



EUROPEAN MEDICINES AGENCY
SCIENCE MEDICINES HEALTH

1 July 2021
EMA/150897/2021

European Medicines Agency's Privacy Statement For the operation of Video-surveillance (CCTV) system

This Privacy Statement explains the most essential details of the processing of personal data by the European Medicines Agency (hereinafter "EMA" or "Agency") in the context of operating the Video-surveillance (CCTV) system.

1. Who is responsible for your data?

1.1. Who is the data controller?

The European Medicines Agency ("EMA") is ultimately responsible to comply with your data protection rights and freedoms. On behalf of EMA, the Head of the Administration and Corporate Management Division of EMA is appointed as a 'Data Controller' to ensure the lawful conduct of this processing operation. The contact details of the Data Controller are the following:

DataController.Administration@ema.europa.eu

1.2. Who is the data processor?

The Agency may engage a contracted private security company to support the Agency in operating the CCTV system, in particular, to carry out the following activities: monitor CCTV recordings. The name and contact details of the data processor are the following:

G4S (EMA Security provider)

Address: Director Government, G4S Security Services B.V., Hogehilweg 12.1101 CD Amsterdam, The Netherlands.

Email: enquiries@uk.g4s.com

DS6 (Building CCTV systems maintenance provider)

Address: DOMENICO SCARLATTI V.O.F. Graafsebaan 65, 5248JT Rosmalen, The Netherlands.

Post address: Postbus 246, 5240AE Rosmalen, The Netherlands.

Email: EMA-maintain@heijmans.nl

2. Purpose of this data processing

Security, health and safety purposes

The purpose of this data processing activity is to operate the Agency's Video-surveillance (CCTV), in order to protect EMA premises against unauthorised access and theft, as well as against both external and internal threats. The video-surveillance system is exclusively operated for the purpose of safety

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and security of people, building and assets. It is part of the measures taken pursuant to the broader EMA security policy and helps to deter, detect and if necessary, investigate unauthorised physical access to premises, including unauthorised access to secure areas and protected rooms, IT infrastructure, and operational information. In addition, the system helps prevention, detection and investigation in case of theft of equipment and assets owned by the Agency, visitors or staff as well as of threats to the safety of personnel working at the office. It can also be used in situations when accidents or health & safety related incidents are investigated.

Exceptional investigational purposes

In exceptional and occasional cases, where this is necessary and proportionate as documented in a decision of the relevant Internal Controller(s), the Agency reserves the right to use the system as an investigative tool or to obtain evidence in internal investigations or in disciplinary procedures and to submit video evidence that has been obtained during an investigation, or may have been recorded during normal operation of the system to substantiate allegations of criminal activity, gross misconduct, or behaviour which puts others at risk. Furthermore, the Agency may be required to provide evidence, e.g. recordings from the CCTV system, to law enforcement authorities i.e., Dutch Police or OLAF that may investigate criminal events. The data subjects identified in the recording will be individually notified about such data processing, unless a restriction is established in accordance with the *Decision of the Management Board of the European Medicines Agency of 12 June 2019 on internal rules concerning restrictions of certain rights of data subjects in relation to processing of personal data in the framework of the functioning of the Agency*.¹

Ad-hoc surveillance

Additional on purpose cameras could be installed in preventative manner for ensuring investigation capability during specific events held at the Agency, as well as in the framework of criminal investigations or enquires conducted within the remit of Implementing Rules on the conduct of administrative inquiries and disciplinary procedures. Information about the ad-hoc surveillance is provided by on-the-spot notice and in a specific data protection notice published on the Agency's intranet or website, as necessary.

The system is not used for any other purpose, specifically, it is not used to monitor the work of employees or to monitor attendance.

2.1. Personal Data concerned

In the CCTV system, EMA processes the data of EMA staff members (including interim and trainee staff), as well as contractors, delegates & visitors entering the EMA premises including building, perimeter grounds and parking slots.

The video surveillance system records and stores all movements in the areas that the cameras monitor, 24 hours a day and 7 days a week, unless otherwise indicated. Areas monitored by the system are described in paragraph 4.9. The location of cameras and selected fields of view have been carefully selected to minimize viewing areas that are not relevant for the intended purposes.

2.2. Legal Basis

The processing of data within the Agency's CCTV system is necessary for the management and functioning of the Agency and in particular compliance with the health and safety standards and requirements of Article 1e(2) of the Staff Regulations of Officials and the Conditions of Employments of

¹ Published in the Official Journal of the European Union: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2019.209.01.0019.01.ENG&toc=OJ:L:2019:209:TOC

Other Servants of the Community² as implemented by EMA in the EMA 0046 Video-surveillance Policy and EMA 0076 Security Policy. These Policies are connected to activities required for the management and functioning of the Agency, such as security and physical protection measures, measures to protect information processing facilities, health and safety standards.

These activities also ensure the safe, secure and undisturbed performance of the Agency's task carried out in the public interest as mandated by Regulation (EC) No 726/2004. Accordingly, the lawfulness of this data processing is based on Article 5(1)(a) of Regulation (EU) 2018/1725 with reference to Recital 22 of that Regulation. In this regard, please note that you have the **right to object** against the processing as explained in Section 5 below.

