



EUROPEAN MEDICINES AGENCY  
SCIENCE MEDICINES HEALTH

EMA/525037/2023  
29 November 2023

## European Medicines Agency's Data Protection Notice

### For the pre-employment medical examinations delivered at the Agency's premises

This Data Protection Notice 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 appointments delivered at the Agency's premises in order to ensure that the staff members are fit to perform their duties.

## 1. Who is responsible for processing 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 'Internal Controller' to ensure the lawful conduct of this processing operation.

The contact detail of the Data Controller is the following:

[dataprotection.administration@ema.europa.eu](mailto:dataprotection.administration@ema.europa.eu)

### 1.2. Who is the data processor?

The Agency may engage third parties to process data on behalf of the Agency and, in particular, to carry out the following activities: to process data on behalf of the Agency in the context of providing medical examinations.

The contact details of the data processor are the following:

KLM Health Service B.V.

Stationsplein NO 236

111 CJ Schiphol

E-mail: [ema.health@klm.com](mailto:ema.health@klm.com)

## 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 of the European Union

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**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

An agency of the European Union



(SR) <sup>1</sup>, as well as Articles 12(d) and 82(3.d) of the Conditions of Employment of Other Servants of the European Union (CEOS).

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

- Creating your account to register with the medical service provider;
- Allocating login details to your account;
- Updating your medical record;
- Scheduling an appointment;
- Updating your preferences;
- Processing payments (invoicing);
- Preparing periodic management reports (only anonymised aggregated data);
- Issuing a fit-for-employment certificate for EMA;
- Organising the translation of medical findings from a treating doctor, if applicable;
- Updating results from previous examinations and treatments, if applicable.

The Agency will process your data for the following purposes:

- Processing payments (invoicing);
- Sending a reminder to book an annual medical appointment twelve months after the pre-employment medical examination;
- Arranging reasonable workplace adjustments, if applicable;
- Arranging an consultation with an occupational health physician, 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;
- Personnel number (if applicable);
- Date of birth;
- Gender;
- E-mail address;
- Telephone number;
- Job title (e.g. Assistant, Administrator, Head of ...)
- Job role and description.
- Information regarding your health;
- Partner and family status;
- Information about your appointment;
- IP address;
- Practitioners (for example, general practitioner, specialist and their telephone number);
- Results of your diagnostic examination and laboratory results;
- Medical reports and advice from doctors who treated you, including any translations, if applicable, to determine, for example, reasonable workplace adjustments due to illness;
- Medical recommendations to carry out a consultation with the Agency's occupational health physician, if applicable.

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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)

In the context of this processing operation, the Agency processes only the fit-for-employment certificate, the examination date and the invoice. In addition, the Agency may process the medical recommendations to carry out a consultation with the Agency's occupational health physician and reasonable workplace adjustments, if applicable.

## **2.2. Legal basis of the processing**

The legal basis to carry out pre-employment medical examination is found in Articles 28(e) and 33 of the SR, as well as Articles 12(d) and 82(3.d) of the Conditions of Employment of Other Servants of the European Union (CEOS). The processing of personal data concerning the pre-employment medical examination is 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.

## **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 period set by the Dutch authorities](#) for the administration of medical data in the Netherlands).

In accordance with its legal obligations, EMA shall keep 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 personal details no later than within 8 years following your examination.

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

The data provided to or collected by the medical service provider (as explained in Section 2.1 above) will be processed only by the service provider and their authorised subcontractors (i.e. provider responsible for software used for the purpose of booking appointments and completing a medical questionnaire and the laboratory for processing samples). The medical service provider has a valid information security certification and has appropriate measures to protect your data.

The medical service provider will only share with EMA:

- Fit-for-employment certificate and examination date, proposed workplace adjustment or recommendation for an appointment with the occupational health physician (if required). No medical data will be included in the certificate.
- Personal data related to processing payments (name, surname, date of birth and date of examination).

The data related to workplace adjustments will be processed in accordance with the Data Protection Notice on reasonable accommodation.

The data related to payments will be processed internally by EMA-nominated and restricted staff members within the Administration and Corporate Management Division responsible for the Medical Service in the Staff Matters Service.

## 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 Data Protection Notice provides information on how EMA collects and uses your personal data. Requests for other information regarding the processing may also be directed to the Internal Controller.
- **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 processing. In some instances, your data may be kept to the extent necessary, for example, to comply with a legal obligation of the Agency or if it is necessary for reasons of public interest in 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. 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** – 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 establishing, exercising, or defending legal claims.
- **Right to portability** - Where the processing is carried out based on your consent and in automated means you have the right to receive your personal data (which was provided to the EMA directly by you) in a machine-readable format. You may also ask the EMA to directly transfer such data to another controller.

The data subject's rights can be exercised per the provisions of Regulation (EU) 2018/1725. For anything that is not explicitly provided for in this Data Protection 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 Data Protection Notice or the general EMA Privacy Statement, please contact the **Internal Controller** at [dataprotection.administration@ema.europa.eu](mailto:dataprotection.administration@ema.europa.eu) or the **EMA Data Protection Officer** at [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:

- E-mail: [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)