EUROPEAN DATA
PROTECTION SUPERVISOR

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Mr Philippe RENAUDIERE
Data Protection Officer
EUROPEAN COMMISSION
BRU-BERL 12/350
B-1049 Brussels

Brussels, 27 May 2011
GB/MV/kd D(2011) 1021 **C 2010-0965**

Dear Mr Renaudière,

I am writing to you in respect of the notification for prior checking on "Datapool" at the European Commission - Joint Research Centre (JRC) sent on 3 December 2010 (case 2010-0965) pursuant to Article 27(1) of Regulation (EC) No 45/2001 (hereafter "the Regulation").

After having examined the data processing operations described in the prior checking notification and after having received the requested additional information from the JRC, the European Data Protection Supervisor (EDPS) has reached the conclusion that, for the reasons described below, the processing of Datapool is not subject to his prior checking.

According to the notification, the purpose of the processing is to facilitate the integration and interoperability between applications; this is done collecting data from reference EC and JRC information systems and providing JRC local applications the most correct and up to date data coming from these systems. The JRC submits the case for prior-checking considering that the processing falls within the processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes (Article 27.2(c)).

Datapool data are collected from different Information Systems (IS) managing the data (IS data sources), data is loaded in Datapool and then available to authorized JRC applications (IS data clients) in accordance with the respective applicable Data Protection Notifications to the DPO. This means that each JRC application is entitled to have access to a specific subset of Datapool data and is not reachable directly by the end user. Moreover, JRC applications using Datapool data have their own recipients.

Therefore, the goal of the processing operation is not to allow linkages between data processed for different purposes. Indeed, the data can only be processed by the relevant application for the limited purpose for which the application was established. This analysis is also confirmed by the fact that, according to the JRC, the Datapool is needed to avoid cross links between applications leading to a web of connection without a centrally managed control point. In this case, Datapool is the common repository for reference data used by JRC applications, therefore the single point for reference data.

Although not subject to prior check, after having analysed the elements of the procedure which was submitted to him, the EDPS would nevertheless like to make recommendations in order to ensure that there is full compliance with the provisions of Regulation 45/2001.

From a data quality point of view, the advantage of a centralised database using reference data such as in the Datapool is that it avoids the multiplication of the same data present in various databases. Therefore, when a correction on a data occurs, there will only be one correction that will apply to the various applications making use of the data. On the contrary, any mistake will have a more important impact as it will also apply to all the applications. As a consequence, it is important that a rigorous procedure of control of the quality of the data be implemented in the respect of Article 4.1 of Regulation 45/2001. The EDPS recommends that the JRC provides the EDPS with such documented procedure.

From a security point of view, it is worth noting that a reference database like Datapool raises some concerns in itself, not only concerning the information as it is stored, but also the process of extracting the information from other databases and of loading the information into Datapool. Essentially, personal information is stored redundantly, in a different environment than the original one. Therefore, we recommend implementing organisational and technical security measures to safeguard the storage of information. This includes e.g. proper access control (e.g. role based), logging of failed and successful login attempts, ensuring that data are deleted at the end of their retention period. We recommend that appropriate security requirements are also defined regarding the process of extracting the source and of loading into Datapool.

The EDPS would like to receive feedback on the recommendations above within a period of 3 months following the adoption of this letter.

Yours sincerely,

(**signed**)

Giovanni BUTTARELLI

Cc: Yves Crutzen, Data Protection Coordinator, Joint Research Centre