

## **Data Protection Statement/Privacy Statement on the processing of personal data in the procedure/context of Facilitation by EMSA of the organisation of COVID-19 vaccination for EMSA staff and family members**

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<sup>1</sup>**

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

EMSA has launched a questionnaire for the organisation of COVID-19 vaccination to collect data from EMSA staff and family members registered within the Ministry of Foreign Affairs to help to organise the administration of the Covid 19 vaccine, in line with the different phases established under the Portuguese Vaccination Plan (see the Recording of processing Activity Ref. Ares(2021)736158 - 29/01/2021).

While the pandemic evolved, the Portuguese government changed the vaccination strategy described in the Recording of processing Activity Ref. Ares(2021)736158 - 29/01/2021. Also, other staff members who have not answered the questionnaire requested EMSA's assistance for getting their COVID-19 vaccine in Portugal.

During the year of 2021, staff and their family members could handle their vaccination independently or **ask for EMSA's assistance and engage in a process organised in partnership with the PT Ministry of Foreign Affairs and General Health Directorate of the Ministry of Health.**

The process had the following steps:

- The PT Authorities presented the criteria for vaccination
- EMSA delivered a list of staff and family members meeting these criteria based on the data collected from the questionnaire and/or a general call of interest
- The PT Authorities presented a vaccination schedule
- EMSA informed the colleagues of their vaccination date, time and location
- EMSA confirmed the availability of the staff and family members to the PT authorities.
- Staff and family members presented themselves in the place and time indicated to get their COVID-19 vaccine

In the process described above, EMSA acted as a facilitator between the PT authorities and EMSA staff. This was deemed necessary, considering the high number of EMSA staff and their family members not registered within the Portuguese Public Health Services, consequently not having access to the Covid-19 vaccine in Portugal.

During the vaccination process those that have enrolled through the process described above received a PT Health number, allowing access to respective PT EU vaccination certificates and in making respective booking autonomously.

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<sup>1</sup> Please, provide a brief description of the processing operation and clearly define the purpose(s).

Currently, EMSA only intervenes in case of newcomers or when technical issues appear, always on a facilitator role.

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: Name, surname, e-mail address, date of birth, nationality, mobile phone number, diplomatic ID or Passport or Other identification document of the staff member and family members concerned

Data concerning health: Date, time and location of vaccination and in some cases the time of vaccine received. For staff and family members with special pathologies identified as priority for vaccination, a medical certificate was provided to the PT authorities.

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

The processing of the personal data is carried out under the responsibility of the Head of Unit 4.1, Human Resources and Internal Support, acting as delegated EMSA data controller.

Personal data are processed by:

Unit 4.1, Human Resources and Internal Support

Portuguese Ministry of Foreign Affairs

Portuguese Ministry of Health/ DGS

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

The personal data is disclosed to the following recipients:

Only a very limited number of staff members within the Human Resources and Internal Support Unit who are involved in assembling the data and forwarding it to the Portuguese Ministry of Foreign Affairs:

- The Senior Project Officer responsible for the implementation of the Seat Agreement
- The Assistant responsible for the implementation of the Seat Agreement
- One HR Leave Manager

Relevant staff at the Portuguese Ministry of Foreign Affairs who receive the data from EMSA and relevant staff at the Directorate General for Health who administers the vaccine on the staff and family members.

The information concerning **Facilitation by EMSA of the organisation of COVID-19 vaccination for EMSA staff and family members** 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.

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 Facilitation by EMSA on the organisation of COVID-19 vaccination for EMSA staff and family members 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.

The 4.1. Unit staff members dealing with personal data in the context of the Facilitation by EMSA on the organisation of COVID-19 vaccination for EMSA staff and family members procedures, at any stage, sign a confidentiality declaration that is kept in ARES.

## **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, the Head of Unit 4.1, Human Resources and Internal Support.

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 Articles 5(a) and 10 (b) 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 assisted during disruptions affecting the normal functioning of EMSA and which may have consequences for the health and wellbeing of the staff.
- Article 1(e) (2) of the Staff Regulations of officials according to which "Officials in active employment shall be accorded working conditions complying with appropriate health and safety standards at least equivalent to the minimum requirements applicable under measures adopted in these areas pursuant to the Treaties"

## **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 will be deleted by 31/03/2022. Some data will be kept for statistical purposes only.

## **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 the Head of Unit 4.1, Human Resources and Internal Support under the following mailbox: [protocol@emsa.europa.eu](mailto:protocol@emsa.europa.eu).

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

Details on the handling and retention by Directorate General for Health can be found here:

<https://www.dgs.pt/site/notas-legais.aspx>

Details on the handling and retention by the Portuguese Ministry of Foreign Affairs can be found here:

<https://www.portaldiplomatico.mne.gov.pt/politica-de-privacidade>

## **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).