

Record of processing activity

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| 01 - Name of processing | Audits & Inspections under Monitoring system for notified conformity assessment bodies (NoBos) |
| 02 - Reference | 83 |
| 03 - Submission Date | 28/03/2019 |
| 04 - Last update | 17/11/2023 |
| 05a - Controller | GIGANTINO Anna |
| 05b - Unit-Sector | Monitoring, Analysis, Research and Stakeholders Unit |
| 05c - Controller's email | AOD.mars@era.europa.eu |
| 06 - DPO | DataProtectionOfficer@era.europa.eu [mailto: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) | N/A |
| 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) | N/A |
| 09 - Purpose of processing | 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. The purpose of the processing is to: > • Perform the monitoring system activity > > • Assign qualified staff to the monitoring system activity > > • Report about the findings to the concerned NoBo, the relevant MS Notifying > Authority and to EC. |
| 10a - Data Subjects | Private (NoBos) and public (Ministries, National Safety Authorities, etc.) organisations. Agency staff performing audit/inspection activities. |
| 10b - Personal data | <ul style="list-style-type: none"> • Personal data (first name, last name, E-mail Address, Company/Organisation name, Professional contact details, Username, assessment role, qualifications). • Monitoring activity data (audit/inspection outputs such as classified deficiencies or recommendations for improvement). |

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| <p>11 - Time limit for keeping the data</p> | <p>Personal information will be retained for a maximum period of 10 years after the conclusion of the assessment-reporting phase. 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.</p> |
| <p>12 - Recipients of the data</p> | <p>The Controller, the Executive Director, ERA staff directly involved in monitoring Conformity Assessment Body/ies (CAB) - 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).</p> |
| <p>13 - Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?</p> | <p>None</p> |

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| <p>14 - How is data stored? What are the security measures implemented?</p> | <p>The personal data information is stored under the Stakeholder Relations Management Online (SRMO) tool (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: *</p> <ul style="list-style-type: none"> * 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. <p>Sensitive information is stored at this level. 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). 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. 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. For further information please check data protection record n°35 related to Agency Extranet / Collaboration Space /sites/DPO/Lists/Records/DispForm.aspx?ID=36&pa=1&e=0MM TgC).</p> |
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| 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: NoBo monitoring - Home (sharepoint.com) [/sites/MoNoBo/] |
| 15a - Data subject rights | Right to have access |
| 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 |
| 17 - Lawfulness of processing | The processing is lawful under Art. 5.1(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 | In line with the requirements in the legal basis the data collected are sufficient to identify the expert and evaluate whether they satisfy the criteria. |
| 19 - Accuracy | Data regarding the organisations are taken from the relevant EC database (https://ec.europa.eu/growth/tools-databases/nando/), while those related to the audit group members are provided from the Member States' Notifying Authorities. |
| 20 - Threshold assessment, fill in the specific Threshold assessment-Risks entry in sharepoint. | N/A |
| 21 - Special category data | None |
| 22 - DPIA | None |
| 23 - Link to the Threshold assessment-Risks | N/A |
| 24 - Other related documents | PRO_MRA_003 Monitoring Notified Bodies; INS_MRA_001 Auditing NoBos; INS_MRA_002 Inspecting NoBos |