

ServiceNow Software as a Service

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
ServiceNow Software as a Service		
1	Last update of the record	18/04/2025
2	Reference number	ESMA40-1159621584-1926
3	Name and contact details of controller	Joint Controllers: Deputy Head of Data Intelligence and Technology Department (DIT) Head of Resources Department (RES) Address of the controllers: European Securities and Markets Authority (ESMA) 201-203 Rue de Bercy

		75012 Paris France
4	ESMA area entrusted with processing	<ul style="list-style-type: none"> • Data Intelligence and Technology Department • Resources Department: Corporate Services Unit, Finance and Procurement Unit
5	Processors (if any)	ServiceNow Outsourced support provided by Accenture, Cancom, Cosmote, Deloitte, European Dynamics, Netcompany, NTT Data
6	Name and contact details of DPO	dpo@esma.europa.eu
7	Name and contact details of processor (where applicable)	Software vendor: ServiceNow Nederland B.V., Netherlands
8	Purpose of the processing	<p>Legal basis - Necessary for the performance of a task carried out in the public interest (Article 5(1)(a) of EUDPR).</p> <p>More specifically, ESMA processes personal data provided in connection with the use of ServiceNow in accordance with the Regulation (EU) 2018/1725 of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data by the Union institutions and 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 (hereinafter referred to as 'Regulation no. 1725/2018' or 'EUDPR').</p> <p>The purpose of this software is to enhance efficiency and effectiveness of ESMA Helpdesk Services in managing incident tickets, problems and change requests of ESMA's IT infrastructure</p>

		and applications; incident and requests related to corporate services; and financial requests. Moreover, it is used to facilitate the dialog with internal and external ESMA service providers.
9	Description of categories of persons whose data ESMA processes and list of data categories	<p>Categories of Data Subjects:</p> <ul style="list-style-type: none"> • ESMA's permanent staff, temporary or contract agents • SNEs or trainees • ESMA's internal and external stakeholders who interact with Helpdesk Services (e.g. NCAs) • ESMA's visitors • Service, goods and IT license providers <p>Data categories:</p> <ul style="list-style-type: none"> • Identification and contact data: This includes personal details needed to identify users, such as names, usernames/user IDs, work email addresses, and related contact information (e.g. business address or telephone number). • Employment/professional details: Information about the individual's role or affiliation, for example their job title or position, department/unit, and organisation (whether ESMA staff or external stakeholder) • IT system access and authentication data: Data used for account access and security, including login credentials or identifiers (user accounts, access tokens), and assigned access rights/entitlements for the ServiceNow platform • IT usage and technical data: Technical information generated through use of the system, such as IP addresses and device/computer identifiers (e.g. workstation or asset names) recorded in logs, timestamps of access, and other usage logs related to incidents or service requests. These logs focus on standard IT data (user IDs, network identifiers, activity timestamps) and do not specifically target personal content.

		<ul style="list-style-type: none"> Service request content (ticket data): Details provided by users in incident or request descriptions and attachments. This may include any additional personal data the user submits that is relevant to the issue (generally limited to the above categories, e.g. contact or device info, and not including any sensitive data) <p>No special categories of personal data: The service does not process any sensitive data as defined in Article 10(1) of Regulation 2018/1725.</p>
10	Time limit for keeping the data	3 years
11	Recipients of the data	<p>Data will be accessible by the various operators of the various helpdesks:</p> <ul style="list-style-type: none"> Designated IT Helpdesk Staff Designated Corporate Services (FM) Helpdesk Staff Designated Finance (FIP) Helpdesk Staff: only ESMA FIP Unit operators have access to FIP records Other ESMA teams as per the needs in their field External contractors: other IT service providers participating in the service delivery, incident resolution or change implementation, e.g. Accenture N.V./S.A., Cosmote Global Solutions N.V., Cancom Public B.V., that could therefore have secondarily access to the personal data collected. <p>Although not having direct access to tickets data, ServiceNow uses its affiliates to assist it in providing the services.</p>

The following ServiceNow affiliates are appointed as sub-processors for the provision of the general Subscription Service:

