



Opinion on the notification for prior checking from the Data Protection Officer of the Council of the European Union regarding the "PersonaGrata (personnel management module)" dossier

Brussels, 13 November 2006 (Case 2006-359)

1. Procedure

- 1.1. On 11 July 2006, the European Data Protection Supervisor (EDPS) received a notification for prior checking under Article 27 of Regulation (EC) No 45/2001, hereinafter referred to as the "Regulation", from the Data Protection Officer of the Council of the European Union (DPO). The notification concerned the Council's PersonaGrata system.
- 1.2. The notification was a follow-up to a consultation of the EDPS by the DPO on the need for prior checking (2005-405).
- 1.3. The notification was sent together with:
 - the notification and annexes thereto on the processing of personal data within Workflow;
 - a draft note dated 23 June 2006 informing staff of DGA 3 about processing of data within the PersonaGrata application;
 - The Workflow tables used to transfer PersonaGrata data to Workflow; and
 - The PersonaGrata level and profile menus.
- 1.4. On 26 July 2006 the EDPS extended the time limit pending further information on a planned change to PersonaGrata.
- 1.5. On 25 September 2006, there was a meeting with the controller and other involved parties to present PersonaGrata and its Workflow interfaces and answer questions from the EDPS.
- 1.6. On 6 November 2006 the EDPS extended the time limit for delivering its opinion by 2 days to enable the controller to provide additional information.

2. Examination of the case

2.1. The facts

One of the key tasks of the General Secretariat of the Council is the production and translation of documents necessary for the smooth running of meetings of the Council and its preparatory bodies. PersonaGrata is a personnel management tool which assists in accomplishing this task

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by facilitating the organisation of work. The system was designed initially for the entire staff of DGA 3 (translation and production of Council documents).

The purpose of the system is to facilitate the task of personnel management within the service and the units under the service's responsibility. The system also has to facilitate the communication of information between the players involved and foster cooperation by enabling work to be shared. PersonaGrata can thus be used at two levels: a central level by administrative assistants, the Resources unit and the central secretariat of the service (i.e. by users responsible for managing the service as a whole) and at a local level by heads of unit and persons designated by them (i.e. users responsible for managing personnel in each of the units). The system also has to generate and transfer to Workflow information of use to local coordination in the language units. Finally, the service must be able to extract the information which it has to provide to the administration (particularly the Leave Department).

Basic personnel data (information on new colleagues, date of entry into service, category and grade, administrative status, unit of assignment, unit of work, etc.) are managed at central level and visible at local level. The basic data plus unit-specific data such as office number, telephone number, initials, functional group, areas of specialisation and language knowledge (rated by self-assessment using, for example, a table like the one attached to the report) are recorded and updated at local level. Data managed at local level can only be consulted at central level. Different searches can be made on these data (serving, former and future staff, initials or name, language knowledge, area of specialisation or combinations of the foregoing).

The administrative situation of staff (data visible at local level) including leave on personal grounds, parental leave, family leave, part-time working, adjustment of working time for breast-feeding, exemption from overtime, teleworking, retirements, etc.) are recorded and updated at central level. This gives both levels an overall view (profile) within each unit and functional group of administrative status, category/grade, administrative situation and age groups at a user-specified pivot date, as well as information on language knowledge for documentation and/or planning purposes.

The application facilitates forecasts and planning by enabling the unit attendance list to be managed at local level and consulted at central level. Entries recording absences (e.g. leave, illness, part-time), non-availability (e.g. training, mission, meeting) and other specific circumstances (e.g. light stand-bys, overtime duty, teleworking) can be made for one or more persons at a time, for one day or a period of several days and for different periods each day (morning, afternoon, specific times, etc.). Each entry can be marked "Agreed", "Confirmed - request pending", "Expected" or "Cancelled" depending on the level of certainty. The attendance list can be displayed and printed in different ways according to need.

Working hours in weekly flexitime charts can be entered at local level so that flexitime is taken into account for planning purposes. Changes to flexitime charts for specific days can also be recorded in the system. Weekly flexitime charts are visible at central level. The system does not keep a record of hours actually worked on the basis of flexitime entries. The system calculates staff availability for the current and following day on the basis of working hours (official or flexitime as the case may be) and entries on the attendance list, marking "absent", "present but unavailable" or "available" by fifteen-minute blocks from 07:00 to 20:00.

