



EUROPEAN MEDICINES AGENCY
SCIENCE MEDICINES HEALTH

20 March 2023
EMA/123801/2023

European Medicines Agency's Data Protection Notice For Microsoft Edge

The European Medicines Agency (hereinafter "EMA" or "Agency") processes the personal data of a natural person in compliance with "Regulation 2018/1725 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" (also referred to as "EUDPR"). This Data protection notice explains the most essential details of the processing of personal data by the European Medicines Agency (hereinafter "EMA" or "Agency") in the context of using the internet browser - Microsoft Edge – applicable to EMA owned devices.

1. Who is responsible for processing your data?

1.1. Who is the data controller?

EMA is ultimately responsible to comply with your data protection rights and freedoms. On behalf of EMA, the Head of I Division is appointed as 'Internal Controller' to ensure the lawful conduct of this processing operation.

You may contact the Internal Controller via the following email address:

Datacontroller.infomanagement@ema.europa.eu

1.2. Who is the data processor?

The Agency engages third parties to process data on behalf of the Agency and, in particular, to provide the software tools enabling EMA users to carry out their tasks for the purpose listed below.

The contact details of the data processor(s) are the following: Microsoft, South County Business Park, One Microsoft Place, Carmanhall and Leopardstown, Dublin, D18 P521, Ireland; Telephone: +353 1 706 3117

If you have a privacy concern, complaint, or question for the Microsoft Chief Privacy Officer or the Data Protection Officer for your region, please contact them by using this [web form](#).

2. Purpose of this data processing

The purpose of this data processing activity is to enable EMA staff, other authorised users (contractors, interims, trainees, scientific experts, Member States' delegates and European Union Institutions (EUIs) staff) to access websites in the context of performing the Agency's tasks, or exceptionally for private use

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Address for visits and deliveries Refer to www.ema.europa.eu/how-to-find-us

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in compliance with EMA internal guidance on the use of internet services whilst connected to the EMA servers (see [here](#)). The above includes:

- Accessing web-based applications
- General Internet browsing/searching

2.1. Personal data concerned

Data collected by EMA

The Agency does not collect any data via Edge. The only data collected is the data collected by Microsoft (listed below). For more information on how Microsoft collects and stores data, see [here](#).

Data collected by Microsoft (based on Microsoft's own statements)

- **Required diagnostic data** - Microsoft Edge collects a set of required diagnostic data to keep Microsoft Edge secure, up to date and performing as expected. You can control whether optional diagnostic data associated with your device is shared with Microsoft to solve product issues and help improve Microsoft products and services. More information on this can be found in this article: [Configure Windows diagnostic data in your organization \(Windows 10\) - Windows Privacy | Microsoft Docs](#)
- **Browsing history** - Microsoft Edge saves your browsing history (information about websites you visit) on your device. Depending on your settings, this browsing history is sent to Microsoft, which helps Microsoft find and fix problems and improve their products and services for all users. When you're searching for something, Microsoft Edge can use this information to give suggestions about what you are searching for. As you start to type, the information you enter in the address bar is sent to your default search provider to give you immediate search and website suggestions.
- **When you use InPrivate browsing or guest mode** - Microsoft Edge collects some information about how you use the browser depending on your [Windows diagnostic data setting or Microsoft Edge privacy settings](#), but automatic suggestions are turned off and information about websites you visit is not collected. Microsoft Edge will delete your browsing history, cookies, and site data, as well as passwords, addresses, and form data when you close all InPrivate windows.
- **Windows Defender SmartScreen** - Microsoft Edge also has features to help you and your content stay safe online. Windows Defender SmartScreen automatically blocks websites and content downloads that are reported to be malicious. Windows Defender SmartScreen checks the address of the webpage you are visiting against a list of webpage addresses stored on your device that EMA via Microsoft security services believes to be legitimate. Addresses that are not on your device's list and the addresses of files you are downloading will be collected by EMA and sent to Microsoft and checked against a frequently updated list of webpages and downloads that have been reported to Microsoft as unsafe or suspicious.
- **Auto-Fill Information** - Microsoft Edge can save certain information in order to help and speed up tedious tasks like filling out forms and entering passwords. If you choose to use those features, Microsoft Edge stores the information on your device. If you have turned on sync for form fill like addresses or passwords, this information will be sent to the EMA OneDrive for business cloud and securely stored with your EMA account to be synchronised across all your signed-in versions of Microsoft Edge.
- **Digital Rights Management (DRM) data** - In the exceptional event that you use Edge for private purposes, in compliance with EMA internal guidance on the use of internet services, to protect some video and music content from being copied, some streaming websites store Digital Rights Management (DRM) data on your device, including a unique identifier (ID) and media licenses. When you go to one of these websites, it retrieves the DRM information to make sure you have permission

