

REGISTER NUMBER: 338

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 06/03/2008

Case number: 2008-151

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 address of the controller

2) Name and First Name of the Controller: BABELOT Jean-Francois

3) Title: Head of Unit

4) Directorate, Unit or Service to which the Controller is attached: E.01

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:

Steuerbüro Nagel

Forschungszentrum Karlsruhe

NANOS

KARIBU!

Familienservice (www.familienservice.de). Not Applicable.06

PMO

Gästehaus (FZK)

3/ Name of the processing

STAFF MANAGEMENT AT JRC-ITU IN KARLSRUHE

4/ Purpose or purposes of the processing

The purpose of processing of personal data in this context is to meet the needs of ITU staff management, e.g. with regard to

- organising the induction of new staff members (medical check-in, mandatory safety instructions before entering the control area) and organising formalities to leaving ITU after the end of the contract
- supplying the management with data related to contract duration and affiliation to scientific actions
- management of national contracts and obligations related to German Labour and Social Security Law for Research Fellows.
- managing the relations with current staff members
- managing the relations with former staff members (pensioners)
- managing the social welfare of statutory staff members (chrèche)
- temporary placement of visitors or new staff members in the Forschungszentrum Karlsruhe (FZK) Gästehaus

5/ Description of the category or categories of data subjects

14) Data Subject(s) concerned:

- Permanent staff members (officials)
- Temporary staff members (temporary agents, contract agents, ex-auxiliary staff, research fellows),
- Trainees
- Interim staff
- Invited persons
- Seconded National Experts
- Pensioners

16) Category(ies) of Data Subjects:

- permanent and temporary staff members (officials, temporary agents, contract agents, ex-auxiliary staff, research fellows, trainees
- External staff: Interim staff, Invited persons, Experts, Seconded National Experts
- Pensioners
- Contract Agents, Temporary Agents after the end of their contract (for unemployment assistance)

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

List of up-to-date of contact details all active staff members:

last name, first name, personal address, telephone number

Birthday list:

last name, day and month of birth

Contact details of retired staff members (pensioners):

last name, first name, personal address

Data base for the management of non-statutory staff and contract agents:

last name, first name, nationality, contract type, beginning and end of contract, unit and action to which to person is attached, JRC supervisor (responsible unit head)

Overview of changes in the staff table (arrival, departure, contract prolongations and internal transfers):

last name, first name, unit, contract type, contact person (usually the head of unit or JRC supervisor), languages (important of organisation of mandatory safety instructions), detailed data on contract changes or transfer

- Data concerning crèche management are passed on to FZK correspondents (for nanos) or Karibu! (run by Familienservice). For data see attachment (enrol_cr_en.doc).

Copy of the cover note only to FZK (containing Name of staff member, Name and date of birth of child to be enrolled, preferred enrolment date, E-Mail coordinates of staff member) is sent to the operator of the Crèche and the secretariat of the FZK Crèche Committee.

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

Staff personal data (active or retired)

(see point 17)

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'

The data subjects will be informed by Privacy Statement (in attachment) during the welcome seminar.

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 subjects can exert their rights (access, verify, modify, block their personal data) by contacting the Controller using a functional mailbox (FMB). 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)"

The Management Support Unit (MSU) of the Institute for Transuranium Elements (ITU) of the Joint Research Centre (JRC) in Karlsruhe maintains several lists containing personal information of ITU staff members which help to manage the permanent statutory staff:

- List of up-to-date contact details for all active staff members
- Birthday list
- Contact details of retired staff members
- Overview of changes in the staff table (arrivals, departures, contract prolongations and internal transfers)

ITU HR group maintains a database for the calculation and payment of salaries for non-statutory staff (research fellows). this database is no longer in use but some of the existing data are still required. Calculation of salary, contributions to the German social security scheme and other related contributions is now ensured by an external service provider.

In addition the ITU HR group maintains a database related to temporary non-statutory staff and contract agents. The aim is to assist with reporting on non-statutory staff and to keep track of "on site" periods of temporary staff members and invited persons. This includes the follow up of presence on site in view of 72 months for non-statutory staff.

Crèche Management at ITU:

ITU has 7 places available to its staff. These are spread over 2 facilities, Nanos (5 places), and Karibu! (2 places). Both facilities are not run by ITU but by the Forschungszentrum Karlsruhe (FZK). The parental contribution calculated on base of net family income and family composition is communicated to the staff member enrolling his/her child. A second note is sent to PMO Ispra requesting the automatic monthly deduction of the calculated amount. No medical data are collected.