The system transfers to Workflow information needed by local coordination in the language units including data on availability, unit of assignment, unit of work, language knowledge, initials, name, surname and pivot number (Workflow identifier) for the head of unit, quality control, translation and secretariat functional groups. The data is transferred so that a document

can be assigned to a person who is present and available. The data received from PersonaGrata are only kept for 3 days in Workflow.

Attendance and availability statistics can be produced centrally or locally by groups of people over different periods (day/week/month) for documentation or planning purposes. Data which the units have to provide to the Leave Department (annual leave, overtime compensation, special leave, sick leave, unjustified absences, etc.) can be extracted from the system, thereby facilitating communication of information to the administration. These data do not cover staff assigned to work outside the service.

It will also be possible to enter overtime at local level and print monthly overtime records. At central level, it will be possible to consult the overtime data and produce overtime statistics.

The data processed by the PersonaGrata system are: unit of assignment (starting date), unit of work (starting date, finishing date, reason), personnel number, title (Mr, Mrs, Ms), additional titles (e.g. Dr), surname and forename, entry into service, departure from service, pivot number¹, category and grade, length of service, nationality, date of birth, administrative status, initials, function group, office number, telephone number (office, mobile, secretary, fax), service card expiry date, e-mail address, language knowledge (mother tongue, main working language, other languages), specialisations, private address, private telephone number (home, mobile, secretary, fax), administrative situation (leave on personal grounds, parental leave, family leave, part-time working, adjustment of working time for breast-feeding, exemption from overtime, teleworking, retirements), weekly flexitime charts, exceptions to weekly flexitime charts, attendance list (entries recording absences, non-availability or other activities such as stand-by duty and teleworking), verifier (designated by the head of unit to check the attendance list), overtime and comments. Obligatory data are marked as such.

The persons concerned can ask at any time to check the information relating to them and request that the data be corrected or updated at local or central level as the case may be.

A draft note has been drawn up by DGA III to inform the persons concerned. The note will be placed on the DGA III's Intranet site and the persons concerned will also be informed by e-mail. The note describes the system in detail and provides information on the identity of the controller, the purposes of the processing operation, the categories of data concerned, the recipients of the data, the right of data subjects to have access to and rectify the data concerning them, the legal basis for the processing operation, time-limits for storing the data, the right to have recourse to the European Data Protection Supervisor and the origin of the data.

The period for which data are kept is determined by three types of need:

Data stored on a long-term basis (7 years from the person's departure) to ensure that data for reporting periods are available in the event of an appeal being lodged with the Court of Justice and for the duration of the appeal proceedings:

Basic personal data (there being a link between the person's file and the follow-up of the person's reports),

Unit of assignment (starting date);

Unit of work (starting date, finishing date, reason);

Personnel number;

Title (Mr, Mrs, Ms);

Additional titles (e.g. Dr);

¹ The pivot number avoids having to use the personnel number and interconnects with the Amphore contacts database.

Name and surname;
Entry into service, Departure from service;
Pivot number;
Category and grade;
Length of service;
Nationality;
Date of birth;
Administrative status.

Date stored on a medium-term basis (2 years from the person's departure): non-temporary data or data necessary for management, analysis and statistical purposes, particularly at central level (DGA III Resources):

Initials;
Functional group;
Current/future offices;
Telephone (office, mobile, secretary, fax);
Date of expiry of service card;
E-mail address;
Language knowledge (mother tongue, main working language, other languages);
Specialisations;
Private address and telephone number (home, mobile, secretary, fax);
Administrative situation (leave on personal grounds, parental leave, family leave, part-time working, adjustment of working time for breast-feeding, exemption from overtime, teleworking, retirements, etc.);
Overtime worked.

Data stored on a short-term basis (3 years) for daily management purposes:

Weekly overtime chart;
Exceptions to weekly overtime chart;
List of presence (entries for absences, non-availability or other activities such as stand-by duty or teleworking);
Verifier (designated by the head of unit to check the attendance list).

The data managed by the system are stored on the hard disks of the server. Paper print-outs and files generated by users of the system are managed and stored or destroyed by the users concerned.

The persons responsible for personnel management in the Directorate's services and units have access to the system. Persons with access at central level can only consult/manage data relating to personnel assigned to or working in the service concerned. Persons with access at local level can only consult/manage data relating to personnel assigned to or working in the unit concerned.

Extracts of data needed for verification work are sent to the administration (Leave Department).

