

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

NAME OF PROCESSING ACTIVITY¹: **the Staff Committee Elections (online voting)**

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: Executive Office</p> <p>Contact person: Members and alternates of the Electoral Committee</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: Members and alternates of the Electoral Committee</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>The European Commission (DG DIGIT) for the use of EU Survey <input checked="" type="checkbox"/></p> <p>Contact point at external third party (e.g. Privacy/Data Protection Officer): Commission's Data Protection Officer (DATA-PROTECTION-OFFICER@ec.europa.eu)</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.

Every three years, EMSA staff is called to elect the members and alternate members of its Staff Committee, in accordance with the "Decision of the Administrative Board on setting up a Staff Committee", adopted on 27/10/2016. The rules of procedures are adopted, and the Electoral Committee is nominated at an all-staff meeting. Following its nomination, the Electoral Committee shall set up the appropriate tools and means to allow the staff to cast their vote anonymously. The 4.1 Unit Human Resources and Internal Support provides the list of staff (name, e-mail address and type of contract) eligible to vote to the Electoral Committee,

Staff members shall be allowed to access the online ballot and shall be able to identify the candidates to whom they will assign their vote. To access the platform, staff members must log-in into the EU Survey through their EU login account. To achieve this, they will be required to insert their username/e-mail address, and password. To be easily identified by voters, candidates shall be listed in the EU Survey by their first name and family name.

Please consult the privacy statement of the European Commission concerning the data processing operation in EU Survey: <https://ec.europa.eu/eusurvey/home/privacystatement>

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) ☒
(Examples of legal basis: e.g. Article 2 'Core tasks of the Agency', par.4 b) EMSA founding regulation)

Rules governing the election of the EMSA Staff Committee approved 11/12/2023 (Annex)
- (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)) <i>Whose personal data are being processed?</i>	
EMSA staff Officials, Temporary Agents and Contract Agents whose contract is for one year or more or for an indefinite period and in active employment at the date of the elections.	<input checked="" type="checkbox"/>
Non-EMSA staff (contractors staff, external experts, trainees) Seconded National Experts	<input checked="" type="checkbox"/>
Visitors to EMSA building	<input type="checkbox"/>
Relatives of the data subject	<input type="checkbox"/>
Other (please specify):	
6) Categories of personal data processed (Article 31.1(c)) <i>Please tick all that apply and give details where appropriate</i>	
(a) General personal data: The personal data contains:	
Personal details (name, address etc) Name, surname Education & Training details	<input checked="" type="checkbox"/> <input type="checkbox"/>
Employment details e-mail address, type of contract and duration of the contract	<input checked="" type="checkbox"/>
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 ☐

Political opinions ☐

Religious or philosophical beliefs ☐

Trade union membership ☐

Genetic, biometric or data concerning health ☐

Information regarding an individual's sex life or sexual orientation ☐

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 ☒

Members of the Electoral Committee

Designated Contractors' staff members ☐

Other (please specify): The European Commission (DG DIGIT) for the use of EU Survey

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 ☐

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 ☐

Outlook Folder(s) ☒

Hardcopy file

☐

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

☐

Servers of external provider

☒

Other (please specify):

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.

Members of the Electoral Committee delete the personal data no later than one month from the date that the result of the elections is published.

For the personal data stored in the EU Survey, please consult their Privacy Statement:

<https://ec.europa.eu/eusurvey/home/privacystatement>