

## **Data Protection Statement/Privacy Statement**

### **on the processing of personal data in the context of Training Attendance and Completion of courses delivered by the EMSA Academy**

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<sup>1</sup>**

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

Training has been from the outset a core task of EMSA since its founding Regulation requires the Agency to work with the Member States and organise relevant training activities in fields which are the responsibility of the Member States. Upon the request of the Commission, EMSA provides technical assistance, including the organization of relevant training activities, as regards relevant legal acts of the Union, to States applying for accession to the Union, and, where applicable, to European Neighbourhood partner countries and to countries taking part in the Paris MoU. After 20 years of focused and structured trainings, in 2021 EMSA upgraded its services through its flagship project commonly known as the EMSA Academy.

The Academy aims to become an EU-wide and global centre of excellence for the design, development, and delivery of quality learning services outside formal education in the maritime domain. After 20 years of enrichment of the European and global maritime sector through the delivery of focused and structured trainings, in 2021 EMSA upgraded its services through the establishment of a dedicated facility, the EMSA Academy. The Academy aims to become an EU-wide and global centre of excellence for the design, development, and delivery of quality learning services outside formal education in the maritime domain.

The overall goal of the training provided by EMSA is to build capacity at national level, to foster cooperation and to disseminate best practices, thus achieving optimal and uniform implementation of maritime legislation and ensuring a level playing field.

Beneficiary organizations include the EU Member States and countries in the European Economic Area (EEA), the European neighbouring countries (ENP), the EU candidate and potential candidate countries (IPA), EU and non-EU States members of the Paris MoU and any other third country or regional agreements (such as PSC MoUs), for which the Agency has either been requested by the European Commission to provide technical assistance or has entered into special agreement through dedicated memoranda of understanding. The EMSA

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<sup>1</sup> Please, provide a brief description of the processing operation and clearly define the purpose(s).

Academy is also providing capacity building services to other EU Agencies, such as FRONTEX and EFCA, within the context of the interagency cooperation.

Learning Services offered by the Academy cover a wide range of areas of maritime safety, sustainability, technical assistance, surveillance, and digital services.

Each individual enrolling into a course delivered by EMSA Academy shall be registered in MaKCs. This means that his/her “personal data” such as first name and family name, organization, e-mail address, role and profile within the system, are stored in the application. Furthermore, each time a user who is enrolled into a course perform or complete a task within a course, or attend a meeting, a workshop or another traceable activity within a course, a “completion data” is generated by, and logged into the system. This completion data, along with the user’s personal data, are used by the system to track the course completion and the progress of the user within a given activity, course or learning plan. These data are also used to justify the award of certificates at the end of a course, to generate completion reports (not containing personal data) and to feed inbuilt monitoring and control tools that are made available to each individual user, to local, national and global administrators, as well as to EMSA administrators.

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 and stored in the application are the following:

First name and family name, organization, e-mail address, role and profile within the system, as well as completion data..

## **3. Processing the personal data**

The processing of the personal data is carried out under the responsibility of the Head of Unit 1.3, acting as delegated EMSA data controller.

## **4. Access to and disclosure of personal data**

The personal data is disclosed to the following recipients:

- Data subjects themselves
- Managers/supervisors of data subjects
- Designated EMSA staff members
- Designated Contractors’ staff members

The information concerning Training Attendance and Completion of courses delivered by the EMSA Academy 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, unless participants themselves are coming from 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 Training Attendance and Completion of courses delivered by the EMSA Academy 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.

## **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 Unit 1.3.

The right of rectification can only apply to inaccurate or incomplete factual data processed within the Training Attendance and Completion of courses delivered by the EMSA Academy.

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 5(a) of the Regulation 2018/1725.

The personal data are collected and processed in accordance with, internal rules on EMSA Training Academy.

## **8. Storing Personal data**

EMSA does not keep personal data longer than necessary for the purpose(s) for which that personal data is collected.

Personal and completion data are kept until a person ceases to be registered as a user in MaKCs.

In the event of a formal appeal, all data held at the time of the formal appeal should be retained until the completion of the appeal procedures.

## **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 Unit 1.3 under the following mailbox: [Academy.Helpdesk@emsa.europa.eu](mailto:Academy.Helpdesk@emsa.europa.eu).

Any data subject may also consult EMSA Data Protection Officer at: [DPO@emsa.europa.eu](mailto:DPO@emsa.europa.eu).

## **10. 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](mailto:edps@edps.europa.eu).

