

TEMPLATE FOR RECORDING OF PROCESSING ACTIVITY

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

NAME OF PROCESSING ACTIVITY¹:

Management of Experts /Visitors attending EMSA Meetings/Conferences/Trainings

1) Controller(s) ² of data processing operation (Article 31.1(a))
<p>Controller: European Maritime Safety Agency (EMSA), Head of Unit 4.2. Legal, Finance & Facilities</p> <p>Organisational unit responsible³ for the processing activity Head of Unit 4.2. Legal, Finance & Facilities</p> <p>Contact person: Raquel Ferraria</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: Head of Unit 4.2. Legal, Finance & Facilities,</p> <hr/> <p>The data is processed by a third party (contractor) or the processing operation is conducted together with an external third party [indicate third party] <input type="checkbox"/></p> <p>Contact point at external third party (e.g. Privacy/Data Protection Officer):</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?

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.

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 experts or visitors personal data.

Experts invited to attend EMSA meetings are requested to register online using an electronic form available at EMSA extranet (joomla tool). Via the form, experts provide necessary data relevant for reimbursement process and security control (entrance to the building). For registration purposes, experts or visitors of EMSA events needs to sign attendance list upon arrival for everyday of the meeting/event they are participating in.

At the day of the event for physical attendance, participants may be requested to present the EU Digital COVID Certificate and/or antigen testing for COVID (for experts originating for countries not using EU Digital COVID Certificate) when such measures are allowed in the national legal setting of EMSA's host country. This action will be communicated in advance via invitation and registration channels.

Following the meeting, the travel and accommodation expenses incurred will be reimbursed to the expert. The reimbursement file is composed of supporting documents listed in the EMSA Rules on Reimbursement of Expenses to Experts 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) as well as the legal entity and the bank account details. The mentioned documents and information are provided online through the digital form.

The reimbursement file will be handled by an Administrative Officer (Unit 4.0) and/or Events Assistants (Unit 4.2), verified by the relevant colleagues in the Legal and Financial Affairs Unit and subsequently signed off by the Authorising Officer of the relevant units, prior to final processing by the Accountant.

Registration and Reimbursement Procedure:

- Visitors without need for online registration (single meetings with EMSA Project Officers, meetings hosted by EMSA, etc.) send the necessary data (name, country, e-mail address, organisation) via Events dedicated e-mail or to Project Officer who informs Reception
- Experts fill in online registration form (name, country, e-mail address, organisation).
- Joomla database saves the provided information (EMSA server)
- Events team download the relevant information from Joomla (excel file) and from received e-mails (necessary supporting documents for payment files are also uploaded via online tool being received via dedicated e-mail address).
- Attendance list for signatures and personal badges are generated using relevant data.
- Scanned attendance list included as supporting document in ARES payment file (for meetings with reimbursements)
- Paper version filed at the appropriated hard file
- Payment executed via ARES (documents circulation) and ABAC (budgetary execution)

Access to the building for Physical Attendance of events, meetings, and trainings:

- The verification of the antigen tests and EU Digital COVID certificates will be performed at the reception phase of the event by EMSA Events Team or by authorised staff of Security Contactor when such measures are allowed in the national legal setting of EMSA's host country
- The results of antigen tests will not be recorded
- EU Digital COVID certificates will not be recorded
- In case of contact with an individual who has been found to be infected, access register or meeting attendance lists may be used to present to National Health Authorities. EMSA staff participating in the meeting will be informed about case present during the meeting.

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) ☒
(EMSA Legal Funding Regulation (EC) No 1406/2002, Article 2, point 3.(a), 3.(b), 4.(e)., Article 2a point 3.(c))
Article 1(e) 2 of the Staff Regulations *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
(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) ☒
- (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

Data Subjects are informed about their rights via the following disclaimer available at all stages of the online registration and reimbursement claim process:

Personal data protection

The processing of personal data in the Community institutions and bodies like agencies is regulated by Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC. Read the rules related to personal data protection.

The relevant Privacy statement/s is available as an Annex to this form and via a link at the registration webpage.

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: first name, surname, city, country, e-mail, etc

☒

Education & Training details

☐

Employment details: organisation, e-mail, position held, employer information (name, city, country, address, website, business or sector)

☒

Financial details: bank account and account holder

☒

Family, lifestyle and social circumstances

☐

Goods or services provided

☐

Other (please give details):

(b) **Sensitive personal data** (Article 10)

The personal data reveals:

Racial or ethnic origin

☐

Political opinions

☐

Religious or philosophical beliefs

☐

Trade union membership

☐

Genetic, biometric or data concerning health

☒

Manual Contacting Tracing

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 an expert/visitor aside from the information required to contact trace its staff. Experts/visitors will be clearly informed that access register or meeting lists may be used for contact tracing via the Privacy Statement.

Antigen test

The verification of the **antigen test** results is only visual and is not accompanied by any recording or documentation of the results.

EU Digit Certificate will be verified by scanning of a QR code without recording the data it contains.

These measures are intended to protect the health and safety of the staff and guests.

Information regarding an individual's sex life or sexual orientation

☐

Important Note

If you have ticked any of the sensitive data boxes, please contact the DPO before processing the data further.

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: ☒

-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 the IT applications.

- 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.

Designated Contractors' staff members

☐

Other (please specify): National Health Authorities: Serviço Nacional de Saúde (SNS) is the Portuguese health authority and the competent entity that deals with any COVID 19 situation in Portugal. According to

the present Portuguese regulation, it is mandatory to communicate a positive case to SNS. The SNS will contact the individual who has been found to be infected and will investigate possible contagion chain.

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 (with restricted access to EMSA designated staff) ☒

Outlook Folder(s) (with restricted access to EMSA designated staff) ☒

Hardcopy file (archived and filed according to Document Management Rules) ☒

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

Servers of external provider ☐

Other (please specify): Joomla database (EMSA Server), ARES and ABAC.

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](#).

- Data collected for contact tracing is to be 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 should be stored for a maximum of 14 days then be 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.