to use the content. Please consider using the “New InPrivate window option” for additional protection against unneeded tracking of your browsing choices.

- **Cookies** - Microsoft Edge also stores cookies, small files that are put on your device as you browse the web. Many websites use cookies to store info about your preferences and settings, like saving the items in your shopping cart so you don't have to add them each time you visit. Some websites also use cookies to collect information about your online activity to show you interest-based advertising. Microsoft Edge gives you options to clear cookies and block websites from saving cookies in the future.
- **Do Not Track Requests** - Microsoft Edge will send Do Not Track requests to websites when the Send Do Not Track requests setting is turned on. However, websites may still track your activities even when a Do Not Track request is sent. For further information how to change Tracking setting please see this article, [How to manage privacy settings in Microsoft Edge – EMA Knowledge Base](#).

Microsoft practices information collection minimisation and strives to gather only the information needed, and to store it only for as long as it's needed to provide a service or for analysis.

2.2. Data subject in control of their data collection

In line with the 'data protection by default' principle, EMA as the data controller, implements certain data collection settings centrally to provide optimal protection to the data collected from the data subjects by Edge. However, these optimal settings can be further changed by the user directly after careful consideration of the risks and advantages involved. To learn more about these options, please have a look at the Edge Knowledge Base article created by the EMA: [How to manage privacy settings in Microsoft Edge – EMA Knowledge Base](#). Also, please have a look at section 5. *Your data protection rights* for more options and controls.

2.3. Legal basis of the processing

When you use Edge, you consent to the processing of that data in accordance with this Data Protection Notice. In addition, accessing websites and web-based applications is necessary for the performance of the Agency tasks carried out in the public interest as required by Regulation (EC) No 726/2004, Regulation 2019/6, Directives 2001/83/EC and 2001/82/EC and other applicable Union legislation. In particular, the processing of data is necessary for the performance of tasks carried out in the public interest, in accordance with Recital 22 and Article 5(1)(a) of Regulation (EU) 2018/1725 (also referred to as “EUDPR”).

Microsoft Edge has been chosen as part of the digitalisation of the workplace as the next generation browser, integrating with the Online Services as part of the O365 environment, which has been selected for the implementation of the IT strategy.

- User may not use unauthorised browsers. The Agency approved Microsoft Edge only. Switching to different alternative browsers is therefore not permitted. EMA uses Edge as a default browser in line with its policy, which means Edge opens when users click links or access EMA Intranet Homepage.

2.4 Transfers of personal data outside of EU

All customer data, for Core Online Services (Office 365 included), are stored within the EU/EEA at rest.

The only instance where access is granted to Microsoft, from outside of the EU/EEA to any personal data is in instances where assistance is required for technical support. Where this is the case access is only granted to remote screen sharing sessions which take place with the consent and in the presence of the data subject. No access to personal data is granted to any of Microsoft's sub-processors.

In addition, as with all Microsoft products, Microsoft does not control or limit the regions from which the customer or its end users may access or move customer data. Therefore, in case an end user travels outside the EU/EEA and uses the services, personal data may be processed outside the EU/EEA to enable the user access to the online services from their location.

All user personal data is stored and encrypted inside EU/EEA regardless of if the users connect inside or outside of EU/EEA. For authentication purposes, to enable global access, servers collect identity and authentication data, this is true for all the MS 365 environment, such as Teams and SharePoint etc.