The local coordinators in the language units can consult data fed into Workflow to assist them in their task of distributing documents.

Under the authority of the controller, i.e. the Director of DGA III, the Directorate's services and units ask the system administrator to create access for persons who are required to use the system. System users are generally identified by unit and surname at least. The level of access (central and/or local) and profile of the user must be specified when access is requested. The profile determines the functionalities offered by the system.

Data can only be accessed from a workstation after logging in: the user must specify the type of access (central or local level) and then identify himself by selecting a user name and keying in the associated password. Each user has a certain number of defined access rights: access level (central/local), service(s) to which he has access at central level, unit(s) to which he has access at local level, functional group(s) to which he has access and profile (administrative assistant, head of unit, deputy head of unit, secretary to head of unit, secretariat, staff reports, consultation). The user profile determines the functionalities available. After a period of inactivity of approximately 20 minutes, the programme redisplay the log-in dialogue box. The user can also lock the application by calling up the log-in dialogue box himself. If the user enters data into the system or modifies existing data, his user name is saved with a timestamp to show who created the file or modified it last.

Security measures have been taken [...]

It is planned to look into the possibility of transferring some of the data from the Arpège staff information and post management system² to avoid entering data already recorded by the administration and reduce the risk of error. Personnel numbers would have to be stored in PersonaGrata as the sole means of identifying people in the context of a link-up between the two systems. If the two systems were linked up, the following information would be taken from Arpège: surname and forename, date of entry into service, category and grade, length of service, nationality, date of birth and administrative status.

The PersonaGrata system is also used by DGA II, IV and V, as well as by DG B and DG E in the context of a pilot project. It may therefore be decided to deploy PersonaGrata in other services in the future. In this case, certain functions of PersonaGrata would be different if used by services other than DGA III. The following predefined entries for the attendance list are specific to DGA III and would not appear if PersonaGrata were used in other services:

- under Absence: flexi-leave (information included in the Flexitime system),
- under Unavailability: coordination, documentation, resources, multipurpose room, local IT support, terminology.

At the central DGA III management level, an attendance list can be printed for a given day grouping together the central secretariats of the Coordination and Production Unit and of the Language Service. Other services using PersonaGrata would not be able to group together the central secretariats of several services on the same printed list. The link with Workflow for transferring data on availability, etc. is active only for the Language Service of DGA III but not the other DGs. Finally, the list of possible reasons for recording a person's unit of work include reasons specific to DGA III (JL secondment, secretarial assistance in divisions, rotation, rotating terminologist, exchange of linguists, etc.) and, if the use of PersonaGrata were extended, would have to be adapted to the requirements of the service concerned.

Adaptations of Workflow and PersonaGrata (personnel management module) are currently being studied with a view to providing DGA III with a practical modern management tool enabling it, in particular, to evaluate linguists.

² Arpège is a tool for the integrated and automatic management of data concerning officials, their families and successors and the automatic generation of documents.

2.2. Legal aspects

2.2.1. Prior checking

Regulation (EC) No 45/2001 applies to the processing of personal data by all Community institutions and bodies insofar as such processing is carried out in the exercise of activities all or part of which fall within the scope of Community law. In the case in point, the processing of data by the General Secretariat of the Council, a Community institution, is part of activities carried out under the first pillar and therefore falls within the scope of Community law.

The Regulation applies to the processing of personal data wholly or partly by automatic means, and to the processing otherwise than by automatic means of personal data which form part of a filing system or are intended to form part of a filing system.

Personal data are clearly being processed in this case because we are concerned with the recording of data relating to specific individuals. Recording is by automatic means.

Article 27(1) of the Regulation requires prior checking by the EDPS of all "processing operations likely to present specific risks to the rights and freedoms of data subjects by virtue of their nature, their scope or their purposes". Furthermore, Article 27(2) of the Regulation contains a list of processing operations likely to present such risks. Article 27(2)(a) of the Regulation requires the processing of data relating to health to be subject to prior checking. PersonaGrata processes, amongst others, data relating to health through the list of absences and the reasons for absences. Furthermore, the free field for comments by persons responsible for human resource management could pose a particular risk to the rights and freedoms of data subjects considering the nature of the data that might be included. This is a further reason for subjecting the processing to prior checking by the EDPS under Article 27(1).

