

Data Protection Privacy Statement

on the processing of personal data in the context of the Selection of SNEs and NEPTS at EMSA

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 (EU) No. 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 (EU) No. 2018/1725.

1. Nature and the purpose(s) of the processing operation

The purpose(s) of the processing of personal data:

The purpose of processing of the data that is submitted by a candidate is to manage a candidate(s) application(s) in view of possible secondment as a SNE or NEPT at the Agency.

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: general personal data such as personal details, Education and training details, employment details, financial details, family, lifestyle and social circumstances.

The data which is processed includes the information contained in the candidate's application.

Data contained in the Europass CV and the Declaration of Honour and in the NEPT Application Form processed during the application stage:

Personal details: first name, surname, street address, postal code, city, country, telephone(s), e-mail, gender, date of birth, nationality(ies), website, blog, LinkedIn profile or similar;

Professional experience: For each experience: the start and end dates/ongoing, occupation or position held, employer information (name, city, country, address, website, business or sector), description of the position (main activities and responsibilities);

Education and training information: including, for each course, start and end dates/ongoing, title/date of qualification awarded, organisation providing the education or the training (name, city, country, address, website, level in EQF or national classification, Main subjects / occupational skills covered;

Personal Skills: mother tongue and Foreign languages (including, for each language, the level), communication skills, organisational/managerial skills, job-related skills, digital skills;

Declaration of honour: type of employer, nationality(ies) and signature (for SNEs only).

Motivation for the secondment (for SNEs only).

Data processed during the selection stage (for SNEs only):

If a candidate receives an invitation for an interview/written test, the data contained in the following documents will be processed

Identity card/passport, degrees, diplomas or educational certificates, statements/contracts/certificates from previous and current employers stating the exact duration of employment, job title and where necessary last payslips, the legal entities and the bank account details, declaration of expenses form and supporting documents for the reimbursement of travel expenses;

The results of written/oral tests or interviews during at different stages of the selection process;

The candidate is also requested to inform EMSA if he/she needs any special arrangements due to a disability to participate of the selection process at EMSA's premises.

Information and documents related to the travelling for the interview/tests are also handled in order to process the reimbursement. Following the interview, the travel and accommodation expenses incurred will be reimbursed to the candidate. The reimbursement file is composed of a completed and signed Declaration of Expenses Form and the supporting documents listed in the form, i.e. documents proving the price of the travel for the flight (e.g. e-ticket, copy of the travel agency invoice) or of any other mode of public transport such as train or bus (e.g. copy of the ticket) and evidence of costs incurred for accommodation upon request, as well as the legal entity and the bank account details. The reimbursement file will be handled by a Human Resources Assistant/Officer, verified by the relevant colleagues in the Legal and Financial staff and subsequently signed off by the Authorising Officer, prior to final processing by the Accountant.

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 & Internal Support, acting as delegated EMSA data controller.

Personal data are processed by EMSA Human Resources Staff.

On an ad-hoc and need to know basis other entities such as the Permanent Representations of the Member States forward to EMSA the applications from their nationals, as and where appropriate, by the EFTA Secretariat, the diplomatic missions of the non-member countries whose nationals are eligible for the secondment and the administrations of the IGOs may act as processors of the data.

4. Access to and disclosure of personal data

The personal data is disclosed to the following recipients:

- The relevant EMSA Human Resources staff;
- The Appointing Authority, i.e., the EMSA's Executive Director;
- The members of the Selection Committee, and/or the Heads or delegated staff of a recruiting service;
- The Accountant, the Legal and Financial staff may have access to certain documents related to the reimbursement of the travel expenses for an interview (SNEs only);
- The Document Management Officer/Archivist for the Archive Room;
- Occasionally, specialised members of the ICT Unit involved in the management and development of the Human Resources IT applications;
- the Permanent Representations/EFTA Secretariat/diplomatic missions/administrations of the IGOs assisting in the application of the SNE and NEPT candidates.
- Also, if appropriate, 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.

The personal information processed concerning the selection of the SNEs and NEPTS will only be shared as 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 the selection of the SNEs and NEPTS procedure 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* on an individual basis only to the above-mentioned recipients (point 4 above).

All EMSA staff dealing with personal data in the context of the selection of the SNEs and NEPTS procedures, at any stage, sign a confidentiality declaration that is kept in the folder of the procedure or in his/her personal file.

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 (EU) No. 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 & Internal Support.

The right of rectification can only apply to inaccurate or incomplete factual data processed within the selection of the SNEs and NEPTS procedures. On the other hand, data demonstrating compliance with the admissibility criteria may not be updated or corrected after the closing date for the respective selection procedure (call for applications).

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 (EU) No. 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 the Article 5 (a) of the Regulation (EU) No. 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., providing that : (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).

Processing is necessary for the performance of tasks carried out in the public interest on the basis of the Article 6 of the Regulation (CE) n° 1406/2002 of the European Parliament and of the Council establishing a European Maritime Safety Agency (as amended).

The personal data are collected and processed in accordance with the [Decision of the Executive Director on Guidelines on Recruitment of Seconded National Experts and pursuant to the Decision of the Administrative Board of 20 November 2007 laying down rules on the secondment to EMSA of National Experts and National Experts in Professional Training](#).

[EMSA Rules on Contribution to Expenses of Candidates in Recruitment procedures](#)

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 data related to the selection procedures of SNEs and NEPT will be retained as described below:

- Files on SNEs Applicants invited for an interview: for 5 years following the expiry date the reserve list.

- Files on SNEs Applicants not invited for an interview: for 2 years following the expiry date the reserve list.
- Files on NEPTS applicants not selected: for 2 years following the closing of the traineeship session.

Data contained in certain files relating to the selection procedure of SNEs/NEPTS are kept for 5 years and then a group of files is chosen for preservation and the remainder is destroyed.

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.

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 4.1. Human Resources & Internal Support, under the following mailbox: recruitment@emsa.europa.eu.

Any data subject may also consult EMSA Data Protection Officer at: 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.