

01 - Name of processing	Audits & Inspections under Monitoring system for notified conformity assessment bodies (NoBos)
02 - Reference	83
03 - Submission Date	28-03-19
04 - Last update	
05a - Controller	GIGANTINO Anna
05b - Unit-Sector	Analysis and Monitoring Unit
05c - Controller's email	AOD.aam@era.europa.eu
06 - DPO	DataProtectionOfficer@era.europa.eu 120 Rue Marc Lefrancq, 59300 Valenciennes, France Tel.+33 (0) 32 70 96 500
07 - Name and contact details of joint controller (where applicable)	
08a - Who is actually conducting the processing? (Article 31.1(a))	The data is processed by ERA (responsible unit) itself
08b - Name and contact details of processor (where applicable)	
09 - Purpose of processing	<p>According to Article 34 of Regulation 2016/796, the Agency implemented a monitoring system to assess NoBos of the railway sector. The monitoring (audits or inspections) is performed jointly with the Member States' Notifying Authorities, in charge of setting up and carrying out the necessary procedures for the assessment, notification and monitoring of NoBos, ultimately responsible for the assessment of railway products.</p> <p>The purpose of the processing is to:</p> <ul style="list-style-type: none"> <li>• Perform the monitoring system activity</li> <li>• Assign qualified staff to the monitoring system activity</li> <li>• Report about the findings to the concerned NoBo, the relevant MS Notifying Authority and to EC.</li> </ul>
10a - Data Subjects	Private (NoBos) and public (Ministries, National Safety Authorities, etc.) organisations.
10b - Personal data	<ul style="list-style-type: none"> <li>• Personal data (first name, last name, E-mail Address, Company/Organisation name, Professional Address, City, Postal Code, Country, Business Phone Number, Username, assessment role, qualifications);</li> <li>• Monitoring activity data (audit/inspection outputs such as classified deficiencies or recommendations for improvement).</li> </ul>

11 - Time limit for keeping the data

Personal information will be retained for a maximum period of 5 years after the conclusion of the assessment-reporting phase. Regarding the Agency Extranet collaboration space, personal data shall be kept for as long as the data subject remains present in the ERA or ERA-EXT. After the deletion of the data subject's profile from ERA or ERA-EXT directories, in logs and back-up media, the relevant personal data shall be kept for 13 months and, then, will be deleted. Concerning the Rights Management Services (RMS) information protection technology (Microsoft Azure Information Protection solution), following the termination of the relationship, personal data are put under retention mode for 90 days and deleted within 90 days after the end of the retention period.

12 - Recipients of the data

The Controller, the Executive Director, ERA staff directly involved in monitoring CABs (namely the responsible for monitoring notified conformity assessment bodies - MNB responsible-, the team leader, technical experts), or supporting functions directly involved in the routinely management of the MNB system (such as IT staff or MNB secretariat, the Data Protection Officer, the Legal Officer).

13 - Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?

None

14 - How is data stored? What are the security measures implemented?

The personal data information is stored under the Stakeholder Relations Management tool and the Active Directory (as long as the data subject has access to the Extranet) until the data subject requests deletion of the profile page (also directly to the MNB responsible).  
The Agency's extranet is the preferable means to share documents with the parties involved in the monitoring system.  
The EXTRANET working space for the monitoring system is organized in layers with different levels of access; each document is saved in the appropriate layer within the extranet structure.  
Access to information stored on EXTRANET is managed via access rights provided to the groups as follows: EXTRANET home page accessible to all Agency extranet users; notified CAB monitoring home page to which all the identified groups may access; a sub-page per each Member State (MS), to which only the MS and the CAB/s established on its territory may access; [if required] a sub-page per each notified CAB established within the Member State to which only the concerned Member State and the CAB itself may access. Sensitive information is stored at this level.  
In addition information is stored in servers located in ERA's premises accessible only to authorized staff members.

15 - For more information, including how to exercise your rights to access, rectification, object and data portability (where applicable) see the data protection notice

The data protection notice is available in the Extranet workspace homepage related to Monitoring system for notified conformity assessment bodies: [https://extranet.era.europa.eu/MoNoBo/\\_layouts/15/DocIdRedir.aspx?!ID=ERAEXT-281427842-2](https://extranet.era.europa.eu/MoNoBo/_layouts/15/DocIdRedir.aspx?!ID=ERAEXT-281427842-2)

15a - Data subject rights

Right to have access; Right to rectify; Right to erase ("right to be forgotten"); Right to object

16 - Legal Basis

Article 34 of Regulation (EU) 2016/796 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Railways and repealing Regulation (EC) No 881/2004;#166;#MB DECISION n°156 adopting the provisions on auditing notified conformity assessment bodies;#177

17 - Lawfulness of processing	The processing is lawful under Art. 5(a) of Regulation EU 2018/1725 repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC: ((a) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body).
18 - Data minimisation	
19 - Accuracy	Data regarding the organisations are taken from the relevant EC database ( <a href="https://ec.europa.eu/growth/tools-databases/nando/">https://ec.europa.eu/growth/tools-databases/nando/</a> ), while those related to the audit group members are provided from the Member States' Notifying Authorities.
20 - Access and other rights of persons whose data is processed	
21 - Special category data	None
22 - DPIA	None
23 - Link to the Threshold assessment-Risks	
24 - Other related documents	PRO_MRA_003 Monitoring Notified Bodies; INS_MRA_001 Auditing NoBos; INS_MRA_002 Inspecting NoBos