

REGISTER NUMBER: 239

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 04/06/2007

Case number: 2007- 372

Institution: European Commission

Legal basis: article 27-5 of the regulation CE 45/2001⁽¹⁾

(1) OJ L 8, 12.01.2001

INFORMATION TO BE GIVEN⁽²⁾

(2) Please attach all necessary backup documents

1/ Name and adress of the controller

2) Name and First Name of the Controller:DEPIESSE Danielle

3) Title:Head of Unit

4) Directorate, Unit or Service to which the Controller is attached:C.02

5) Directorate General to which the Controller is attached:JRC

2/ Organisational parts of the institution or body entrusted with the processing of personal data

26) External Company or Directorate General to which the Processor is attached:

25) External Company or Directorate, Unit or Service to which the Processor is attached:

3/ Name of the processing

FIRST AID, ACCIDENTS AT WORK AND OTHER MEDICAL EXAMINATIONS AT JRC ISPRA SITE.

4/ Purpose or purposes of the processing

The purpose of the processing of personal and medical data is medical surveillance including clinical tests and vaccinations, the documentation of provision of first aid and properly processing of accidents at work.

5/ Description of the category or categories of data subjects

14) Data Subject(s) concerned:

All JRC staff and their family members, external staff under JRC contract, visitors on-site

16) Category(ies) of Data Subjects:

all JRC staff and their family members, external staff under JRC contract and visitors on-site

6/ Description of the data or categories of data (including, if applicable, special categories of data (article 10) and/or origin of data)(*including, if applicable, special categories of data (article 10) and/or origin of data*)

17) Data field(s) of Data Subjects:

Attention: Please indicate and describe in the answer to this question also data fields which fall under article 10

first name, surname, personal number, birth date, place of work, case history, clinical findings, kind of treatment

accident declaration

This processing of personal data is subject to art. 10.

transfer of data: accident declaration transferred under art. 7 to safety inspector and JRC head of unit.

(notifica d'infortunio is in Italian and only for internal use)

18) Category(ies) of data fields of Data Subjects:

Attention: Please indicate and describe in the answer to this question also categories of data fields which fall under article 10

first name, surname, personal number, birth date, place of work, case history, clinical findings, kind of treatment

accident declaration

This processing of personal data is subject to art. 10.

7/ Information to be given to data subjects

15a) Which kind of communication(s) have you foreseen to inform the Data Subjects as described in articles 11 - 12 under 'Information to be given to the Data Subject'

Data subjects will be informed by a privacy statement.

Privacy statement is available for Data Subjects.

- The privacy statement will be put on the board in the waiting hall of the Medical service.
- The privacy statement will be published on the intra website of the Occupational Health and Safety Unit.

8/ Procedures to grant rights of data subjects (rights of access, to rectify, to block, to erase, to object)(*rights of access, to rectify, to block, to erase, to object*)

15b) Which procedure(s) did you put in place to enable Data Subjects to exert their rights: access, verify, correct, etc., their Personal Data as described in articles 13 - 19 under 'Rights of the Data Subject' :

the data subject can use a functional mailbox: jrc-medical-service@ec.europa.eu
see also privacy statement.

9/ Automated / Manual processing operation

7) Description of Processing:

Attention: Please describe in the answer to this question if you process personal data falling under article 27 "Prior-Checking (by the EDPS - European Data Protection Supervisor)"

management and documentation of first aid provision, medical examinations for occupational health including radiology and accidents at work, spirometry and vaccinations.

The processing of personal data is subject to art. 27.

8) Automated Processing operation(s):

spirometry: test results are stored automatically in a computer attached to the spirometry machine.

9) Manual Processing operation(s):

first aid: introduction of personal and medical data in a stand-alone computer.

accidents at work: manually administrated registers.

radiology: manually administrated registers.

spirometry: personal data are introduced manually.

vaccinations: manually administrated registers.

10/ Storage media of data

electronic media: stand-alone computer for the first-aid ward

2 computers integrated in the spirometry equipment

paper: register of accidents at work,

x-rays

vaccinations.

