

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

NAME OF PROCESSING ACTIVITY:

EMSA facilitation in obtaining a Permanent Portuguese Health Number (SNS – Numero de Utente) for EMSA staff and family members

1) Controller(s)¹ of data processing operation (Article 31.1(a))
<p>Controller: European Maritime Safety Agency (EMSA)</p> <p>Organisational unit responsible for the processing activity: Unit 4.1, Human Resources and Internal Support</p> <p>Contact person: Head of Unit 4.1, Human Resources and Internal Support</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))²
<p>The data is processed by EMSA itself <input checked="" type="checkbox"/></p> <p>The organisational unit conducting the processing activity is: Unit 4.1, Human Resources and Internal Support</p> <hr/> <p>The data is processed by a third party (contractor) or the processing operation is conducted together with an external third-party :</p> <p>Portuguese Authorities: Ministry of Foreign Affairs (<i>Ministério dos Negócios Estrangeiros (MNE)</i>) and General Health Directorate of the Ministry of Health (<i>Direção-Geral da Saúde (DGS-SNS)</i>).</p> <p>Contact point at external third party (e.g. Privacy/Data Protection Officer):</p> <ul style="list-style-type: none"> - Ministry of Foreign Affairs: epd@mne.pt - Ministry of Health/ DGS : geral@dgs.min-saude.pt

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

² Is EMSA itself conducting the processing? Or has a provider been contracted?

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.

EMSA acted as a facilitator in obtaining permanent PT Health Number (SNS number) for staff and family members vaccinated through the process organised with the PT Authorities (MNE and DGS) (please see [emsa.4.1\(2022\)790075](#)) during the year of 2021.

Staff and family members received a provisional SNS number which was provided temporarily during the vaccination process and then deleted. For those staff members wishing to convert their provisional numbers into a definitive number, a process was organised by EMSA with the relevant PT Health authorities.

To convert into a permanent SNS number, the following information was provided to General Health Directorate of the Ministry of Health (*Direção-Geral da Saúde (DGS-SNS)*):

- Full name;
- Address;
- Nationality;
- PT mobile number;
- Email;
- Date of birth;
- Diplomatic ID number and validity;
- Confirmation that the individual was vaccinated via the intervention of EMSA and the PT Ministry of Foreign Affairs;
- Agreement to share the information with the relevant PT authorities
- Copy of Diplomatic ID

Once the General Health Directorate of the Ministry of Health (*Direção-Geral da Saúde (DGS-SNS)*) made the conversion of the SNS number into a permanent number, EMSA informed the staff number that the process is concluded and of their final number.

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) ☒

Under 15.2(e) of the EMSA Founding Regulation, Regulation (EC) No 1406/2002, as amended, the Executive Director shall exercise (e) he/she shall exercise, in respect of the staff, the powers laid down in Article 6(2). As part of the duty of care incumbent upon the Executive Director as Appointing Authority staff need to be assisted during disruptions affecting the normal functioning of EMSA and which may have consequences for the health and wellbeing of the staff.

- Article 1(e) (2) of the Staff Regulations of officials according to which "Officials in active employment shall be accorded working conditions complying with appropriate health and

safety standards at least equivalent to the minimum requirements applicable under measures adopted in these areas pursuant to the Treaties"

- (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 having a PT Diplomatic cards ☒
- Non-EMSA staff (contractors staff, external experts, trainees) ☐
- Visitors to EMSA building ☐
- Relatives of the data subject x
- Family members with Diplomatic card requesting their PT health number to be converted into a definitive number.
- 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, e-mail address) ☒
- Full name, address, e-mail address, diplomatic ID number and validity, nationality, mobile phone number, copy of Diplomatic ID card, final SNS number
- 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):	
(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 checked="" type="checkbox"/>
<ul style="list-style-type: none"> - Confirmation that the individual was vaccinated via the intervention of EMSA and the PT Ministry of Foreign Affairs; 	
<p>Lawfulness of the processing sensitive personal data is Article 10 (b): the processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law insofar as it is authorised by Union law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;</p>	
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 type="checkbox"/>
Managers of data subjects	<input type="checkbox"/>
Designated EMSA staff members	<input checked="" type="checkbox"/>
<p>Only a very limited number of staff members within the Human Resources and Internal Support Unit who are involved in assembling the data and forwarding it to the PT Heath authorities.</p> <ul style="list-style-type: none"> - The Senior Project Officer responsible for the implementation of the Seat Agreement - The Protocol Assistant responsible for the implementation of the Seat Agreement - One HR Leave Manager <p>The Unit 4.1 staff members dealing with personal data in the context of the EMSA facilitation in obtaining a Permanent Portuguese Health Number (SNS – Numero de Utente) for EMSA staff and family members procedures, at any stage, sign a confidentiality declaration that is kept in ARES.</p>	
Designated Contractors' staff members	<input type="checkbox"/>
<p>Other (please specify):</p> <p>Relevant staff at the Portuguese Ministry of Foreign Affairs who receive the data from EMSA and relevant staff at the Directorate General for Health issuing the SNS numbers to staff and family members.</p>	
<p>8) Transfers to third countries or recipients outside the EEA (Article 31.1 (e))</p> <p><i>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.</i></p>	
<p>Data are transferred to third country recipients:</p>	
Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>
<p>If yes, specify to which country:</p>	
<p>If yes, specify under which safeguards:</p>	

Adequacy Decision of the European Commission	<input type="checkbox"/>
Standard Contractual Clauses	<input type="checkbox"/>
Binding Corporate Rules	<input type="checkbox"/>
Memorandum of Understanding between public authorities	<input type="checkbox"/>

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 (with restricted access to only those involved in vaccination) ☒

Data was placed in a shared space with limited access (only those involved in the vaccination at EMSA)

Outlook Folder(s) ☒

Hardcopy file ☐

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

Other (please specify): Servers of the Directorate General for Health and the Portuguese Ministry of Foreign Affairs.

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.

EMSA will delete the personal data by 31/03/2022. Some data will be kept for statistical purposes only.

After 31/03/2022, in the case of newcomer's or other colleague needs EMSA assistance, EMSA will delete the data no longer than 6 months after the Permanente Numero de Utente is attributed to the staff member.

Details on the handling and retention by Directorate General for Health can be found here:

<https://www.dgs.pt/site/notas-legais.aspx>

Details on the handling and retention by the Portuguese Ministry of Foreign Affairs can be found here:

<https://www.portaldiplomatico.mne.gov.pt/politica-de-privacidade>