

# Notification to the Data Protection Officer under Article 25 of the Rules on Data Protection (Decision 235/16/COL) ('the Rules')

Changes affecting the information contained in the notification must be notified promptly to the Data Protection Officer, see Article 25(3) of the Rules.

Date of submission: 23.11.2017

## Part 1: Processing

- Unit responsible for the processing operation

LEA

- Name of processing operation

Use of photos and quotations in communications material.

- General description of the processing operation

Photos of staff members and former staff members are taken. These may take the form of either individual or group photos. They may be posed or candid photographs.

These photos are or may be used in communications material such as:

- advertisements for vacancies at ESA,
- the ESA trainee information leaflet and careers fairs materials,
- the ESA Annual Report and/or Summary Report,
- as new starters photos on the ESA website,
- in PowerPoint presentations used for visiting groups or external seminars, and
- on social media for the purposes of promoting ESA and its activities.

These photos are stored on ESA's computer system and on the devices used to take them (cameras or phones).

Quotations from former staff members (e.g. on their experiences at ESA), including details of where they now work, are used in some communications materials, such as the trainee information leaflet.

- Sub-contractors

None

- Automated / Manual operations

Photos are taken of members of staff, or former members of staff (at alumni events) (manual).

Photos are stored in ESA's computer system or on the devices used to take them (automatic).

Photos are added to communications materials when the need for a photo arises (manual).

- Storage

Stored on ESA's servers and IT systems

- Comments

N/A

- Security measures

Security measures as applicable to the Authority's IT infrastructure (as specified in Doc No 846315) including the GoPro system (Doc No 858099) and email system (Doc No 846314).

Photos are stored on the ESA server and are to be accessible only to those who require them for preparing communications materials.

Photos stored (usually temporarily) on the devices used for taking them are accessible only to persons in physical possession of those devices. Phones are password protected and ESA's cameras are looked after by the ESA photographer or kept in offices which are not accessible to the general public.

## Part 2: Purpose and legal basis

- The purpose(s) of the processing operation

Data is collected in order to promote ESA and its activities through communications and outreach materials, so that it can better perform its functions under the EEA Agreement and Surveillance and Court Agreement. ESA's connection with the EFTA States and other key stakeholders depends on being able to give the organisation a "human face". Photos of staff constitute a key part of this open and accessible public presentation of ESA.

ESA is an organisation with a very high turnover, with the consequent need for recruitments to be carried out effectively. Part of that process consists of communicating ESA's vacancies, and to do this ESA uses pictures of staff members in a workplace setting, so as to give potential recruitment candidates a flavour of life at ESA.

- The legal basis of the processing operation

EFTA Surveillance Authority Decision 235/16/COL on Data Protection Rules, Article 5 (d).

Consent of the data subjects is sought:

- At the start of contract for staff members, by way of a consent form
- At events and seminars, by way of a consent form distributed prior to the event

In addition to the consent forms, the photographer will wherever possible give those persons who would like not to be photographed the chance to step back from the photograph.

Wherever possible, persons being photographed will also be made aware what use will be made of the photograph or photographs.

Where practicable (ie where there are no time constraints, and only for individual or small group photographs) persons being photographed for communications materials will be given the chance to review photos and indicate if there are ones which they would rather were not used.

### Part 3: Data subjects/fields

- Categories of data subjects

Staff members

Former staff members

- Categories of data / Data fields

Identifiable images of staff members and former staff members, staff names, quotations and details of where they are working.

### Part 4: Rights of the data subjects

- Information to be provided to the data subjects

Notification to data subjects in advance of their participation.

- Procedure to grant rights

Authority procedure for data subject requests (DSR) (Doc No 863894).

- Retention policy and time limit

Photos are retained indefinitely, as ESA has a small staff and the stock of good photos may be difficult to maintain with a shorter retention period. However, after 15 years photos will only be used for communications material related to historical or archive purposes (such as communications on alumni events, or communications on the history of the Authority).

### Part 5: Recipients

- Categories of recipients of the data

Administration and Communications staff and staff involved in putting together communications materials.

- Transfer of the data

N/A