3. How long do we keep your data?

The images are stored for a maximum of 28 days. Thereafter, all images are overwritten. If any image needs to be stored to further investigate or evidence a security incident, they may be retained only as long as necessary for the specific purpose. Their retention is rigorously documented and the need for retention is regularly reviewed, at least every 3 months. A copy of the register of retention and transfers is kept continuously updated.

4. Who has access to your information and to whom is it disclosed?

The data collected will be processed internally by staff within the EMA Division responsible for Administration and Corporate Management. Organizational measures are in place to restrict access to the CCTV images. A limited number of authorised security staff members and security contractors have access to live images and a further restricted group only has access to recordings, namely:

Live viewing

- EMA security staff and contract guard force have access to live viewing images to enable immediate monitoring from the security rooms.

Deferred viewing (recorded images)

- The images filmed and stored in the system may be viewed by Head of Facilities Support Service, EMA security staff, security provider supervisors, and other authorised officials, if justified, by a security incident, such as an alarm being set off or a security anomaly being detected (e.g. a door of a building found open, a witness reporting an incident), or as part of an inquiry procedure for duly referenced cases, for the whole retention period.
- Security service provider staff on duty in the security control room may also review footage up to 24 hours old, from outdoors cameras, so that they can react to any dangerous situation or infringement.

Technical maintenance staff

- The maintenance staff responsible for technical maintenance of the systems have access to all the system components, including recordings, exclusively for maintenance purpose.

Additionally, there is a regular review of roles and responsibilities for operators, system administrators and technical engineers with access to the system.

² [EUR-Lex - 31962R0031 - EN - EUR-Lex \(europa.eu\)](https://eur-lex.europa.eu/lexuri/cs.do?uri=CELEX:31962R0031:EN)

Disclosure in exceptional circumstances

In exceptional circumstances, exclusively in the case of administrative investigations, information may be disclosed to:

- the Head of the Administration and Corporate Management Division;
- and to the persons who are formally appointed as investigators in the framework of administrative inquiries and the secretary and members of disciplinary boards.

Information may also be disclosed to:

- the European Anti-Fraud Office (OLAF);
- and / or national law enforcement authorities;
- and/ or the DG Security, European Commission,
- in the context of crime prevention or investigations regarding threats to EMA security.

In each case the Data Protection Officer will be consulted prior to any information being disclosed.

5. Your data protection rights

As data subject (i.e. the individual whose personal data is processed), you have a number of rights:

- **Right to be informed** – This Privacy Statement provides information on how EMA collects and uses your personal data. Individuals are given **specific individual notice** if they are identified on camera and their identity is noted in any files/records, the video recording is used against the individual, kept beyond the regular retention period, transferred outside the security office; or the identity of the individual is disclosed to anyone outside the security office.
- **Right to access** – You have the right to access your personal data. You have the right to request and obtain a copy of the personal data processed by EMA.
- **Right to rectification** – You have the right to obtain - without undue delay - the rectification or completion of your personal if it is incorrect or incomplete.
- **Right to erasure** – You have the right to require EMA to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing. In certain cases your data may be kept to the extent it is necessary, for example, to comply with a legal obligation of the Agency or if it is necessary for reasons of public interest in the area of public health.
- **Right to restrict processing** – In a few, codified cases, you have the right to obtain the restriction of the processing, meaning that your data will only be stored, but not actively processed for a limited period of time. For more information about this right and its limitations, see the EMA General Privacy Statement, hosted at www.ema.europa.eu/en/about-us/legal/privacy-statement.
- **Right to object** – You have the right to object at any time to this processing on grounds related to your particular situation. If you do so, EMA may only continue processing your personal data if it demonstrates overriding legitimate grounds to do so or if this is necessary for the establishment, exercise or defence of legal claims.

The rights of the data subject can be exercised in accordance with the provisions of Regulation (EU) 2018/1725. For anything that is not specifically provided for in this privacy notice, please refer to the contents of the general EMA Privacy Statement: www.ema.europa.eu/en/about-us/legal/privacy-statement.

In exceptional cases, the rights of data subjects may be temporarily restricted in accordance with the procedure established by **Decision of the Management Board of the European Medicines Agency of 12 June 2019 on internal rules concerning restrictions of certain rights of data subjects in relation to processing of personal data in the framework of the functioning of the Agency**.³

6. Recourse

In case you have any questions regarding the processing of your personal data, or you think that the processing is unlawful or it is not in compliance with this Privacy Statement or the general EMA Privacy Statement, please contact the **Data Controller** at DataController.Administration@ema.europa.eu or the **EMA Data Protection Officer** at dataprotection@ema.europa.eu.

You also have the right to lodge a complaint with the **European Data Protection Supervisor (EDPS)** at any time at the following address:

- Email: edps@edps.europa.eu
- Website: www.edps.europa.eu
- Further contact information: www.edps.europa.eu/about-edps/contact_en

³ https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2019.209.01.0019.01.ENG&toc=OJ:L:2019:209:TOC