



EMA/684927/2019

Record of data processing activity regarding consultation with the in-house medical advisor / occupational health physician

1.	Last update of this record, version number:	20 December 2019, version 1
2.	Reference number:	A20
3.	Name and contact details of controller:	European Medicines Agency Internal contact: Head of Administration and Corporate Management Division health@ema.europa.eu
4.	Name and contact details of DPO:	dataprotection@ema.europa.eu
5.	Name and contact details of joint controller (where applicable)	N/A
6.	Name and contact details of processor (where applicable)	WorkingStyle Savannahweg 17 3542 AW UTRECHT (T) 030 606 29 29 (F) 084 727 12 12 www.workingstyle.nl email: ema@workingstyle.nl
7.	Purpose of the processing	The purpose of this data processing activities is to enable the occupational health specialist to advise the Agency in the area of occupational health in accordance with Articles 53, 59 and 60 of the Staff Regulations ('SR') ¹ , as well as Article 6, Annex V of the SR, and Articles 16 and 91 of the Conditions of Employment of Other Servants ('CEOS'). The consultation with

¹ 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. Available here: [https://eur-lex.europa.eu/eli/reg/1962/31\(1\)/oj/eng](https://eur-lex.europa.eu/eli/reg/1962/31(1)/oj/eng)



		<p>the occupational health physician / in-house medical advisor includes consultation with a medical advisor/occupational health physician in the area of:</p> <ul style="list-style-type: none"> - Medical examination according to Article 59 SR; e.g. medical examination arranged by the EMA following a long term sick leave absence to determine potential workplace adjustments, or to assess in which way the work of a staff member has affected his/her health and what action should be taken both to support the individual and to prevent recurrence, or to advise on temporary or permanent changes to the duties or to the workplace to enable someone with a physical or mental health condition or disability to work effectively and safely; - Occupational Health Review by the in-house medical advisor/occupational health physician, e.g. an appointment can be requested with the occupational health physician by the staff member to discuss and seek an advice on work related health issues; - Assessment of the therapeutic advantage for the staff member of spending the sick leave abroad; - Assessment of the serious or very serious illness certificate of staff's family (e.g. child, spouse) to justify special leave (Article 6, Annex V of the SR); - Processing of documents related to absences due to illness or accident.
8.	Description of categories of persons whose data EMA processes and list of data categories	<p>Categories of persons concerned: EMA staff members including</p> <ul style="list-style-type: none"> • Contract Agent • Temporary Agent • Seconded National Experts <p>In this processing operation the medical service provider processes data directly collected from you. Such data may include the following:</p> <ul style="list-style-type: none"> • Staff member's name and surname; • Personnel number; • Date of birth; • Gender; • Contract start, end date and type of contract; • Type of job, job description; • Working pattern and number of hours worked; • EMA email and extension line;

		<ul style="list-style-type: none"> • Personal email and telephone number in case staff member is on sick leave; • In addition, the Agency may process the recommendation of the medical service provider, e.g. phased return to work and number of weekly hours that you are recommended to work, recommendation for medical part time or referral to counselling. <p>In this processing operation the medical service provider processes data as follows:</p> <ul style="list-style-type: none"> • either provided by Staff Matters ahead of the occupational health appointment (e.g. name, date of birth, working hours, staff member's contact details), • or collected from the staff member during the examination by the occupational health physician; • or data directly provided by the staff member to the medical service provider for a particular assessment (e.g. for the purpose of justification of sick leave, invalidity procedure, referral to counselling, medical part time referral etc.). Such data may include sick leave certificates, documentation evidencing a particular personal situation/family status and other medical reports containing a diagnosis or/and other health data.
9.	Time limit for keeping the data	<p>The appointed medical service provider does not store data for longer than necessary to comply with legal requirements (such as the 7-year period set by the tax authorities for the administration of a company).</p> <p>In accordance with its legal obligations, EMA shall keep a case number related to your particular referral on the financial documentation for 5 years from the date of budget discharge (which is the date of the European Parliament's final approval of the budget implementation for the concerned year). Accordingly, EMA will delete your name and date of birth kept in the financial documentation no later than within 8 years following your examination.</p> <p>In addition, EMA shall store your occupational health reports in a secure and restricted electronic folder during employment at EMA. Once the employment has ended, the occupational health reports will be deleted 5 years from the date of budget discharge (which is the date of the European Parliament's final approval of the budget implementation for the concerned year), no later than 8 years following the submission of the occupational health report by the medical service provider to EMA.</p>

10.	Recipients of the data	<p>The data collected by the medical service provider will be processed only by the medical service provider and not shared with EMA.</p> <p>The medical service provider will only share with EMA opinion of the medical advisor / occupational health physician (e.g. confirmation that the sick/special leave is justified, or that the invalidity allowance should be granted).</p> <p>EMA processes internally the data through nominated and restricted staff members responsible for Medical Services and Occupational Health area in the Staff Matters Service within the EMA Administration and Corporate Management Division.</p> <p>As regards referrals to counselling the occupational health physician only shares the with EMA referral to a prescribed number of counselling sessions and no other data (i.e. no data on the type of therapy) is disclosed. With the consent of the staff member the occupational health physician may, at the end of the prescribed sessions, recommend to EMA that more sessions are needed.</p>
11.	Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?	N/A
12.	General description of security measures, where possible.	<p>The medical service keeps the data electronically in an absence management system that provides encrypted channels to end users, in a secure private cloud based infrastructure, only the nominated occupational health physician is able to enter and access medical related data. The nominated administrative staff can view absence related and appointment data.</p> <p>Nominated and restricted staff within the EMA Administration and Corporate Management Division responsible for Medical Services and Occupational Health area in the Staff Matters Service process the start and end date of the sickness as a result of occupational health consultation by making a record in the SAP HR.</p>
13.	For more information, including how to exercise your rights to access, rectification, object and data portability (where applicable), see the privacy statement:	Privacy statement is provided internally to data subjects concerned.