Article 27(2)(b) provides that processing operations intended to evaluate personal aspects relating to the data subject, including his or her ability, efficiency and conduct are also subject to prior checking. The recording and use of detailed, personal information on presence and availability of data subjects could, under certain conditions, be regarded as production management. Such recording and use must therefore be subject to certain limits to ensure that the aim of the processing operation is not to evaluate the work or conduct of data subjects. The present system is not intended to evaluate aspects of this kind.

PersonaGrata has another component (follow-up of staff reports) which is not covered by this opinion.

In principle, checks by the EDPS should be performed before the processing operation is implemented. In this case, as the EDPS was appointed after the system was set up, the check necessarily has to be performed *ex post*. However, this does not alter the fact that the recommendations issued by the EDPS should be implemented.

If the PersonaGrata application is extended to other services, the EDPS considers that there is no need for prior checking by the EDPS of the processing operations concerned provided that the application is substantially the same and that the recommendations in this opinion are taken into account.

As for the modifications to PersonaGrata/Workflow mentioned in "the facts" section, the EDPS has been consulted on the matter within the framework of a Think Tank and has issued a note

on the matter. If the new application is implemented, it will be subject to prior checking under Article 27(2)(b).

The DPO's notification was received on 11 July 2006. Under Article 27(4), this opinion must be delivered within the following two months. The period within which the opinion had to be delivered was suspended for 61 days by a request for further information and by a further 2 days for comments. The EDPS will therefore deliver his opinion by 12 November 2006. Since the 12 November 2006 is a Sunday, the EDPS must deliver its opinion on 13 November 2006.

2.2.2. Lawfulness of processing

Article 5(a) of the Regulation stipulates that processing of personal data can be carried out only if "necessary for the performance of a task carried out in the public interest on the basis of the Treaties establishing the European Communities or other legal instruments adopted on the basis thereof". Recital 27 of the preamble to the Regulation states that the processing of data for the performance of tasks carried out in the public interest by the Community institutions and bodies includes the processing of personal data necessary for the management and functioning of those institutions and bodies. Since the PersonaGrata system aims to facilitate the work of personnel management in the service and the units under the service's responsibility, it can be considered necessary for the management and functioning of the institution. The EDPS considers it to be lawful pursuant to Article 5 of the Regulation.

The legal basis for PersonaGrata is Article 207 of the EC Treaty, under which the Council decides on the organisation of the General Secretariat and adopts its Rules of Procedure. Article 23 of the Council Decision of 22 March 2004 adopting the Council's Rules of Procedure stipulates that the Council shall decide on the organisation of the General Secretariat.

2.2.3. Processing of special categories of data

The processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, and of data concerning health or sex life, is prohibited except where grounds are identified in Article 10(2) or (3) of the Regulation.

The PersonaGrata system may contain information on a data subject's state of health insofar as illness may be the reason given for an absence and insofar as the field for comments by the persons responsible for managing human resources may include health-related data. Entry of this kind of data into the PersonaGrata application within DGA III is justified because the application is a personnel management tool designed to facilitate the organisation of work. For the purposes of work organisation, it is appropriate for a head of unit to know whether a person is absent through illness, in which case the length of the absence cannot always be predicted, or whether a person is absent on annual leave, in which case the length of the absence is known.

Article 10(2)(b) provides that the prohibition on processing sensitive data does not apply "where processing is necessary for the purposes of complying with the specific rights and obligations of the controller in the field of employment law insofar as it is authorised by the Treaties establishing the European Communities or other legal instruments adopted on the basis thereof". Since the need to process sick leave data in PersonaGrata is based on Article 23 of the Council's Rules of Procedure, which are in turn based on Article 207 of the Treaty, the processing of such data may be considered necessary for the functional organisation of the GSC.

However, the EDPS would stress that the open field in the application should not be used to include sensitive data. The attention of the people concerned should be drawn to this point.

2.2.4. Data Quality

According to Article 4(1)(c) of the Regulation, personal data must be "adequate, relevant and not excessive in relation to the purposes for which they are collected and/or further processed".

The entry of data relating to absences through illness was examined in the preceding point and was considered to be necessary and justified in the context of the PersonaGrata application within DGA III for work organisation purposes. If the use of the application were extended to other DGs, in particular DGA II, IV and V as well as DG B and DG E, the need to include detailed information on absences or unavailability owing to illness would have to be questioned. Since the characteristics and needs of the DGs in question, and hence the purposes of the application, are not the same, the need for such data would have to be examined in the light of the purposes to be served by the application in the DG concerned. Consideration also needs to be given to the duplication of information already recorded in the Flexitime system.

