

ICT Infrastructure Managed Services

Record of ESMA activities processing personal data, based on Article 31 of 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.

Nr.	Item	Record Information
ICT Infrastructure Managed Services		
1	Last update of the record	11 January 2022
2	Reference number	ESMA40-133-1323
3	Name and contact details of controller	<p>Controller: Head of the ICT Unit</p> <p>ict.ism@esma.europa.eu</p> <p>Address of the controller:</p> <p>European Securities and Markets Authority (ESMA)</p> <p>201-203 Rue de Bercy</p> <p>75012 Paris</p> <p>France</p>

4	ESMA area entrusted with processing	Resources Department / Information and Communications Technologies Unit (RES / ICT)
5	Processors (if any)	Yes, Accenture (Out-Tasking of ICT Operations)
6	Name and contact details of DPO	ESMA Data Protection Officer – Head of the LEX Department dpo@esma.europa.eu
7	Name and contact details of processor (where applicable)	<ul style="list-style-type: none"> Accenture NV/SA, Address: Rue Picard 11, Box 100, 1000 Brussels, Belgium
8	Purpose of the processing	<p>Provision of external management and support of the ICT Infrastructure, Security and DevOps Services and implementation of state-of-the-art monitoring solution.</p> <p>The service objectives in terms of business value are to:</p> <ol style="list-style-type: none"> Maintain business stability of ESMA's Core ICT Systems Infrastructure, using IaC principles and SecOps practices Support software release cycle of ESMA's applications, using DevOps and SecOps practices Maintain business continuity of ESMA's Core ICT Systems and applications (Backups, Archives and Security) <p>The Contractor must provide an integrated Managed Service for the whole toolchain.</p>
9	Description of categories of persons whose data ESMA	ESMA Staff, SNEs, trainees, external consultants, external authorised visitors.

	processes and list of data categories	Usernames of ESMA staff, anonymised usernames of ESMA guests, their encrypted credentials and their computer names are processed.
10	Time limit for keeping the data	All tickets and data in ticketing system are retained only for the time of the contract duration and deleted as part of the contract phase out process. Access is only granted to Jira projects relevant to their roles (ITSD, MHARD, AZURE, NESEC).
11	Recipients of the data	This information is only accessible to designated ESMA IT staff and to Accenture teams. Accesses are granted on strict approved business access need.
12	Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?	No, Accenture will use only service delivery locations in Europe, mainly Poland and Belgium.
13	General description of security measures, where possible.	<p>The Contractor and the Controller shall implement appropriate technical and organisational security measures, giving due regard to the risks inherent in the processing and to the nature, scope, context and purposes of processing, in order to ensure, in particular, as appropriate:</p> <p>(a) the pseudonymisation and encryption of personal data.</p> <p>(b) the ability to ensure the ongoing confidentiality, integrity, availability and resilience of processing systems and services.</p>

		<p>(c) the ability to restore the availability and access to personal data in a timely manner in the event of a physical or technical incident.</p> <p>(d) a process for regularly testing, assessing, and evaluating the effectiveness of technical and organisational measures for ensuring the security of the processing.</p> <p>(e) measures to protect personal data from accidental or unlawful destruction, loss, alteration, unauthorised disclosure of or access to personal data transmitted, stored, or otherwise processed.</p> <p>The Service Provider has delivered ISO/IEC 27001 certificates in good standing.</p>
<p>14</p>	<p>Information on how to exercise your rights to access, rectification, object and data portability (where applicable), including recourse right.</p>	<p>ESMA, as a Data Controller, will collect the strictly necessary personal data for the purpose of delivery of ICT infrastructure, network and security operations services and support.</p> <p>To exercise your Data Subject Rights you can address your requests to the Controller at ict.ism@esma.europa.eu</p> <p>a) You are entitled to access your information relating to your personal data processed by ESMA, verify its accuracy and, if necessary, correct it in case the data is inaccurate or incomplete.</p> <p>b) You have the right to request the erasure of your personal data, if your personal data is no longer needed for the purposes of the processing, if you withdraw your consent or if the processing operation is unlawful.</p> <p>c) You can ask the Data Controller to restrict the personal data processing, under certain circumstances, such as if you contest the accuracy of the processed personal data or if you are not sure if your personal</p>

	<p>data is lawfully processed.</p> <p>d) You may also object, on compelling legitimate grounds, to the processing of your personal data.</p> <p>e) Additionally, you may have the right to data portability which allows you to make a request to obtain the personal data that the Data Controller holds on you and to transfer it from one Data Controller to another, where technically possible.</p> <p>In some cases your rights might be restricted in accordance with Article 25 of the Regulation (EU) 2018/1725 and ESMA MB Decision on restriction: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019Q1125(01)&from=EN. In each case, ESMA will assess whether the restriction is appropriate. The restriction should be necessary and provided by law, and will continue only for as long as the reason for the restriction continues to exist.</p> <p>If you have additional questions or concerns you can also contact ESMA's Data Protection Officer: DPO@esma.europa.eu</p> <p>You have the right to lodge a complaint with the European Data Protection Supervisor (edps@edps.europa.eu) if you consider that your rights under the Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by ESMA.</p>
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