

TEMPLATE FOR RECORDING OF PROCESSING ACTIVITY

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

NAME OF PROCESSING ACTIVITY¹: Recruitment and Management of Trainees, implementation of the Traineeship scheme in EMSA

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: Unit A.1, Human Resources and Internal Support.</p> <p>Data Controller: Cristina Romay Lopez, Head of Unit A.1, Human Resources and Internal Support.</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. x</p> <p>The organisational unit conducting the processing activity is: Unit A.1, Human Resources and Internal Support.</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>The European Maritime Safety Agency offers traineeships for a period from 3 to 6 months. The trainees apply following a call on EMSA's webpage until a published deadline and provide the required documents. Then, the pre-Selection Committee establishes a list of suitable candidates that is forwarded to the relevant units for their selection. The final nomination is confirmed by the Executive Director who has delegated this to the Head of Department for Corporate Services (Annex I).</p> <p>Personal data is processed to select the most suitable trainee for each vacancy.</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?

To this end, the Agency collects, manages and stores data relating to candidates for a traineeship who apply for these vacancies.

Data relate to the educational background, professional experience and personal profile of candidates including motivation letter and copies of university diplomas.

The data is submitted by candidates themselves with their application form and is handled and / or consulted by different actors in the selection process: namely specific staff members in the Human Resources sector, the members of the pre-selection committee and the advisors and Head of Units in the Units who have requested a trainee.

If a candidate has been selected, additional data contained in the following documents will be processed: Acceptance form, Identity Card or Passport, Legal Entity Form, Financial Form, Emergency Contact Details, Medical Insurance Coverage Form and supporting documents for the reimbursement of travel expenses.

If a recruited trainee is not able to give proof of medical coverage in Portugal by the latest on the first day of admission to the training period, he/she must subscribe to the medical insurance by EMSA. In this case the name, nationality and date of birth is provided to the external contractor for the purpose of issuing the insurance certificate.

If a selected trainee has any physical disabilities, he/she is requested to send a medical report including the special arrangements needed and/or the disability decision of the national health insurance in a sealed envelope inside the envelope with the other documents mentioned above. This envelope will be transmitted sealed to the EMSA Medical Advisor for his opinion.

Recruited trainees are asked to provide copies of their diplomas, certificates and or statements of ongoing studies and bring the original of their diploma for EMSA to certify this document true copy when they start their traineeship. Furthermore, trainees are asked to sign a declaration of confidentiality.

Data processed during the traineeship period at EMSA:

Other documents may be added during the course of the traineeship to the personal file of the trainee: training requests, earlier termination of traineeship, traineeship certificate, end of traineeship report, leaving form.

This list above is non exhaustive.

Once the trainee is at EMSA she/he receives a monthly (and travel when applicable) grant for which personal and financial data need to be processed by the designated persons in HR and by the relevant actors in the financial circuit (initiating agent, verifying agent, delegated authorising officer, accounting officer).

For payments (grant and travel expenses) the relevant persons in the Human Resources and Internal Support Unit, Financial Cell of the Legal and Financial Affairs Unit and the Accounting Officer have access to the necessary data. Furthermore, trainees are asked to sign a declaration of confidentiality.

All these documents are stored in the Traineeship paper folder and uploaded to ARES and the e-personal file.

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 traineeship program aims to provide trainees with work experience in the field of maritime safety legislation, response to pollution at sea and cooperation among member states in safety at sea matters. In-service training enables trainees to acquire practical experience by means of their work and put into practice the knowledge they have acquired during their academic studies or professional careers in the areas of maritime safety, communication or administration.

The operation is performed in public interest (Reg. 45/2001, art. 5(a)), so EMSA can:

- provide young university graduates with unique experience of working in EMSA;
- enable such trainees to acquire practical experience and knowledge of the work of the Agency;
- provide young university graduates with an opportunity to put in practice their knowledge acquired during their studies;
- create long-term “good will ambassadors” for European ideas and values.

Legal basis of processing:

Regulation (CE) n° 1406/2002 of the European Parliament and of the Council establishing a European Maritime Safety Agency, as amended.

Director's Decision n° 2016/036 of 21.11.2016 relating to the rules governing the traineeship scheme of EMSA (Annex II).

- (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) ☒

Candidates applying to traineeship vacancies will be informed of their data rights and the manner in which their personal data will be handled during the recruitment procedure. In the act of submitting their application, they are acknowledging their agreement to the processing. The vacancy notice contains a relevant privacy statement.

