

Privacy notice

Processing of personal data of prospective auditors to participate in the NSA Monitoring activity

1. Introduction

This Privacy notice outlines the criteria by which the European Union Agency for Railways (ERA) collects and processes personal data of prospective auditors to participate in the NSA Monitoring activity.

Your personal data are processed in accordance with [Regulation \(EC\) 2018/1725](#) of the European Parliament and of the Council of 23 October 2018 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 and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.

Concerning the personal data managed at Member State level, they shall follow the national rules in matters of data protection, in line with [Regulation \(EU\) 2016/679](#) of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

For more information about the processing in question, you are invited to contact ERA through the addresses provided in section "Contacts".

2. Controller of the processing operation

The Controller determining the purpose and means of the processing of your personal data is the European Union Agency for Railways (ERA). The entity responsible for managing the personal data processing is the Head of Monitoring, Analysis, Research and Stakeholders Unit.

3. Purpose of the processing operation

The purpose of the NSA monitoring is to develop, implement and run a system of audits (Article 33 (1) and (2) of Regulation 2016/796.

The processing of the data facilitates the selection of auditors to participate in the audit teams which will be comprised of Agency staff and NSA staff, as mandated by Art.33(2), indent 3:

"The Agency shall promote the inclusion in the audit team of qualified auditors from national safety authorities that are not subject to the actual audit. For that purpose, the Agency shall establish a list of qualified auditors and provide them with training when needed."

The data processing concerns any data submitted by applicants/auditor from NSA during the establishment and management of a list of auditors for NSA Monitoring.

The processes are described in the relevant working tools and methods developed for the service including in the evaluation procedure for the NSA Monitoring activity and in the audit referential which can be found on the Agency's Extranet and on the Agency website.

4. Data Processed

The types of data, including personal data, that may be processed are as follows:

- Data to identify and contact the applicant: family name, given name, organisation, professional e-mail address, business telephone number.
- Data relevant to demonstrate that the candidate auditor fulfils the profile required: declaration on competencies, experience, training in the areas relevant to the audits and languages level as described in Annex IV¹.
- The applicants may indicate any individual situation regarding eligibility criteria and any other information they would like to provide to support their application (no CVs or career records will be collected).
- Additional data in case that an appointment letter is offered: ID/passport number and bank account details for reimbursement of expenses and payment of allowances.

Applications will be stored in the dedicated workspace on Extranet (restricted workspace).

All personal data in electronic format (e-mails, documents, etc.) are stored either on the servers of the Agency's in its premises or alternate site or in Microsoft datacentres in the EU (linked to the Agency's and Commission's Office 365 environment).

5. Recipients of personal data

The recipients of the personal data are:

- Designated Agency staff for audit purpose.
- Defined IT staff for the purpose of providing technical service (access would be limited to technical IT issues to be solved).
- Audit training contractor for the purpose of organising audit training sessions, when needed.

All recipients of the data are reminded of their obligation not to use the data for any further purpose other than the one for which they were collected.

For services related to the Stakeholder Relations Management Online (SRMO), Microsoft acts as data processor. Microsoft Corporation, as processor, is committed under the terms of the Interinstitutional License Agreement and related documents to respect the obligations of the GDPR.

In compliance with the terms of the Art. 27 of the GDPR, Microsoft Ireland Operations Limited is Microsoft's representative in the European Union Contact details: Microsoft Ireland, South County Business Park, One Microsoft Place, Carmanhall and Leopardstown, Dublin, D18 P521, Ireland.

Transfers of personal data outside the European Union are not foreseen.

However, diagnostic data covered by contractual rules may be sent to Microsoft outside EU territory.

Microsoft commits to have in place written agreements with all sub-processors that are at least as restrictive in terms of data protection and security as their data processing agreement with the EC.

The activities of all sub-processors are in scope of third-party audits.

¹ Annex IV- Competency framework, NSA Monitoring
120 Rue Marc Lefrancq | BP 20392 | FR-59307 Valenciennes Cedex
Tel. +33 (0)327 09 65 00 | era.europa.eu

6. Your Rights as data subject

You have the **right to access** your personal data, which is the right to obtain confirmation about your data processed by the Agency and the **right to ask for the correction** of any inaccurate or incomplete personal data. You have also the **right to object to the processing or request the removal** of your personal data, which will be implemented as soon as your specific request will have been deemed legitimate.

If you have any queries concerning the processing of your personal data, you may address them to the data Controller. You will find the address in the Contacts below.

7. Legal basis for the processing operation

Legal basis:

- Article 33 of Regulation (EU) 2016/796

Lawfulness:

The above data processing operation is carried out in accordance with Article 5.1(a) of Regulation (EC) 2018/1725: processing is necessary for the performance of a task carried out in the public interest.

8. Time limit for storing the data

All application forms are kept by the Agency for the duration of the auditor interest in the NSA Monitoring service. At the auditor request they can be modified or deleted.

Regarding the Agency Extranet collaboration space, personal data shall be kept as long as the data subject has access to the Extranet. After the deletion of the data subject's profile, the relevant personal data shall be kept for 13 months and then, will be deleted.

9. Contacts

All your requests concerning your data protection rights can be addressed to the Data Controller at NSAMonitoring@era.europa.eu.

In case you have any questions related to the protection of your personal data, you can also contact the ERA Data Protection Officer at DataProtectionOfficer@era.europa.eu.

You have at any time the right of recourse to the European Data Protection Supervisor at edps@edps.europa.eu.