Entity name	Location
ServiceNow, Inc.	United States
ServiceNow Nederland B.V.	Netherlands
ServiceNow Australia Pty Ltd	Australia
ServiceNow Software Development India Private Limited	India
ServiceNow UK Ltd.	United Kingdom
ServiceNow Ireland Limited	Ireland
ServiceNow Japan G.K.	Japan
ServiceNow Poland sp.z.o.o	Poland
ServiceNow Spain SL	Spain
ServiceNow Sweden AB	Sweden
Service-Now.com GmbH	Germany
ServiceNow GmbH	Austria
ServiceNow Belgium BV	Belgium
ServiceNow Denmark ApS	Denmark
ServiceNow Finland Oy	Finland

		ServiceNow France SAS	France
		ServiceNow Italy S.r.l	Italy
		ServiceNow Norway AS	Norway
		ServiceNow Switzerland GmbH	Switzerland
		Service Now A.B Israel 2012 Ltd.	Israel
		ServiceNow Canada Inc.	Canada
		The updated list of sub-processors can be found at Sub-Processors (servicenow.com)	
12	Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?	<p>Data is not transferred outside the EU, based on the ServiceNow Protected Platform for the European Union ("SPP EU") Contract Amendment which is signed by ESMA.</p> <p>By default, all the data, including user-generated information, created by users when they use ServiceNow, is stored on the ServiceNow EU data centres and will not be transferred to countries outside the EU.</p> <p>The exceptions to the SPP EU contractual commitment to not transfer EU-hosted personal data out of the EU are limited to the following:</p> <ul style="list-style-type: none"> - Where non-EU access has been approved by the customer in advance. 	

		<p>- Where it is required to prevent or remediate a material issue involving security, data loss, prevention, disaster recovery or critical maintenance/service availability.</p> <p>- Where required by law or to prevent fraud or abuse.</p> <p>- Where data is documented in a Support Portal interaction, provided that ServiceNow personnel accessing such interactions are located in the EU. Note that Customers can control what data they put or request to be put in the Support Portal.</p> <p>In the case of any exceptions mentioned above, ServiceNow has put safeguards in place such as Standard Contractual Clauses and technical and organisational measures. More information on the appropriate safeguards used by ServiceNow can be found here. The other service providers mentioned above have also implemented appropriate safeguards, where necessary.</p>
13	General description of security measures, where possible.	<p>ESMA has implemented appropriate security measures to best address the data protection as follows:</p> <ul style="list-style-type: none"> • Strong identification and authentication of user identities (including Second-Factor Authentication); • Customer Key to encrypt all data at rest; • Data is also encrypted in transit for all user connections; • Access to sensitive financial data provided to Finance Service Desk is limited to ESMA Finance team; • Backup. <p>In addition to those measures, ServiceNow has annual ISO27001/ISO27017/ISO27018, FISMA, and SSAE 18 Type I and Type II audits conducted by an external auditor. This external auditor is</p>

		<p>an independent third party and will investigate ServiceNow's compliance with the above-mentioned certifications.</p> <p>Administrative measures include the obligation for ESMA staff and service providers acting as operators to have signed non-disclosure and confidentiality agreements.</p>
14	<p>Information on how to exercise your rights to access, rectification, object and data portability (where applicable), including recourse right.</p>	<p>You may exercise your rights by contacting the relevant Data Controller (support@esma.europa.eu).</p> <p>Your rights are the following:</p> <ol style="list-style-type: none"> 1) 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. 2) You have the right to request the erasure of your personal data, if your personal data is no longer needed for the purpose of the processing, if you withdraw your consent or if the processing operation is unlawful. 3) 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. 4) You may also object, on compelling legitimate grounds, to the processing of your personal data.

	<p>5) 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>Please note that restrictions to your data subject's right may apply under Article 25 of Regulation (EU) 2018/1725 and Decision of the Management Board of the European Securities and Markets Authority of 1 October 2019 adopting internal rules concerning restrictions of certain rights of data subjects in relation to processing of personal data in the framework of the functioning of ESMA.</p> <p>If you have additional questions or concerns, you can also contact: DPO@esma.europa.eu DPO@esma.europa.eu</p> <p>You have the right to lodge a complaint with the European Data Protection Supervisor (supervision@edps.europa.eu), if you consider that your rights under the Regulation (EU) 2018/1725 have been infringed because of the processing of your personal data by ESMA.</p> <p>For further information, please see contact ESMA DPO at DPO@esma.europa.eu or consult the website: www.esma.europa.eu/data-protection.</p>
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