The EDPS had doubts regarding the need for private data such as private telephone number and home address. However, all doubts concerning these data were dispelled by the controller: on the one hand these data are not obligatory, on the other hand they may be useful for contacting data subjects in the event of service need.

The EDPS also questioned the need to include information on overtime worked. Overtime data are sometimes necessary to pay staff who are entitled to receive payment for overtime. Furthermore, at local level overtime data give an overall view of the number of overtime hours being worked for the purpose of planning and management with a view to reducing the amount of overtime at the GSC as far as possible. The EDPS would stress that overtime data must not in any way be used to evaluate a data subject.

Including the service card number makes it possible to warn people who so choose that the period of validity of their service card is due to expire. This function is operational but rarely used.

The EDPS considers that the data collected and processed comply with Article 4(1)(c) of the Regulation.

In addition, they must be "accurate and, where necessary, kept up to date" (Article 4(1)(d)). The procedure itself must ensure that data are accurate and up-to-date. The right to access data and the right to rectify erroneous data ensure that data can be updated or corrected at the central level (see 2.2.8 Right of access and right of rectification).

2.2.5. Conservation of data

The Regulation lays down that the data must be "kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the data were collected or for which they are further processed" (Article 4(1)(e)).

The length of time for which data are kept in the PersonaGrata system depends on the type of data concerned.

Data stored on a long-term basis (see the list of data set out in the facts section above) are kept for 7 years from the data subject's departure. The Council's justification is that people who leave the DG often return some years later. The data are therefore kept for several years following the departure of the person concerned, rather than being automatically deleted. The period is set at 7 years because 7 years is the period required by the staff reports component of the PersonaGrata system to ensure that data for reporting periods are available in the event of an appeal to the Court of Justice and for the duration of the appeal proceedings.

It is true that 7 years is a long time, particularly in the case of persons leaving the institution at the end of their career. However, since the system does not distinguish between persons leaving the institution at the end of their career and persons leaving the DG without having reached the end of their careers, the 7-year period can be tolerated.

Data stored on a medium-term basis (see the list of data set out in the facts section above) are kept for 2 years from the data subject's departure. In the notification received from the Council, these data are classed as non-temporary or necessary for management, analysis and statistical purposes. The conservation of most of these data for 2 years from departure of the data subjects concerned is indeed justified as the data are factual and include information such as e-mail address, office address, language knowledge, etc.

Furthermore, the Council stresses that, under Article 4(1) of the Regulation, data may be beyond the period necessary for the purposes for which they were collected, in particular statistical use. In this case, the Regulation provides that the data must be made anonymous or the identity of the data subjects encrypted. Data kept in PersonaGrata for statistical purposes must therefore be stored on an anonymous basis.

Daily management data are kept for 3 years because, according to the notification received from the Council, they are used for the daily management of units but are also necessary for preparing staff reports. The EDPS considers this storage period to be justified.

2.2.6. Transfer of data

Under Article 7 of the Regulation, personal data can be transferred within an institution only if they are necessary for the legitimate performance of tasks covered by the competence of the recipient.

Extracts of data needed for verification work are sent to the administration (Leave Department). The local coordinators in the language units can consult data fed into Workflow to assist them in their task of distributing documents. These transfers are necessary for the legitimate performance of tasks linked to personnel management and falling within the sphere of competence of the services concerned: monitoring of leave, distribution of work.

The EDPS considers that this information sharing is necessary for the legitimate performance of tasks covered by the competence of the recipients.

The persons responsible for personnel management in the Directorate's services and units have access to the system. Different users have different rights of access: persons with access at central level can only consult/manage data relating to personnel assigned to or working in the service concerned. Persons with access at local level can only consult/manage data relating to personnel assigned to or working in the unit concerned. Under the authority of the controller, i.e. the Director of DGA III, the Directorate's services and units ask the system administrator to create access for persons who are required to use the system. The EDPS considers that adequate guarantees have been put in place to ensure that access to the data is reserved

exclusively to the persons authorised to have the data communicated to them. Conditions must be set to ensure that persons with access to data recorded in the system cannot use the data for purposes incompatible with the purposes of the PersonaGrata application.

