

Data Protection Statement/Privacy Statement on the processing of personal data in the procedure/context of Administration of JIRA Software, JIRA Service Management and Confluence at EMSA

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 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 2018/1725.

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

The purpose(s) of the processing of personal data is/are:

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.

EMSA will not reuse the personal data for another purpose that is different to the one stated above.

The processing is not intended to be used for any automated decision making, including profiling.

2. Categories/types of personal data processed

The categories/types of personal data processed are the following:

- Personal details: Name, Surname, userID and personal e-mail
- Employment details: work e-mail

3. Processing the personal data

The processing of the personal data is carried out under the responsibility of the Head of Department 3 – Digital Services and Simplification, acting as delegated EMSA data controller.

Personal data are processed by:

- EMSA 3.2 Digital Infrastructure
- XPand-IT - data.protection@xpanse-it.com
- GMV Soluciones Globales SAU - privacy@gmv.com

4. Access to and disclosure of personal data

The personal data is disclosed to the following recipients:

- Data subjects themselves: EMSA Staff (Officials, Temporary Agents and Contract Agents), EMSA Non-Staff (Contract Agents, Trainees, Interims, SNEs and NEPTS), Contractors' staff, 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.
- Designated EMSA staff members: JIRA Administrators
- Designated Contractors' staff members
- Other: 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

The information concerning Administration of JIRA Software, JIRA Service Management and Confluence at EMSA will only be shared with people 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 Administration of JIRA Software, JIRA Service Management and Confluence at EMSA 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* individually only to the above recipients.

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 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, Head of Department 3 – Digital Services and Simplification.

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 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

Processing is based on Article(s) 5a of the Regulation 2018/1725.

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 depending on the sources of the users. The three software have two sources of users:

- For external sources (EMSA Active Directory and EMSA Portal) the retention period is the same as the respective external source.
- For internal source (JIRA internal directory) the retention period is 10 years after the user being disabled unless not technically feasible

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 Department 3 – Digital Services and Simplification, under the following mailbox: jira@emsa.europa.eu.

Any data subject may also consult EMSA Data Protection Officer at: 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.