

Finance Activity Based Management

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 |
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| Finance Activity Based Management | | |
| 1 | Last update of the record | 15/12/2020 and 28/05/2021 |
| 2 | Reference number | ESMA40-133-1122 |
| 3 | Name and contact details of controller | Head of Resources Department (RES) fip.helpdesk@esma.europa.eu European Securities and Markets Authority (ESMA) 201-203 Rue de Bercy 75012 Paris France |
| 4 | ESMA area entrusted with processing | ESMA/RES/Finance and Procurement Team |
| 5 | Processors (if any) | Anaplan – managed by Anaplan Inc., Anaplan is a cloud-based planning software, that provides data for decision making purposes. ESMA would like to use this solution for the management of its Activity Based Budgeting and Activity Based Costing models. ABAC (Accrual Based Accounting) managed by the European Commission, ABAC is a transversal, transactional information system allowing for the execution and monitoring of all budgetary and accounting operations by the Commission, an Agency or Institution. ESMA executes all its financial transactions via ABAC (budgetary commitments, payments, etc.). |
| 6 | Name and contact details of DPO | ESMA DPO - dpo@esma.europa.eu |

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| 7 | Name and contact details of processor (where applicable) | <p>ABAC: EC-ABAC-HELPDESK@ec.europa.eu;</p> <p>European Commission, Rue De La Loi 200, 1049, Brussels, Belgium</p> <p>Anaplan - privacy@anaplan.com</p> <p>Anaplan Limited, 80 Moorbridge Road, Maidenhead, SL6 8BW, United Kingdom, ar.emea@anaplan.com</p> <p>However, we sign a contract with them via a FWC with Insight Technology Solutions</p> |
| 8 | Purpose of the processing | <p>The sole purpose of the processing is to allow ESMA to allocate (plan) the work of each staff to one or more of ESMA`s activities and sub-activities. According to ESMA`s founding regulation, this allows ESMA to plan its budget using ESMA`s Activity Based Management process.</p> |
| 9 | Description of categories of persons whose data ESMA processes and list of data categories | <p>For the Activity Based Budgeting (planning), the personal information gathered consists of the following:</p> <ul style="list-style-type: none"> • Data Subjects Category Types: ESMA staff (Temporary Agents, Contract Agents, Seconded National Experts and Trainees). • Data Category Types: the budgeting is done per individual staff ((name and surname (full writing), type of contract (either 2 letter abbreviation and in the case of trainees – full writing, team (3 letter abbreviation), division (3 letter abbreviation)). Then for each current staff member and for the new posts it is indicated on which sub-activities s/he will be working during the relevant financial year. This indication is presented by allocating the planned work of each staff in figures up to a total of 1. This is done on the level of planning. <ul style="list-style-type: none"> ○ First and last name ○ Type of contract (TA/CA/SNE/Trainee/External) ○ Average salary per contract type ○ Average pension contribution per contract type ○ Indicative (planning) work allocation per staff per activity/sub-activity ○ ESMA Department ○ ESMA Team name |

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| | | For the Activity Based Costing (the actuals) no personal data is collected or disclosed. |
| 10 | Time limit for keeping the data | According to the applicable ESMA Financial Regulation (DECISION OF THE MANAGEMENT BOARD on the Financial Regulation of the European Securities and Markets Authority – 1 Oct 2019), in particular, according to Article 47.1 of the aforementioned Regulation “Keeping of supporting documents by authorizing officers: <i>“the authorising officer shall set up paper-based or electronic systems for the keeping of original supporting documents relating to budget implementation. Such documents shall be kept for at least five years from the date on which the European Parliament grants discharge for the financial year to which the documents relate”</i> ” |
| 11 | Recipients of the data | <ul style="list-style-type: none"> • ESMA - a limited number of staff members from FIP, HR, CS, ICT on an approved business access need basis; • ESMA’s Executive Director, Heads of Departments and Heads of Units. |
| 12 | Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards? | <p>The services’ contract was tailored to include a Data Protection Addendum with the EC Standard Contractual Clauses as a safeguard for the International Transfers of personal data.</p> <ul style="list-style-type: none"> • The main live-online data and the cloud application is hosted in the EU; • The following functions will be processed in the USA: <ul style="list-style-type: none"> ○ main application’s bulk data backup, ○ Ticketing tool data, ○ CRM and Website Community, ○ User account authorisation: pseudonymous personal data in the form of Authentication tokens. <p>A detailed list of sub processor can be provided upon request.</p> |
| 13 | General description of security measures, where possible. | Role based access control model: The tool provides different levels of access rights to each authorized user. Each of them may access only the data which is available and set for the level of their access |

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| | | <p>rights. The following profiles represent ESMA’s privileged user accounts with access to the full set of datasets of personal data</p> <p>Connected Planning - Model Builder: An Authorized User with the right to access the Anaplan Service to build, maintain and manage models and workspaces, setup users, define roles and access rights, and perform the activities permitted of other Authorized Users. Only one such license is envisioned (FIP).</p> <p>Connected Planning - Professional User: An Authorized User with the right to access and use the Professional Edition of the Anaplan Service to view and enter data, analyse and generate reports, and run imports of data. 20 one such licenses are envisioned (CS, IT, HR, HoDs, HoUs).</p> <p>Anaplan maintains in good standing SSAE18 SOC2 Type 2 audit reports.</p> |
| 14 | <p>Information on how to exercise your rights to access, rectification, object and data portability (where applicable), including recourse right.</p> | <p>DATA PRIVACY NOTICE</p> <p>In order for ESMA to perform Activity Based Budgeting and Activity Based Costing, there is a need to collect and process ESMA’s statutory staff personal information (first and last name, type of contract, average salary per contract type, average pension contribution per contract type, Indicative (planning) work allocation per staff per activity/sub-activity, ESMA’s Department name and Team name).</p> <ul style="list-style-type: none"> • As a general principle, ESMA only processes personal data for the performance of tasks carried out in the public interest on the basis of the Treaty on the Functioning of the European Union, on the basis of the relevant legislation or in the legitimate exercise of official authority vested in ESMA or in a third party to whom the data are disclosed. • ESMA has the right to analyse and report logged data in order to meet security compliance obligations. • ESMA processes personal data in line with Regulation (EU) 2018/1725 and Decision ESMA40-133-716. <p>For more information, please see ESMA's Data Protection Statement on https://www.esma.europa.eu/data-protection.</p> <ol style="list-style-type: none"> 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 |

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| | | <p>transfer it from one Data Controller to another, where technically possible.</p> <p>You may exercise your rights by contacting the Data Controller at infosec@esma.europa.eu</p> <p>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.</p> <p>If you have additional questions or concerns you can also contact ESMA's DPO at 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. In case of queries please consult ESMA's Data Protection Officer (DPO@esma.europa.eu). You may also contact the European Data Protection Supervisor (edps@edps.europa.eu). For more information please refer to: https://www.esma.europa.eu/about-esma/data-protection</p> |
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