Nr.	Item	Record Information
1	Last update of the record	11/06/2020
2	Name of the Controller	Controller Contact: Head of Resources Department <hr.helpdesk@esma.europa.eu>
2.1	Address of the Controller	201-203 rue de Bercy, 75012 Paris - France
2.2	ESMA Parts Entrusted with Processing	ESMA/RES/HR Human Resources
2.3	Processors (If any)	ESMA
3	Name and contact details of DPO	ESMA Data Protection Officer (DPO) dpo@esma.europa.eu
4	Name and contact details of joint controller (where applicable)	Not applicable
5	Name and contact details of processor (where applicable)	Controller Contact: Head of Resources Department <hr.helpdesk@esma.europa.eu>
6	Purpose of the processing	ESMA´s statutory staff (CAs and TAs) and non-statutory staff (SNEs, trainees and long term on-site external consultants), when working at ESMA´s headquarters offices and on voluntary basis, are encouraged to approach the Human Resources team (RES) to share personal information about COVID-19 symptomatology (symptoms and/or confirmed cases).

ESMA´s Resources department shall collect the minimum necessary personal information received from the requestor to act with the necessary due care and due diligence on its duty as an employer as set out in the "Consolidated text: Regulation No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community", now on referred to as "Staff Regulations", in particular, according to what is laid down on the basis of the art 1.e.(2) "Officials in active employment shall be accorded working conditions complying with appropriate health and safety standards at least equivalent to the minimum requirements applicable under measures adopted in these areas pursuant to the Treaties" and the art 59.(5) "An official may be required to take leave after examination by the institution's medical officer if his state of health so requires or if a member of his household is suffering from a contagious disease"; as well as to deal with the provision set out in the art 5(1)(e) of the EUDPR (EU) No 2018/1725 "processing is necessary in order to protect the vital interests of the data subject or of another natural person".

The collected information will enable ESMA to put in place the necessary actions to protect the health of its staff, to reduce the risk of infection in its premises, and to provide adequate follow up as well as to act as facilitators to French health authorities who are responsible for testing and contact tracing. In particular: to implement specific workplace cleaning, evacuation and distancing measures, as well as to meet the "Protocole national de déconfinement pour les entreprises pour assurer la sécurité et la santé des salariés" enacted by the "Ministère du Travail" (https://travail-emploi.gouv.fr/IMG/pdf/protocole-national-de-deconfinement.pdf), more specifically, to address the following duties:
• la prise en charge d'une personne symptomatique et de ses contacts rapprochés;
• le nettoyage et la désinfection des locaux.

The information will help ESMA to verify the fitness to work, according to the aforementioned applicable legal and statutory obligations and to promote ESMA staff health and wellbeing. |
| 7 | Description of categories of persons whose data ESMA processes and list of data categories | The following categories of data are collected from ESMA´s statutory staff (CAs and TAs) and non-statutory staff (SNEs, trainees and long term on-site external consultants) when working at ESMA´s headquarters offices:

Information only handled on the spot, just to identify the data subject but no longer processed in the COVID-19 dataset:
•Full Name;
•Communication received from ESMA staff members about symptoms tested positive or negative (when the test has been performed).

Information processed (COVID-19 dataset):
•Department/Unit/Team;
•Office space and building floor of the staff member concerned;
•Time of onset of COVID-19 symptoms;
•Last day of the symptoms;
•Last day of presence in the office space |
| 8 | Time limit for keeping the data | The dataset containing ESMA´s Staff COVID-19 related information will only be kept for the time necessary to fulfil the purpose of collection, namely 1 year. Timeframe adequate to also answer to potential requests raised by French health authorities in relation to testing, contact tracing and, potentially, immunology. |
| 9 | Recipients of the data | Access to the COVID-19 data set may be granted to:
o Executive Director;
o ESMA´s Business Continuity Emergency team (RES Head of Unit in lead of the BCP Team and the Information Security Officer)
o HR Team Leader;
o HR staff members dealing with HR HelpDesk;
o HR staff members handling the COVID-19 dataset;
o Line manager of the person concerned will have access to the COVID-19 dataset;
o Public health authorities and institutions, in line with national requirements. |
| 10 | Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards? | Not applicable |
| 11 | General description of security measures, where possible. | The dataset containing COVID-19 information will be stored on the servers of ESMA. All processing operations are carried out pursuant to the ESMA´s security policies and procedures
In order to protect your personal data, ESMA has put in place several technical and organisational measures in place. Technical measures include appropriate actions to address online security, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation. |
| 12 | For more information, including how to exercise your rights to access, rectification, object and data portability (where applicable), see the privacy statement: | The European Securities and Markets Authority (hereafter 'ESMA) is committed to protect your personal data and to respect your privacy. ESMA collects and further processes personal data pursuant to Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data (repealing Regulation (EC) No 45/2001).
A detailed privacy statement explains the reason for the processing of Staff and long-term on-site consultants personal data in the context of the "COVID-19 pandemic crisis", the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you have in relation to your personal data. It also specifies the contact details of the responsible Data Controller with whom you may exercise your rights, the Data Protection Officer and the European Data Protection Supervisor.
The information in relation to processing operation "COVID-19 pandemic crisis" undertaken by the Resources department is presented below.

https://sherpa.esma.europa.eu/sites/LCE/DataProtection/ESMA40-133-1002%20-%20COVID-19%20Data%20Protection%20Statement.dotx |