, the retention time for this type of files is two years (EMSA.6.4.1). After the retention period on the intranet and social accounts, all photos and videos are moved to specific share drive with restricted access to the Communication team and use only in the context of historical research/in the public interest.</p>	

Thank you for completing the form.
Now please send it to the DPO using the ARES workflow