Other staff management processing operations are covered by existing notifications of DG ADMIN (e.g. SYSPER2, CDR, MISSION, RCAM, ?).and JRC (RECRUITEMENTS, TAS, PROCUREMENT, PHONE, ZEUS?).

This processing falls under Art. 27

8) Automated Processing operation(s):

Reporting based on the data fields listed below.

9) Manual Processing operation(s):

Non-statutory staff and contract agents database:

- insertion of personal data: name, first name, nationality, contract type, beginning and end of contract, unit and action to which to person is attached, JRC supervisor
- compilation of lists and reports

Overview of changes in the staff table (arrival, departure, contract prolongations and internal transfers)

- overview is updated on a regular basis and authorised staff members receive the overview via email
- update of the ITU organigramme
- management of experts in a MS Access Database
- Information to the Forschungszentrum Karlsruhe (FZK) for the temporary placement of visitors and new staff members in the FZK Gästehaus

Enrolment for the crèche:

Data are processed by ITU social welfare officer in order to check availability of places, scale of parental contributions, and to communicate with the stakeholders: This form has to be introduced together with copies of recent salary statements of father and/or mother to ITU social service.

10/ Storage media of data

Paper and electronic media

11/ Legal basis and lawfulness of the processing operation

11) Legal basis of Processing:

- Staff Regulations of Officials of the European Communities and Conditions of employment of other servants of the European Communities
- Commission Decision C(2006) 2318 amending Decision C(2005) 1792 of 16 June 2005 on the exercise of powers conferred by the Staff Regulations on the Appointing Authority and by the Conditions of Employment of Other Servants on the Authority Responsible for Concluding Contracts of Employment

The legal basis for the Calculation of salary, contributions to the German social security scheme and other related contributions is provided by the German Sozialgesetzbuch (SGB).

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 as per Art. 5 a).

This processing falls under Art. 27

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

20) Recipient(s) of the Processing:

Within the EC/JRC/ITU

- Director of ITU
- Head of the programme office ITU
- Heads of units ITU
- Action leaders ITU
- ITU Medical Service in Karlsruhe
- ITU Security Service in Karlsruhe
- staff members of ITU Radiation Protection Service (AGS)
- PMO

Outside of EC/JRC/ITU

- external service provider for salary calculation (fellows)

Crèche Management of Nanos and Caribu:

Data will be transferred according to art. 8.

The parental contribution calculated on base of net family income and family composition is communicated to the staff member enrolling his/her child.

A second note is sent to PMO Ispra requesting the automatic monthly deduction of the calculated amount. Data concerned and exchanged: Name and personal number of staff member, amount to be deducted, starting (and ending) date.

Comité paritaire "Petite enfance": This local joint committee is being informed about the enrolment situation and forward planning of the childcare facilities. Data exchanged: Name of staff member having requested a place or

21) Category(ies) of recipients:

- Commission administration services
- Authorised staff members
- external service provider for salary calculation (data will be transferred according to art. 8)
- crèche management for Nanos and Caribu (data will be transferred according to art. 8)

13/ retention policy of (categories of) personal data

For current and active staff members, personal data in the staff list are kept at least as long as staff members are in service.

For the birthday list, personal data are kept as long as staff members are in service.

For pensioners list, data are kept as long as the pensioner is involved in matters dealing with Social Policy.

Data related to the SIRE database are kept for 12 years

Data related to the SYSPER2 database are kept depending on the type of contract.

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 15 days.

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

does not apply

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.

does not apply

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

does not apply

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

7) Description of Processing:

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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 as per Art. 5 a).

This processing falls under 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,

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

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:

Enrolment form for a place in the crèche see Kiddy Web on Pers Admin (Brussels):
<http://www.cc.cec/kiddyweb/welcome.do>

For further processing related to staff management refer to:

- Security clearance of staff members see DPO-2018
- Site access control to ITU see DPO-1460
- Management of Dosimetry Data see DPO-954
- Management of Data related to the ITU internal Radioprotection Training
- Management of Data related to Travaux Pénibles: see DPO-1347 for the verification of presence and JRC Indemnities database for the calculation of indemnities

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 :

Not applicable

PLACE AND DATE:06/03/2008

DATA PROTECTION OFFICER: RENAUDIÈRE Philippe

INSTITUTION OR BODY:European Commission