

**Privacy Statement on the processing of personal data in the context of the SMS Notification - Collection, use and management of private mobile telephone numbers of EMSA officials, temporary agents, contract agents, Seconded National Experts, NEPTs, interims, trainees in the context of the Business Continuity Plan (hereafter BCP) security management and other emergency situations.**

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**

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

Without prejudice to other legitimate purposes defined under the Staff Regulations, staff and personnel's personal contact details shall be processed for Business Continuity Plan purposes. This includes preparing for and responding to crises and operational disruptions that may affect the normal functioning of EMSA, as well sending security and safety alerts.

For this reason, EMSA processes the staff/personnel's name, surname and private mobile phone number to primarily use them in the context of EMSA's Business Continuity Plan, but also in other security and safety related emergency situations.

The Business Continuity Plan serves EMSA to prepare and respond to business disruptions. The process involves all EMSA Departments and Units, as timely and efficient communication is critical. In the event of a major disruption, EMSA must contact staff quickly, which may occur at any time, possibly outside regular office hours. Staff responsible for business continuity response and critical or essential functions must be immediately informed. Staff, more generally, must also be informed of such events, which is in line with the Agency's duty of care.

EMSA has contracted a communication tool (SMS gateway) designed to send SMS alerts to EMSA staff/personnel instantly. Users' data (name/ surname and mobile phone) will be stored in the EMSA intranet server, which is the tool used by staff members to enter and update their mobile contact details voluntarily. If they change their mobile number, the staff member shall update their number.

The webmaster will collect the data and then transfer it to ICT Service Desk, who will upload the personal data into the SMS gateway, a web-based application, a product provided by the contractor.

The intranet account containing the mobile number of staff members who have left the service are deleted from the systems on a regular basis, based on information provided by Unit 4.1.

EMSA will not reuse the personal data for another purpose that is different to the one stated above.

## **2. Categories/types of personal data processed**

The categories/types of personal data processed are the following:  
Personal details: Only name, surname, and mobile phone number.

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

The processing of the personal data is carried out under the responsibility of the Head of Unit 4.2 Legal, Finance and Facilities, acting as delegated EMSA data controller.

Personal data are processed by EMSA and the following contractor:

Meo Serviços de comunicações e multimídia, SA

Contact Point: [DPOAlticePortugal@altice.pt](mailto:DPOAlticePortugal@altice.pt)

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

The personal data is disclosed to the following recipients:

Webmaster in the Executive Office, Head of Department 3 and 4, the Head of Unit 3.3 Horizontal Digital Services, staff of EMSA ICT ServiceDesk acting as administrator of the system, the EMSA Security Officer supported by EMSA Security and Safety team, the Head of Executive Office supported by the Communication team.

The information concerning *SMS Notification - Collection, use and management of private mobile telephone numbers of EMSA officials, temporary agents, contract agents, Seconded National Experts, NEPTs, interims, trainees in the context of the Business Continuity Plan (hereafter BCP) security management and other emergency situations* 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.

## **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 *SMS Notification - Collection, use and management of private mobile telephone numbers of EMSA officials, temporary agents, contract agents, Seconded National Experts, NEPTs, interims, trainees in the context of the Business Continuity Plan (hereafter BCP) security management and other emergency situations* 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. Appropriate levels of access are granted individually only to the above 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 4.2 Legal, Finance and Facilities.

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 of the Regulation 2018/1725.

The personal data are collected and processed in accordance with:

Under 15.2(e) of the EMSA Founding Regulation, Regulation (EC) No 1406/2002, as amended, the Executive Director shall exercise (e) he/she shall exercise, in respect of the staff, the powers laid down in Article 6(2). As part of the duty of care incumbent upon the Executive Director as Appointing Authority, staff need to be informed of disruptions affecting the normal functioning of EMSA and which may have consequences for the health and wellbeing of the staff.

## **8. Storing Personal data**

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

The personal data is kept for as long as the staff member works in EMSA and will be erased from the tools as soon as possible after the staff member departs from EMSA and, at the latest, within six months.

## 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 4.2 Legal, Finance and Facilities under the following mailbox: [andrea.iber@emsa.europa.eu](mailto:andrea.iber@emsa.europa.eu) .

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

### **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).