

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

NAME OF PROCESSING ACTIVITY:

Usage of ZOOM tool for virtual meetings/trainings

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: 4.2 Events</p> <p>Contact person: Sharif Abu-Ghazaleh, Events Assistant, events_bookings@emsa.europa.eu</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: 4.2 Events</p> <hr/> <p>The data is processed by a third party (contractor) or the processing operation is conducted together with an external third party <input type="checkbox"/></p> <p>Contact point at external third party (e.g. Privacy/Data Protection Officer):</p>

3) Purpose of the processing (Article 31.1(b))
<p><i>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.</i></p> <p>During the teleworking of EMSA staff due to the COVID-19 outbreak, there is a need to hold virtual meetings/trainings with external participants via Zoom tool which is the most suitable for larger number of participants. With the Zoom tool one can organise meetings with up to 100 participants, combining video, audio, sharing features and special functions for the host. Participants can join via: PC, tablet, phone, or video conferencing system H.323. For larger virtual meetings/trainings the ZOOM tools offer additional functions which cannot be provided by other similar tools for a comparable price and accessibility.</p>

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?

Usage of virtual meeting/training tools for EMSA meetings/trainings. Due to COVID – 19 pandemics use of the tools in high demand in order to ensure business continuity of EMSA. Some of those tools may pose elevated risks to the processing of personal data due to their technical immaturity and different purposes of usage. To evaluate and attempt to mitigate those risks EMSA carried out a DPIA on the ZOOM tool. As such a detailed description of the purpose(s) of the processing are explained below:

The process of booking a Zoom meeting shall be as follows:

1. Once the meeting date is decided a booking request is sent to Events Cell via the dedicated email address, the events assistant will schedule the meeting in Zoom. An Outlook calendar booking including all connection details meeting ID and meeting Password will be sent to the Project Officer, who will forward to all the participants. The participants can connection to the meeting via: PC, tablet, mobile device, phone or via H.323 video conferencing system.

Connection procedure for participants:

- a. If joining from a computer, they enter by clicking the Zoom meeting link or by entering the meeting ID and password in Zoom tool <https://zoom.us/join>. When entering a Zoom meeting for the first time from a computer they will need to download a small application file. (it is also possible to attend by web-based option without the need to download the application file but with limited control options). The recommended browsers are updated versions of: Mozilla, Chrome and Edge

- b. If they are joining from a mobile device (Android smartphone/tablet, Apple iPhone/iPad) then it will simply prompt them to download the Zoom Cloud Meetings app from the App/Play Store.

- c. By phone: If they would like to attend a Zoom meeting via telephone, they call the number for their country (up to date numbers <https://zoom.us/join>). Then enter the Meeting ID and PIN when prompted.

2. Just before entering the meeting they will be prompted to enter a display name. This name is simply to identify the participant in the meeting.

3. The participants will enter a waiting room first and then the host or co-host will accept the participants to enter. This has become a mandatory/standard as of 06/04/2020 and avoids unwanted participants joining the meeting. It is also possible to lock the meeting so no additional participants can join

even if they have the meeting ID and password.

Record of Processing Activity and a Privacy statement, will be sent to participants together with the connection guide.

- For larger meetings the EMSA online registration tool (Joomla) may be used for participants to register their attendance, which will include their name, family name, organisation, country and email address. The outlook invitation for the Zoom meeting (with connection details) will be sent to participants via the email address provided during the online registration.
- The supporting infrastructures needed for usage of ZOOM is Information and Communication Technology tools: MS Outlook, MS Edge (or Chrome or Mozilla), Power Point for presentations and internet access. The official invitation letter to participants may be sent via the ARES tool or via email to the participants.

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)



The European Maritime Safety Agency (EMSA) was established under Regulation 1406/2002/EC, as amended, for the purpose of ensuring a high, uniform and effective level of maritime safety. More information is available at: <http://www.emsa.europa.eu>.

- (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



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

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 (image, name, address etc) ☒

Education & Training details ☐

Employment details ☐

Financial details ☐

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 ☐

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 ☒

Designated Contractors' staff members ☐

Other (please specify): The other participants in the meeting

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 ☒

Outlook Folder(s)	<input type="checkbox"/>
Hardcopy file	<input type="checkbox"/>
Cloud (Zoom cloud meeting space)	<input checked="" type="checkbox"/>
Servers of external provider	<input type="checkbox"/>
Other (please specify):	
10) Retention time (Article 4(e)) <i>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.</i>	
Five years as per <i>Records Management Policy and Procedure of the Agency</i>	

Thank you for completing the form.
Now please send it to the DPO using the ARES workflow