

## TEMPLATE FOR RECORDING OF PROCESSING ACTIVITY

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

NAME OF PROCESSING ACTIVITY<sup>1</sup>: The exit questionnaire/interview for staff departing from EMSA

1) Controller(s) <sup>2</sup> of data processing operation (Article 31.1(a))
<p>Controller: European Maritime Safety Agency (EMSA)</p> <p>Organisational unit responsible<sup>3</sup> for the processing activity: Unit 4.1, Human Resources and Internal Support.</p> <p>Data Controller: Cristina Romay Lopez, Head of Unit 4.1, Human Resources and Internal Support.</p> <p>Data Protection Officer (DPO): Radostina Nedeva-Maegerlein: <a href="mailto:dpo@emsa.europa.eu">dpo@emsa.europa.eu</a></p>
2) Who is actually conducting the processing? (Article 31.1(a)) <sup>4</sup>
<p>The data is processed by EMSA itself <span style="float: right;">x</span></p> <p>The organisational units conducting the processing activity are: Unit 4.1, Human Resources and Internal Support. Personal data are processed by the Head of Unit for Human Resources, the Senior HRM Officer and any member of the Human Resources Unit as appropriate.</p>
<p>The data is processed by a third party (contractor) or the processing operation is conducted together with an external third party: n/a</p> <p>Contact point (e.g. Privacy/Data Protection Officer): n/a</p>
3) Purpose of the processing (Article 31.1(b))

<sup>1</sup> **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.

<sup>2</sup> In case of more than one controller (e.g. joint operations), all controllers need to be listed here

<sup>3</sup> This is the unit that decides that the processing takes place and why.

<sup>4</sup> Is EMSA itself conducting the processing? Or has a provider been contracted?



*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.*

One of the objectives under the Sustainable Engagement pillar of the HR Strategy is to ensure staff engagement/retention. As well as measures addressed to existing staff and newcomers, EMSA can also learn from those staff members that decide to move on from the agency for one reason or another.

Often these staff members have spent many years at the agency and their experience as well as the reasons for their decision to leave the agency can provide valuable lessons from a human resources perspective.

The means to implement this action would be through an exit questionnaire. Areas that can be explored in this way could include their interaction with their management, their impression of the service provided by Human Resources, career prospects and training offered at the agency, working conditions at EMSA, salary and related allowances, the location of the Agency, etc. Such feedback will enable the Agency to identify the areas where the Agency is doing well and those where improvement is needed to retain talented staff.

Information obtained from staff in this manner will be treated in a confidential manner and any follow up actions will ensure that the staff concerned cannot be identified.

The exit questionnaire could be used in its own right, or as a basis for a structured interview. Once the departing staff member has completed the questionnaire, a follow-up interview may take place with the staff member and the Head of Human Resources and Internal Support, or a Senior HRM delegated by the Head of Unit.

One month prior to the end of service, the exit questionnaire will be sent to the Staff Member by email and they will return it by email. The interview will take place after the questionnaire has been returned and prior to the departure of the staff member. There is no obligation to complete the questionnaire, or to participate in the interview.

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) x

Staff Regulations of the European Union ('Staff Regulations') and the Conditions of Employment of Other Servants of the European Union ('CEOS'), laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68, as amended.

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- (b) compliance with a legal obligation to which EMSA is subject  
Staff Regulations of the European Union ('Staff Regulations') and the Conditions of Employment of Other Servants of the European Union ('CEOS'), laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68, as amended.



(c)	necessary for the performance of a contract with the data subject or for the preparation of such a contract	<input type="checkbox"/>
(d)	Data subject has given consent ( <i>ex ante</i> , explicit, informed)	x
	Staff will be informed of their data rights and the manner in which their personal data will be handled during the procedure.	
5) Description of the categories of data subjects (Article 31.1(c))		
<i>Whose personal data are being processed?</i>		
	EMSA staff	x
	Officials, temporary agents and contract staff	x
	Non-EMSA staff (contractors staff, external experts, trainees)	<input 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)	<b>General personal data:</b>	
	The personal data contains:	
	Personal details (name, address etc)	x
	• Name	
	Employment details	x
	• Grade	
	• Contractual status and duration	
	• Unit	
	Family, lifestyle and social circumstances	<input type="checkbox"/>



Goods or services provided	<input type="checkbox"/>
Other (please give details):	<input type="checkbox"/>
<p>Areas that can be explored through the questionnaire/interview could include the interaction of the departing staff member with their management, their impression of the service provide by Human Resources, career prospects and training offered at the agency, working conditions at EMSA, salary and related allowances, the location of the Agency, etc. Such feedback will enable the Agency to identify the areas where the Agency is doing well and those where improvement is needed to retain talented staff.</p>	
(b) <b>Sensitive personal data</b> (Article 10)	
Racial or ethnic origin	<input type="checkbox"/> n/a
Political opinions	<input type="checkbox"/> n/a
Religious or philosophical beliefs	<input type="checkbox"/> n/a
Trade union membership	<input type="checkbox"/> n/a
Genetic, biometric or data concerning health	<input type="checkbox"/> n/a
Information regarding an individual's sex life or sexual orientation	<input type="checkbox"/> n/a
<b>7) Recipient(s) of the data (Article 31.1 (d))</b> <i>Recipients are all parties who have access to the personal data</i>	
Data subjects themselves	x
Data subjects have in principle full access to information pertaining to them.	
Managers of data subjects	<input type="checkbox"/>
Designated EMSA staff members	x
Head of the Corporate Services, Head of Unit for Human Resources, the Senior HR Officer and any member of the Human Resources Unit as appropriate.	



Human Resources and Internal Support will report to the Executive Director and Senior Management on the feedback obtained through the exit questionnaire and the follow-up interview on an annual basis, however no personal data will be presented in this context.

Designated Contractors' staff members

☐

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 Court of Justice, the Internal Audit Service, the European Court of Auditors, OLAF and the European Data Protection Supervisor.

The information in question will not be communicated to third parties.

**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

x

**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	<input type="checkbox"/>
Outlook Folder(s)	x
The questionnaire will be sent and returned by email.	
Hardcopy file	<input type="checkbox"/>
Cloud (give details, e.g. public cloud)	<input type="checkbox"/>
Servers of external provider	<input type="checkbox"/>
Other (please specify):	x
The questionnaires will be saved on the H drive.	

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 [here](#).*

The questionnaires can be eliminated on an annual basis once the report has been prepared for Senior Management and the Executive Director.