



EUROPEAN MEDICINES AGENCY  
SCIENCE MEDICINES HEALTH

12 November 2019  
EMA/616084/2019

## European Medicines Agency's Privacy Statement For the pre-employment medical examination

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 the pre-employment medical examination.

### 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 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: [EMA-Medicals@ema.europa.eu](mailto:EMA-Medicals@ema.europa.eu)

#### 1.2. Who is the data processor?

EMA engages a third party to process data on behalf of the Agency in order to carry out the pre-employment medical examination.

The contact details of the data processor(s) are the following:

Prescan B.V.  
Amarilstraat 20  
7554TV Hengelo  
Netherlands  
[dpo@prescan.nl](mailto:dpo@prescan.nl)

### 2. Purpose of this data processing

The purpose of this data processing activity is to enable candidates to undergo a medical examination in accordance with Articles 28(e) and 33 of the Staff Regulations of Officials and Conditions of Employment of Other Servants of the European Union (SR).<sup>1</sup>

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<sup>1</sup> 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)

**Official address** Domenico Scarlattilaan 6 • 1083 HS Amsterdam • The Netherlands

**Address for visits and deliveries** Refer to [www.ema.europa.eu/how-to-find-us](http://www.ema.europa.eu/how-to-find-us)

**Send us a question** Go to [www.ema.europa.eu/contact](http://www.ema.europa.eu/contact) **Telephone** +31 (0)88 781 6000

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In addition, in order to carry out the pre-employment medical examination the medical service provider will process your personal data for the following purposes:

- Creating your account to register with the medical service provider;
- Allocating log in details to your account;
- Updating your medical record;
- Scheduling an appointment;
- Updating your preferences;
- Issuing a fitness certificate for EMA,
- Updating results from previous examinations and/or treatments if applicable.

### **2.1. Personal Data concerned**

In this processing operation the medical service provider processes data directly collected from you. Such data may include the following:

- Name and address details;
- Gender;
- E-mail address;
- Telephone number;
- Information regarding your health;
- Information about your appointment;
- IP address
- Partner;
- Practitioners (for example, general practitioner, specialist and their telephone number);
- Results of your diagnostic examination (laboratory results; images such as X-rays; CT scans; Ultrasound and MRI images);
- Reports and advice from doctors who treated you - including any translations if applicable.

### **2.2. Legal Basis**

The legal basis to carry out pre-employment medical examination is found in Articles 28(e) and 33 of the SR. This examination is necessary to assess the data subjects' ability in effectively carrying out their role in light of any medical issue. The processing of personal data in relation to the pre-employment medical examination is therefore necessary for the management and functioning of EMA and the performance of EMA's tasks in the public interest on the basis of Article 5(1)(a) of Regulation (EU) 2018/1725.

If the results of the pre-employment medical examination show that follow-up medical examination is required, the medical service provider may carry out these examinations based on your consent (which you can withdraw later). This will be a further processing of your personal data carried out solely by the medical service provider.

## **3. How long do we keep your data?**

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).

In accordance with its legal obligations, EMA shall keep your name and date of birth 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.

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

The data collected will be processed by the medical service provider. To protect your data, the medical service provider ensures that:

- Access to personal data is protected with a user name, password and a visual log in code;
  - The data is stored in a separate, guarded system upon receipt;
  - Physical measures are in place to protect access to the systems where personal data is stored;
- Secure connections (Secure Sockets Layer or SSL) are used when you enter data directly in their website.

Data related to processing payments (name, surname, date of birth) for the relevant pre-employment medical examination will be processed internally by nominated and restricted staff within EMA Administration and Corporate Management Division, who are responsible for Medical Services area in the Staff Matters Service.

Data related to processing the fitness certificate (name, surname, date of birth, post, fitness to work and possible workplace adjustments information) will be processed by Staff Matters, EMA Administration and Corporate Management Division, who are responsible for issuing the contract of employment.

## 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.
- **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](http://www.ema.europa.eu/en/about-us/legal/privacy-statement).
- **Right to object** – If the Agency processes your data for the performance of a task in the public interest (without your consent or another lawful basis); you have the right to object to this processing on grounds related to your particular situation.

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](http://www.ema.europa.eu/en/about-us/legal/privacy-statement)

## 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 [EMA-Medicals@ema.europa.eu](mailto:EMA-Medicals@ema.europa.eu).

Data subjects may lodge a complaint with the **EMA Data Protection Officer**: [dataprotection@ema.europa.eu](mailto: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](mailto:edps@edps.europa.eu)
- Website: [www.edps.europa.eu](http://www.edps.europa.eu)
- Further contact information: [www.edps.europa.eu/about-edps/contact\\_en](http://www.edps.europa.eu/about-edps/contact_en)