Microsoft has implemented measures for data transfers (e.g., Standard Contractual Clauses embedded in the Online Services Terms and additional EUDPR/GDPR-specific clauses in the Online Services Terms).

3. How long do we keep your data?

Your personal data will remain in the cloud storage until your EMA account has been deactivated, after which they will be deleted from Microsoft's servers and OneDrive after a 30-day retention period. Deactivation occurs for EMA staff and contractors based on the date of their departure from the Agency. For external users, deactivation happens after 6 months of inactivity, and in the case of experts, after 14 months of inactivity.

Browsing Data collected by Microsoft Edge may be deleted anytime by users by selecting time range.

How to clear data collected or stored by Microsoft Edge:

[Microsoft Edge, browsing data, and privacy](#)

4. Who has access to your information and to whom is it disclosed?

EMA does not collect personal data via Edge. The data collected through Microsoft Edge will be processed internally by staff within the EMA Division responsible for Microsoft Edge and by Microsoft, for the purposes of providing the service.

A defined population of approved EMA network administrators from within the Agency's Information Management Division (I- Division) and Information Security Service (AF-INS) can temporarily access all exchanges made within MS Edge if there is a legitimate reason to do so, e.g. for the purpose of providing technical support.

Microsoft is transparent about their technical support accessing data collected or generated by users of Edge. This can be verified via Microsoft Edge Data Privacy article can be found here: [Microsoft Edge, browsing data, and privacy](#).

Microsoft do not share any personal data with vendors or agents working on their behalf for the purposes described in this statement. Data may be disclosed as part of a corporate transaction such as a merger or sale of assets. Personal data may be shared among Microsoft-controlled affiliates and subsidiaries where this is necessary for the services Microsoft provide.

Where assistance is required for technical support Microsoft may request remote screen sharing access. Remote screen sharing access is only requested for the purpose of helping to resolve technical issues and will always take place with the consent and in the presence of the data subject.

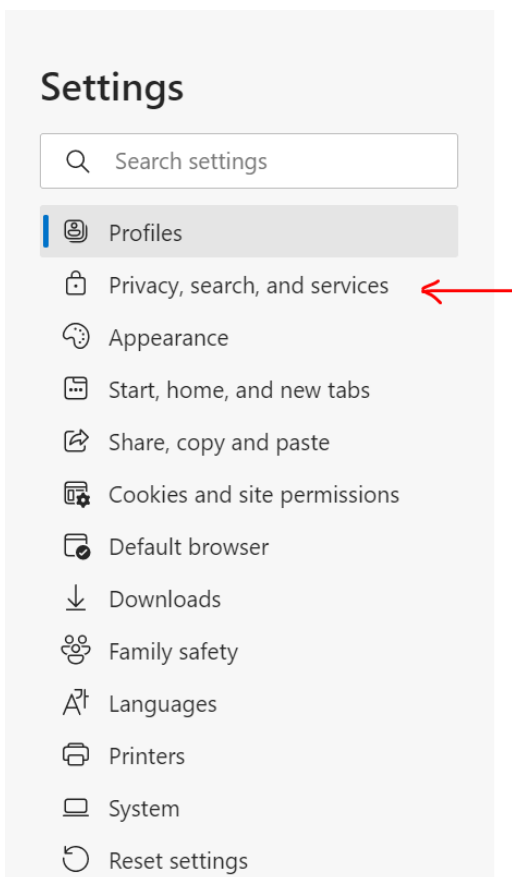
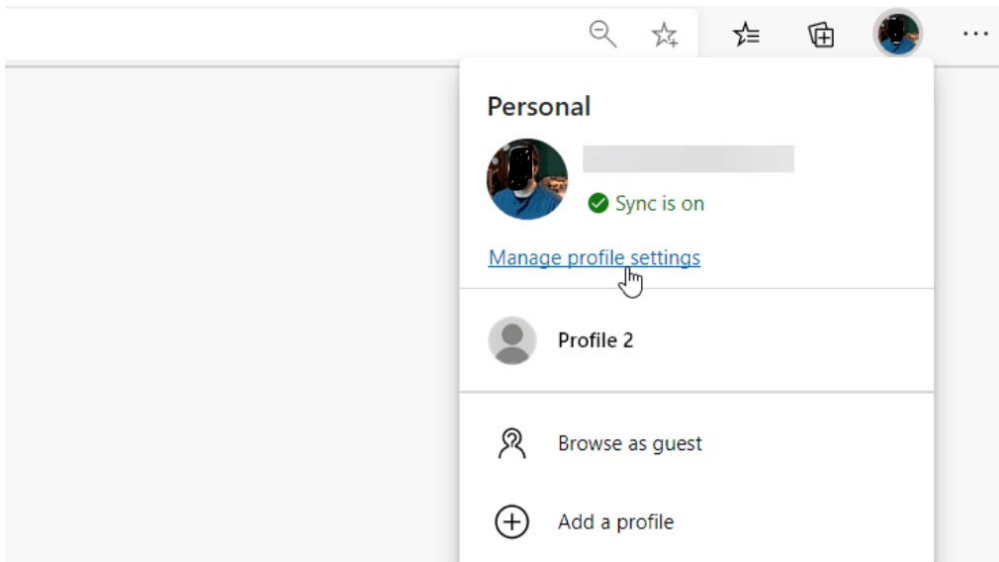
5. Your data protection rights