5) Description of the categories of data subjects (Article 31.1(c))	
<i>Whose personal data are being processed?</i>	
EMSA staff	<input type="checkbox"/>
Non-EMSA staff (contractors staff, external experts, trainees)	<input checked="" type="checkbox"/>
Trainees and candidate trainees	
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)	<input checked="" type="checkbox"/>
First name, last name, date of birth, place and country of birth, nationality(ies), gender, permanent address (street, postcode, town, province, country) and contact details (telephone, mobile phone, e-mail address).	
Education & Training details	<input checked="" type="checkbox"/>
Including, for each course, start and end dates, title of qualification awarded, diploma (level in the national and/or international classification), main study subjects or organisational skills covered, name and location of the organisation providing the education or the training.	
Employment details	<input checked="" type="checkbox"/>
Previous experiences for an EU Institution;	
Professional experience: length of the legal notice period required and objections to making enquiries to the present employer. For each experience: the start and end dates/ongoing, employer information (name, city and Country), Type of employment (paid trainee, unpaid trainee/voluntary, permanent employee, temporary employee, self-employed, other), description of the position.	
Financial details	<input checked="" type="checkbox"/>
Family, lifestyle and social circumstances	<input type="checkbox"/>
Goods or services provided	<input type="checkbox"/>
Other (please give details):	
Languages: including, for each language, the level.	
Preference of Unit: Applicants are requested to express their preference for two Units (first choice and second choice) and explain briefly what would be the added value of the traineeship for the career.	

Skills and Competences: computer skills, technical skills and competences, communication and organisational skills and other relevant skills.

Information on studies or publications on EU, EMSA or Maritime topics.

Duration of the Traineeship.

Motivation for the traineeship.

In addition to the data above mentioned which is submitted with the traineeship application form the candidate is also requested to submit a copy of his/her university diploma by e-mail.

(b) Sensitive personal data (Article 10)

Racial or ethnic origin n/a

Political opinions n/a

Religious or philosophical beliefs n/a

Trade union membership n/a

Genetic, biometric or data concerning health ☒

A disability allowance may be granted. In this context, the medical data as such is only handled by the in-house Medical Advisor.

Information regarding an individual's sex life or sexual orientation n/a

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 ☒

Selected candidates have access via the e-Personal file to all the documents provided to EMSA.

Managers of data subjects ☒

The Selection Committee, future advisors and line managers are involved in the selection procedure.

Designated EMSA staff members ☒

The Appointing Authority, the Human Resources sector (service responsible for the selection of trainees) and members of the selection committees as well as financial actors who have access only to the relevant information to process the payment of the grants.

Designated Contractors' staff members ☐

Other (please specify): If a recruited trainee is not able to give proof of medical coverage in Portugal by the latest on the first day of admission to the training period, he/she must subscribe to the medical insurance by EMSA. In this case the name, nationality and date of birth is provided to the external contractor for the purpose of issuing the insurance certificate.

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 ☒

Only accessible to staff members responsible for the recruitment procedure within Unit A.1, Human Resources and Internal Support. As well as access restriction, the files concerned will be password protected.

Outlook Folder(s) ☒

All emails with the applications received are saved in a dedicated Outlook folder with limited access rights.

Hardcopy file ☒

All documents that selected candidates send via post are kept in a hardcopy file that is later storage in A.1.1 archives.

Cloud (give details, e.g. public cloud)	<input type="checkbox"/>
Servers of external provider	<input type="checkbox"/>
Other (please specify): e-Personal File., 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 [here](#).

The files on candidates who were rejected, not selected or who withdrew their application are destroyed 2 years after the end of the selection procedure.

The files relating to the selection procedure of trainees are kept for 5 years and then a group of files is chosen for preservation and the remainder is destroyed. The files identified for preservation are transferred to EMSA's archives.

File for each trainee containing the data necessary for providing a copy of the trainee certificate (i.e. information on the duration of the traineeship, the department to which the trainee was assigned, the name of the supervisor and the nature of work performed) are destroyed 50 years after the end of the selection procedure.

The payments of the monthly and travel grants are stored in ABAC and destroyed 7 years after the end of the traineeship.

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.

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

E-Signed by Data Controller:



Cristina Romay Lopez
Head of Unit
Human Resources and Internal Support