

Data Protection Statement/Privacy Statement on the processing of personal data in the context of usage of ZOOM tool for virtual meetings/trainings/interviews

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: Usage of ZOOM for virtual meetings/trainings/interviews at EMSA.

There is a need to hold and record virtual meetings/trainings/interviews with external and internal participants (data subjects) via Zoom tool which is the most suitable for larger number of participants. With the Zoom tool, one can organise meetings with up to 100 participants, combining video, audio, recording, sharing features and special functions for the host. Participants can join via: PC, tablet, phone, or video conferencing system H.323. For larger virtual meetings/trainings/interviews the ZOOM tool offer additional functions which cannot be provided by other similar tools for a comparable price and accessibility.

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.

2. Categories/types of personal data processed

The categories/types of personal/account data processed are the following: name, email address, phone, language preference, user Ids and password (if single sign on is not used), and profile picture. Image and voice only in case of recordings.

3. Processing the personal data

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

Personal data are processed by the EMSA Events and Training Teams and by Zoom Video Communications.

4. Access to and disclosure of personal data

The personal data is disclosed to the following recipients:

External and Internal Participants of meetings/trainings/interviews, EMSA Events/Training Teams and staff from Zoom Video Communications.

At EMSA, the information concerning in the context of usage of ZOOM 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.

5. Protecting and safeguarding personal information

EMSA has Zoom subscriptions to offer the possibility of using Zoom to remote meetings/trainings/interviews.

Zoom divide data into three categories:

Account Data. This is the information a user gives to create a Zoom account. It includes name, email address, phone, language preference, user Ids and password (if single sign on is not used), and profile picture.

Operation Data. This is all information that is generated automatically through use of the Zoom service.

Communications Content. This is the data the user chooses to record or share during a meeting or call including cloud recordings, meeting transcripts, files that are exchanged during a meeting and voicemails. It includes configuration data, metadata, feature usage data and performance data.

There is a specific setup in Zoom as a EU Cluster customer (EMSA), thus EMSA has a special setup with Zoom where their communications content is stored only in EU or Canadian data centres.

From the application side, account data and operation data is also be stored in the US, not exclusively in the EU.

Transfers to third countries is under the following safeguards:

- Adequacy Decision of the European Commission with Canada
- Standard Contractual Clauses within the framework contract

The meeting organiser (EMSA staff) can record and download the video and the attendees list. The record function is deactivated in the administrator settings for attendees. The host shall announce that no recordings of any type shall be made by the attendees. If participants do not wish their image to be recorded, they shall turn-off their camera. The only legitimate recording shall be made by the host for the purposes of recording content of the meeting/training/interview.

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 4.2 as far as the organisation of the meeting/training/interview is concerned. The right of rectification can only apply to inaccurate or incomplete factual data processed within the usage of ZOOM tool for virtual meetings/trainings/interviews.

As a Zoom user, data subjects are requested to contact Zoom directly. Please check their privacy statement published here: [ZOOM PRIVACY STATEMENT - Zoom](#)

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 (a) of the Regulation 2018/1725.

8. Storing Personal data

The Retention period of the Zoom tool is defined in their privacy statement published here: [ZOOM PRIVACY STATEMENT - Zoom](#)

EMSA stores only personal data if a video is downloaded from a recording from the usage of the Zoom application. In this case, the data will be only retained for a maximum period of 5 years. EMSA does not keep personal data longer than necessary for the purpose(s) for which that personal data is collected. 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, the Head of Unit 4.2 under the following mailbox: Events_Bookings@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.