11/ Legal basis and lawfulness of the processing operation

11) Legal basis of Processing:

- Statut tit III, chapter 1, art. 33(24)

tit IV, chapter 2, art 59/6

- D.Lgs 626/94 (see attachment) (Corresponds to EU directives 89/391, 89/654, 89/655, 89/656, 90/269, 90/270, 90/394, 90/679, 93/88, 95/63, 97/42, 9824, 99/38, 99/92)

- D.Lgs 230/95 (see attachment) (corresponds to directives Euratom 80/836, 84/467, 84/466, 89/618, 90/641, 92/3)

- D.Lgs 241/00 (see attachment) (composed of D.Lgs 230/95 and Directive du Conseil

12) Lawfulness of Processing:

Answering this question please also verify and indicate if your processing has to comply with articles 20 "Exemptions and restrictions" and 27 "Prior checking (by the EDPS)"

The processing is necessary and lawful under art. 5(a) of Regulation (EC) 45/2001.
This processing of personal data is subject to art.27.

12/ The recipients or categories of recipient to whom the data might be disclosed

20) Recipient(s) of the Processing:

first-aid, medical examinations, vaccinations:
medical service of JRC Ispra site

accidents at work:
Safety inspector
JRC head of unit concerned

transfer of data: accident declaration transferred under art. 7 to safety inspector an JRC head of unit.

21) Category(ies) of recipients:

medical service,
safety inspector
head of unit concerned

En plus des destinataires définis au point 20 ci-dessus certaines données du dossier peuvent être temporairement portées à la connaissance du :

a) Service Juridique pour, dans le cadre des recours devant le Tribunal de la Fonction Publique, la préparation de la mémoire en défense ou,

b) des Juges du Tribunal de la Fonction Publique, à leur demande, ou

c) du Médiateur européen, à sa demande.

toujours dans le respect de la législation en vigueur et la jurisprudence constante de la Cour européenne dans la matière.

13/ retention policy of (categories of) personal data

The medical files are kept for the whole time of employment of the data subjects and up to 35 (standard) or 40 (radiation exposure) years after the end of work.
D.Lgs 626/94, 239/95, 241/00

13 a/ time limits for blocking and erasure of the different categories of data (on justified legitimate request from the data subject) (Please, specify the time limits for every category, if applicable)
(on justified legitimate request from the data subject)
(Please, specify the time limits for every category, if applicable)

22 b) Time limit to block/erase data on justified legitimate request from the data subjects

upon a justified request by the data subject the personal data will be modified within 14 days.
results from medical tests and diagnosis cannot be modified; patient's comments can be added.

14/ Historical, statistical or scientific purposes

If you store data for longer periods than mentioned above, please specify, if applicable, why the data must be kept under a form which permits identification,

22 c) Historical, statistical or scientific purposes - If you store data for longer periods than mentioned above, please specify, if applicable, why the data must be kept under a form which permits identification

Not applicable

15/ Proposed transfers of data to third countries or international organisations

27) Legal foundation of transfer:

Only transfers to third party countries not subject to Directive 95/46/EC (Article 9) should be considered for this question. Please treat transfers to other community institutions and bodies and to member states under question 20.

Not applicable

28) Category(ies) of Personal Data or Personal Data to be transferred:

Not applicable

16/ The processing operation presents specific risk which justifies prior checking (please describe): *(please describe)*:

7) Description of Processing:

Attention: Please describe in the answer to this question if you process personal data falling under article 27 "Prior-Checking (by the EDPS - European Data Protection Supervisor)"

management and documentation of first aid provision, medical examinations for occupational health including radiology and accidents at work, spirometry and vaccinations.

The processing of personal data is subject to art. 27.

12) Lawfulness of Processing:

Answering this question please also verify and indicate if your processing has to comply with articles 20 "Exemptions and restrictions" and 27 "Prior checking (by the EDPS)"

The processing is necessary and lawful under art. 5(a) of Regulation (EC) 45/2001.

This processing of personal data is subject to art.27.

Article 27.2.(a) Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,

Article 27.2.(a) Processing of data relating to health

Article 27.2.(b) Processing operations intended to evaluate personal aspects relating to the data subject,

n/a

Article 27.2.(c) Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes,

n/a

Article 27.2.(d) Processing operations for the purpose of excluding individuals from a right, benefit or contract,

n/a

Other (general concept in Article 27.1)

n/a

17/ Comments

1) Date of submission:

10) Comments if applicable:

36) Do you publish / distribute / give access to one or more printed and/or electronic directories?

Personal Data contained in printed and/or electronic directories of users and access to such directories shall be limited to what is strictly necessary for the specific purposes of the directory.

If Yes, please explain what is applicable.

no

37) Complementary information to the different questions if applicable, including attachments to this notification which should not be public :

PLACE AND DATE:04/06/2007

DATA PROTECTION OFFICER: RENAUDIERE Philippe

INSTITUTION OR BODY:European Commission