

RECORDING OF PROCESSING ACTIVITY

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

NAME OF PROCESSING ACTIVITY¹: Interim recruitment procedure at 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 4.1, Human Resources and Internal Support.</p> <p>Contact Person: Joao Norton - Unit 4.1, 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 <input checked="" type="checkbox"/></p> <p>The organisational units conducting the processing activity are: Unit 4.1 Human Resources and Internal Support at EMSA.</p>
<p>The data is processed by a third party (contractor) <input checked="" type="checkbox"/> or the processing operation is conducted together with an external third party:</p> <p>Provision of Interim Support Services:</p> <p>Solidnetworks - Business Consulting, LDA, Praçeta José Saramago, N°3 – C/V ESQª 2630-166 Arruda dos Vinhos Portugal</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?

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.

The purpose of the processing is to engage interim staff through temping agencies on a temporary basis to cover exceptional workload peaks or replace staff absent on long leave.

At the explicit request of EMSA, a temping agency that has signed a contract with EMSA, may send CVs of candidates whose profiles are sought by the units. Recruiting services in Unit 4.1, Human Resources and Internal Support, may use this information to organise interviews with candidates. EMSA engages selected candidates and arranges their onboarding in the organisation (IT, HR, Logistics, office supplies). The interim staff member signs contracts with the temping agency and, once engaged, signs a declaration of confidentiality and data protection and records their working time via their badges at EMSA which timesheets are submitted in a weekly basis to the temping agency.

In the recruitment procedure, EMSA processes limited amount of personal data to engage the interim staff by receiving their CV only.

On the other hand, the temping agency collects the following documentation in order to hire the interim staff as per the local labour legislation:

- "Ficha do Colaborador" (see annex 1)
- Non-Disclosure Agreement (see annex 2)
- Portrait photo
- Copy of the ID Card, copy of the NIF, copy of the Social Security Number
- Proof of IBAN
- CV
- Criminal record

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) ☒
- (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 ☐
- (d) Data subject has given consent (ex ante, explicit, informed) ☐

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	<input checked="" type="checkbox"/>
Contractors' staff	
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, surname, private address, date and place of birth, mobile number, e-mail address, ID Card number and expired date, NIF, Number of the Social Security, SNS number, education degree, gender and civil status.	<input checked="" type="checkbox"/>
Education & Training details As per the CV	<input checked="" type="checkbox"/>
Employment details As per the CV	<input checked="" type="checkbox"/>
Financial details IBAN number and bank	<input checked="" type="checkbox"/>
Family, lifestyle and social circumstances Emergency contact details of a family member.	<input checked="" type="checkbox"/>

Goods or services provided	<input type="checkbox"/>
Contractors providing interim services	
Other (please give details):	<input checked="" type="checkbox"/>
Portrait photo, Criminal record	
(b) Sensitive personal data (Article 10)	
Racial or ethnic origin	<input type="checkbox"/>
Political opinions	<input type="checkbox"/>
Religious or philosophical beliefs	<input type="checkbox"/>
Trade union membership	<input type="checkbox"/>
Genetic, biometric or data concerning health	<input type="checkbox"/>
Information regarding an individual's sex life or sexual orientation	<input type="checkbox"/>
7) Recipient(s) of the data (Article 31.1 (d))	
<i>Recipients are all parties who have access to the personal data</i>	
Data subjects themselves	<input checked="" type="checkbox"/>
Managers of data subjects	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • The Head of services and authorised personnel of the requesting service 	
Designated EMSA staff members	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • The members of the HR Unit dealing with interim staff • Head of Unit 4.1 – Human Resources and Internal Support Unit • Head of Department 4 – Corporate Services • Executive Director 	

- EMSA Teams responsible for the preparation of the arrival and leaving of the interim agent

Designated Contractors' staff members

☒

The temping agency on the basis of the framework contract

Other (please specify):

☒

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

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

☐

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 (give details, e.g. public cloud)

☐

Servers of external provider

☐

Other (please specify): ARES

☒

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](#).

Personal and professional documents of interims are kept for 50 years after their end date of contract and then eliminated.