

**REGISTER NUMBER: 410**

**NOTIFICATION FOR PRIOR CHECKING**

Date of submission: 01/09/2008

Case number: 2008-491

Institution: Commission européenne

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

*(1) OJ L 8, 12.01.2001*

**INFORMATION TO BE GIVEN<sup>(2)</sup>**

*(2) Please attach all necessary backup documents*

1/ Name and address of the controller

2) Name and First Name of the Controller: WILKINSON David

3) Title: Director

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

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

RECORDING OF EMERGENCY PHONE CALLS AT THE JRC ISPRA SITE

4/ Purpose or purposes of the processing

The processing is necessary for compliance with the legal obligation to which the controller is subject as a necessary measure for safeguard prevention and investigation of incidents. Emergency calls may also furnish evidence for investigations into potential threats to the Institution. The information will not be used for any other purpose.

5/ Description of the category or categories of data subjects

14) Data Subject(s) concerned:

- all staff at the JRC Ispra site
- Italian authorities
- staff members from DG ADMIN/DS.

16) Category(ies) of Data Subjects:

- all staff at the JRC Ispra site
- Italian authorities
- staff members from DG ADMIN/DS

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

Data fields are:

- Called phone number
- Calling phone number
- Call date and time
- Call duration
- Recorded conversation contents

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

Data fields are:

- Called phone number
- Calling phone number
- Call date and time
- Call duration
- Recorded conversation contents

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'

Please see privacy statement.

In order to not reduce the system effectiveness, the recording of the communication is not announced. The existence of the system is not denied.

Personal data is collected exclusively for ensuring the security and will not be used for any other purpose respecting the terms of article 6.2

Persons operating the Fire brigade and SOES are instructed and the use of recording devices are announced.

Exception under the terms of the article 20 1.a

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 refer directly to the controller to exert their rights.

The privacy statement will be published on the JRC ISD intranet.

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)"

1. The Fire brigade of the Ispra Site Directorate (ISD) manages the internal emergency phone number 5666 and an external emergency phone number to communicate with the Italian authorities, as part of its around a clock service.
2. The JRC Ispra site emergency control room (called SOES) is equipped with several emergency phones (3 internal lines and 3 external lines). Following the emergency plans, SOES must be equipped with communication and registration instruments. All incoming and outgoing calls on these phone lines are recorded on tape. Recording starts/ends after hanging up/replacing the receiver. A memo is created for all phone calls from and to SOES (see attachment at point 37).

Incidents are defined as:

- Conventional and nuclear incidents
- Violations of public order and safety
- Criminal and Terroristic incidents

This processing is subject to Art. 27.

8) Automated Processing operation(s):

Recording of incoming and outgoing phone calls on emergency phone numbers.

9) Manual Processing operation(s):

Consultation of records after incidents, emergencies and training exercises.

10/ Storage media of data

Electronic and paper media.

11/ Legal basis and lawfulness of the processing operation

11) Legal basis of Processing:

The processing operations are necessary for the performance and the support of tasks carried out by the institution as mandated by the treaties, and more specifically articles 5, 7 and 211 - 219 of the "Treaty of Amsterdam amending the Treaty on European Union, the Treaties establishing the European Communities and certain related acts".

The presence of a fire brigade team originates from the legislative requirements:

- Law 469, 13/05/1961
- Note from the Ministry, 515/020 dated 31/07/1961
- Law on Radiation Protection : Law 230, 1995 and amendments
- Law on Health and Safety : Law 626/94 and amendments

The presence of SOES originates from the emergency plans requirements:

- Decreto Legislativo no. 230/95 and updates from March 17th 1995. (attached)
- Off-site nuclear emergency plan (document NE.80.1202.FG.001) ? restricted distribution.
- Internal emergency plan (document NE.80.1210.AR.001) ? Please see point n. 37.

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 process falls under Art 5a

The procession operation falls under art. 20.1 a) d) and e)

This processing is relevant to Art. 27.

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

20) Recipient(s) of the Processing:

JRC Ispra site head of security  
Guards on duty.  
PC system administrators oif the fire brigade  
DG Admin/DS.  
National authorities in case of incidents.

21) Category(ies) of recipients:

JRC Ispra site head of security  
Guards on duty.  
PC system administrators of the fire brigade  
DG Admin/DS.  
National authorities in case of incidents.

13/ retention policy of (categories of) personal data

The Fire brigade records are retained for 3 months.  
The SOES records are retained until to fill the tape. New data will overwrite older data.

In case of incident the data will be kept for a longer period to analyze an incident and/or to defend a right in a legal claim pending before a court.

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

Following a justified and legitimate request by the Data Subject, the personal data will be analyzed. The recorded data cannot be modified but Data subject' s comments can be added within 15 working 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

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)"

1. The Fire brigade of the Ispra Site Directorate (ISD) manages the internal emergency phone number 5666 and an external emergency phone number to communicate with the Italian authorities, as part of its around a clock service.
2. The JRC Ispra site emergency control room (called SOES) is equipped with several emergency phones (3 internal lines and 3 external lines). Following the emergency plans, SOES must be equipped with communication and registration instruments. All incoming and outgoing calls on these phone lines are recorded on tape. Recording starts/ends after hanging up/replacing the receiver. A memo is created for all phone calls from and to SOES (see attachment at point 37).

Incidents are defined as:

- Conventional and nuclear incidents
- Violations of public order and safety
- Criminal and Terroristic incidents

This processing 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 process falls under Art 5a

The procession operation falls under art. 20.1 a) d) and e)

This processing is relevant 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 and to suspected offences, offences, criminal convictions or security measures,

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)

Art. 36 fundamental principles of communications confidentiality

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.

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

Attachments:

- 1) Memo for all phone calls from and to SOES
- 2) Internal emergency plan (NE.80.1210.AR.001)

PLACE AND DATE:25/08/2008

DATA PROTECTION OFFICER: GEORGES Louis

INSTITUTION OR BODY:European Commission