

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

NAME OF PROCESSING ACTIVITY¹: **The Transitional Phase of CISE**

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: C.0</p> <p>Contact person: Leendert Bal</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: C.0</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 checked="" type="checkbox"/></p> <p>Contact point at external third party (e.g. Privacy/Data Protection Officer):</p> <p>Contact 1: Microsoft Ireland Operations Limited is Microsoft's data protection representative for the European Economic Area and Switzerland. The privacy representative of Microsoft Ireland Operations Limited can be reached at the following address: Microsoft Ireland Operations, Ltd. Attn: Data Protection One Microsoft Place</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?

South County Business Park
Leopardstown
Dublin 18
D18 P521

Contact 2: Data Privacy Contact.

The data privacy officer of the data importer can be reached at the following address:

Microsoft Corporation
Attn: Chief Privacy Officer
1 Microsoft Way
Redmond, WA 98052 USA

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.

As foreseen by the Agency's founding regulation, EMSA shall support the Commission in the performance of any other task assigned to the Commission in legislative acts of the Union regarding the objectives of the Agency. A Grant Agreement with an initial duration of two years was signed on 16 April 2019 between EMSA and the European Commission's DG MARE, to give EMSA the responsibility to set up and coordinate the Transitional Phase of the Common Information Sharing Environment (CISE) to achieve an operational CISE.

A CISE Stakeholders Group was entrusted with the refinement and execution of the activities of the project. EMSA was tasked to, amongst other things, provide the secretariat for and coordination of the CISE Stakeholders Group, one of the specific activities being to establish a collaborative platform for exchanging documents and information. Within this context, EMSA has set up a shared working space for the CISE Stakeholder Group in Microsoft Teams.

Personal data of the members of the CISE Stakeholders Group and subgroups is processed with the sole purpose of enabling their access to and use of Microsoft Teams, in order to fulfil the Governance responsibilities of EMSA and the CISE Stakeholder Group, and to perform the Activities of the Transitional Phase of CISE. As one example, some personal data (name, e-mail address and photo related to an e-mail account) is collected automatically during the signing in to Microsoft Teams. Another example is that lists of members to the CISE Stakeholders Group and subgroups, containing personal data mentioned under section 2 below, will be available in Microsoft Teams. Personal data is collected via the shared collaboration platform in Microsoft Teams and via e-mail.

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

The processing is not intended to be used for any automated decision making, including profiling.

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)

(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 (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 information concerning the Transitional Phase of CISE will only be shared with people necessary for the implementation of the project, i.e. Members of the CISE Stakeholder Group or subgroups having access to the shared collaboration platform in Microsoft Teams (EU/EEA States, European Commission, EEAS, EMSA, EFCA, Frontex, SatCen and the European Defence Agency, as well as contractors agreed by the CISE Stakeholder Group to be members of a group (occasionally).

The data is 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 is not intended to be transferred to third countries.

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)

☒

Hardcopy file

☒

Cloud (Microsoft Teams is a cloud-based collaboration software that is part of the Office 365 suite of applications.)

☒

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 [here](#).

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

The data will be only retained for a maximum period of seven years after the closure of the financial year or after the ending date of a Grant Contract in accordance with EMSA Records Management Policy and

Procedure.

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