

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

NAME OF PROCESSING ACTIVITY¹:

Administration of JIRA Software, JIRA Service Management and Confluence at EMSA.

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: Department 3 – Digital Services and Simplification</p> <p>Contact person: Mario Oliveira: mario.oliveira@emsa.europa.eu</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: 3.2 Digital Infrastructure</p> <hr style="border: 0.5px solid #ccc;"/> <p>The data is processed by third parties (contractors) or the processing operation is conducted together with external third parties:</p> <p>JIRA Software, JIRA Service Management and Confluence are contracted and supported by:</p> <p>XPand-IT <input checked="" type="checkbox"/> data.protection@xpand-it.com</p>

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?

JIRA Software, JIRA Service Management and Confluence are contracted and supported by:
MSS Service Management Support - JIRA Software, JIRA Service Management and Confluence
are supported by:

GMV Solutiones Globales SAU (GMV SGI)

privacy@gmv.com

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.

The purpose of the processing relates to the operation of the following software:

EMSA JIRA:

There is a need to have an integrated and automated solution for collaboration, analysis, visualisation, statistics, KPIs and reporting, by offering:

- implementation of all EMSA ICT Operational (ITIL) Management procedures, covering Service Strategy, Design, Transition and Operation phases.
- a customised and sustainable way to implement specific business and technical requirements in an easy, flexible, traceable, intuitive and quick way.
- an easy, continuous and fast access, visibility and traceability of existing requests across all stakeholders, including those outside of EMSA such as Member States, Agencies and Contractors.

EMSA SERVICE DESK PORTAL:

This need also include e-ticketing tools to support EMSA helpdesks on managing internal and external users' requests (received via email or through a web portal) by implementing an effective way of receiving, tracking, managing and resolving requests from internal and external users, following best practices and achieving the necessary prioritisation and traceability.

CONFLUENCE:

Finally, to support the above mentioned implementation, there is a collaborative e-tool to support EMSA ICT Operational needs and procedure, where to manage all tasks and processes of EMSA ICT projects (e.g. delivery of Project Design documentation, Request for Changes; Release and Deployment of new applications; Testing and Validation activities, etc.).

Personal data is used to create user accounts in this setup, which is shared by all the EMSA operational teams, being available to all EMSA staff and, where applicable, end-users and 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 public interest or
in the exercise of official authority vested in EMSA
(including management and functioning of the institution)



- (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) ☒
 Contract Agents, Trainees, Interims, SNEs and NEPTS
 Contractors' staff

Visitors to EMSA building ☐

Relatives of the data subject ☐

Other (please specify):

External users of EMSA Services (Thetis, MSS, EMSA Academy, other EU agencies).

The list is non exhaustive as other EMSA Services may decide to use the JIRA.

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, Surname, userID and personal e-mail

Education & Training details	<input type="checkbox"/>
Employment details	<input checked="" type="checkbox"/>
e-mail	
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) 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"/>

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 ☒
JIRA Administrators

Designated Contractors' staff members ☒

Other (please specify):

Also, 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.

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	<input type="checkbox"/>
9) Technical and organisational security measures (Article 31.1(g)) <i>Please specify where the data are stored during and after the processing</i>	
<p>How is the data stored?</p> <p>EMSA network shared drive <input type="checkbox"/></p> <p>Outlook Folder(s) <input type="checkbox"/></p> <p>Hardcopy file <input type="checkbox"/></p> <p>Cloud (give details, e.g. public cloud) <input type="checkbox"/></p> <p>Servers of external provider <input type="checkbox"/></p> <p>Other (please specify): EMSA internal servers located at EMSA's data centre in Lisbon and replicated at EMSA's BCF facility at Madrid.</p>	
10) Retention time (Article 4(e)) <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>The three software have two sources of users:</p> <p>For external sources (EMSA Active Directory and EMSA Portal) the retention period is the same as the respective external source.</p> <p>For internal source (JIRA internal directory) the retention period is 10 years after the user being disabled unless not technically feasible.</p>	