As a data subject (i.e., the individual whose personal data is processed), you have several rights, listed below:

- **Right to be informed** – This Data protection notice provides information on how EMA collects and uses your personal data. Requests for other information regarding the processing may also be directed to the Internal Controller.
- **Right to access** – You have the right to access your personal data. You have the right to request and obtain a copy of the personal data processed by EMA.
- **Right to rectification** – You have the right to obtain - without undue delay - the rectification or completion of your personal if it is incorrect or incomplete.
- **Right to withdraw consent** – You have the right to withdraw your consent to the processing of your personal data. However, this will not affect the lawfulness of any processing carried out before consent is withdrawn.
 - Please note that if you withdraw your consent, the Agency may not be able to provide certain services to you. EMA will advise you if this is the case at the time you withdraw your consent.
- **Right to erasure** – You have the right to require EMA to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing. In certain cases your data may be kept to the extent it is necessary, for example, to comply with a legal obligation of the Agency or if it is necessary for reasons of public interest in the area of public health.
- **Right to restrict processing** – In a few, codified cases, you have the right to obtain the restriction of the processing, meaning that your data will only be stored, but not actively processed for a limited period of time. For more information about this right and its limitations, see the EMA General Data protection notice, hosted at www.ema.europa.eu/en/about-us/legal/privacy-statement.
- **Right to object** – You have the right to object at any time to this processing on grounds related to your particular situation.
- **Right to portability** - Where the processing is carried out based on your consent and in automated means you have the right to receive your personal data (which was provided to the EMA directly by you) in a machine-readable format. You may also ask the EMA to directly transfer such data to another controller.
- **Right not to be subject to automated decision making** – You have the right to not to be subject to a decision based solely on automated processing if such decision has legal effect on you.

The rights of the data subject can be exercised in accordance with the provisions of Regulation (EU) 2018/1725. Please note that there are limitations and exceptions to these rights, more information on this can be found [here](#). For anything that is not specifically provided for in this privacy notice, please refer to the contents of the general EMA Data protection notice: www.ema.europa.eu/en/about-us/legal/privacy-statement

Please note that many of these rights can be exercised directly via the Edge Privacy Centre. You can access the Edge Privacy Centre by clicking your profile photo in the right top corner of the Edge browser (see screenshots below).



6. Recourse

In case you have any questions regarding the processing of your personal data, or you think that the processing is unlawful, or it is not in compliance with this Data protection notice or the general EMA Data protection notice, please contact the **Internal Controller** at: Datacontroller.infomanagement@ema.europa.eu or the **EMA Data Protection Officer** at dataprotection@ema.europa.eu

You also have the right to lodge a complaint with the **European Data Protection Supervisor (EDPS)** at any time at the following address:

- Email: edps@edps.europa.eu
- Website: www.edps.europa.eu
- Further contact information: www.edps.europa.eu/about-edps/contact_en