

Nr.	Item	Leaves and absences
1	Name of the Controller	Head of Resources Department: HR@esma.europa.eu
1.1	Address of the Controller	ESMA, 103 Rue de Grenelle, 75007 Paris
1.2	ESMA Parts Entrusted with Processing	ESMA/RES/Human Resources
1.3	Processors (If any)	Not applicable
2	Name and contact details of DPO	ESMA's Data Protection Officer (DPO): dpo@esma.europa.eu
3	Name and contact details of joint controller (where applicable)	Not applicable
4	Name and contact details of processor (where applicable)	Not applicable
5	Purpose of the processing	Collection, management, storage, disclosure, monitoring of the use and processing of data in relation to the teleworking, flexitime and leave, in order to: - justify special leave of ESMA staff members - For teleworking and flexitime only for statistical purpose  <u>Legal and Regulatory basis for the processing:</u> Commission Decision on leave C(2013) 9051 of the 16/12/13 Commission Decision on the implementation of telework in Commission Departments C(2015) 9151 of the 17.12.15 Decision of the Management Board on the implementing rules on working time
6	Description of categories of persons whose data ESMA processes and list of data categories	Staff members and their relatives: We keep: - For special leave we keep certificates (sickness, death, rental contract, etc.) - for occasional teleworking request are done in Allegro accessible to HR leave manager and direct line managers of the staff member. - for structural teleworking the request is done in paperless. Staff have to provide their address where they are during the teleworking, they can also on a voluntary basis provide the reasons of the requests.
7	Time limit for keeping the data	The following documents are kept on paper in the personal file: Certificate of Aptitude (Personal files are kept in line with recommendations made by the EU Commission) Medical certificates are kept for 3 years.
8	Recipients of the data	ESMA staff with a valid business access need: HR leave manager
9	Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?	Not applicable
10	General description of security measures, where possible.	All paper documents are stored in a closed cabinet which is accessible only to HR staff members. Electronical documents are handled through the IT system in place at ESMA. ESMA's IT infrastructure is protected by physical and logical security measures: the servers are installed on secured datacentre with restricted physical and logical access controls. Network firewalls protect the logical data flows of the ESMA's IT infrastructure; main computer systems handling the data are configured in a secure manner. Administrative security controls include the obligation for ESMA staff and service providers maintaining the equipment and systems to have signed non-disclosure and confidentiality agreements.
11	For more information, including how to exercise your rights to access, rectification, object and data portability (where applicable), see the privacy statement:	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. 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. 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 data is lawfully processed. d) You may also object, on compelling legitimate grounds, to the processing of your personal data. 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.  You may exercise your rights by contacting the Data Controller at hr.helpdesk@esma.europa.eu. In some cases your rights might be restricted in accordance with Article 25 of the Regulation (EU) 2018/1725. 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. If you have additional questions or concerns you can also contact ESMA's DPO at DPO@esma.europa.eu  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.  For more information please refer to: <a href="https://www.esma.europa.eu/about-esma/data-protection">https://www.esma.europa.eu/about-esma/data-protection</a>