2.2.7. Processing of personal numbers or other unique identifiers

Article 10(6) of the Regulation provides that "*the European Data Protection Supervisor shall determine the conditions under which a personal number or other identifier of general application may be processed by a Community institution or body*". This opinion does not set out the general conditions for the use of personal numbers but examines the specific measures required in this respect within the framework of the PersonaGrata system.

The GSC uses two identifiers in the PersonaGrata system: the pivot number and the personnel number. The pivot number is the number used by the Workflow system to synchronise with the Amphore database (Phonebook). PersonaGrata uses it to link up with Workflow. The personnel number is a personal number assigned to persons working for the GSC. The personnel number is used to facilitate communication of information to the administration's Leave Department (annual leave, overtime compensation, special leave, sick leave, unjustified absences, etc.). The personnel number is also used to obtain administrative data through the Arpège database. The use of the personnel number in these cases ensures consistency and accuracy of the data recorded in the databases. The EDPS has no objection to the use of this number.

2.2.8. Right of access and rectification

Under Articles 13 and 14 of the Regulation, data subjects have a right of access to, and rectification of, personal data concerning them.

Section 5 of Council Decision 2004/644/CE of 13 September 2004 adopting implementing rules concerning the Regulation sets out the procedure for data subjects to exercise their rights.

The notification for prior checking and the draft note to DGA III staff on the processing of personal data within the PersonaGrata application describe the right of access and mention the possibility of staff rectifying personal data concerning them.

Articles 13 and 14 of the Regulation are thus fully complied with.

2.2.9. Information to be given to the data subject

Under Article 11 of the Regulation, whenever personal data are processed, data subjects must be sufficiently informed of the operation. This information should usually be given at the latest when the data are collected from the data subject, if the data subject has not already been informed.

Article 11 of the Regulation is concerned with cases where the data have been obtained from the data subject and Article 12 deals with cases where the data have not been obtained from the data subject. Since in this case the data are provided by the data subject, the administration and the unit of assignment, both situations arise.

The draft note to DGA III staff on the processing of personal data within the PersonaGrata application describes the system in general and provides information on the identity of the controller, the purposes of the processing operation, the categories of data concerned, the recipients of the data, the right of data subjects to have access to and rectify the data concerning

them, the legal basis for the processing operation, time-limits for storing the data, the right to have recourse to the European Data Protection Supervisor and the origin of the data. The EDPS is satisfied that the requirements of Articles 11 and 12 have been met. It stresses that the information provided to the data subject must be made available in an appropriate and accessible form.

2.2.10. Safety

Article 22 of the Regulation lays down that technical and organisational measures must be taken to ensure a level of security appropriate to the risks represented by the processing and by the nature of the personal data to be protected.

Following a careful examination of the security measures in place, the EDPS considers that these measures are adequate in the light of Article 22 of the Regulation.

Conclusion

The proposed processing does not appear to involve any infringement of the provisions of Regulation (EC) No 45/2001 provided that the comments made above are taken into account. This means in particular that:

- people's attention must be drawn to the fact that the application's free field is to contain no sensitive information;
- if the use of the application is extended to other DGs, the need to include detailed information on absences or unavailability owing to illness must be examined in the light of the purposes to be served by the application in the DGs concerned. Consideration needs to be given to the duplication of information already recorded in the Flexitime system;
- overtime data must not be used in any way to evaluate a data subject;
- there must be general safeguards to ensure that persons with access to data recorded in the system cannot use the data for purposes incompatible with the purposes of the PersonaGrata application.

Done at Brussels, 13 November 2006

Peter HUSTINX
Supervisor

Executive summary

One of the key tasks of the General Secretariat of the Council is the production and translation of documents necessary for the smooth running of meetings of the Council and its preparatory bodies. PersonaGrata is a personnel management tool which assists in accomplishing this task by facilitating the organisation of work. The system was designed initially for the entire staff of DGA III (translation and production of Council documents).

The EDPS carried out prior-checking in relation to the processing operation and concluded that the processing operation does not appear to involve any infringement of the provisions of Regulation (EC) No 45/2001 provided that a certain number of recommendations are taken into

account. This means, in particular, that people's attention must be drawn to the fact that no sensitive data should be entered in the application's free field; overtime data must not be used in any way to evaluate a data subject; and conditions must be set to ensure that persons with access to data recorded in the system cannot use the data for purposes incompatible with the purposes of the PersonaGrata application.

If the application is also used in other DGs, the need to include detailed information on absences or unavailability owing to illness must be reviewed in the light of the purposes which the application is intended to serve.