

To be filled out in the EDPS' office

REGISTER NUMBER: 447

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 19/12/2008

Case number: 2008-780

Institution: European central Bank

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

European Central Bank, Kaiserstr. 29, 60311 Frankfurt

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

Different controllers of business areas carrying out Customer satisfaction surveys

3/ Name of the processing

Customer satisfaction surveys

4/ Purpose or purposes of the processing

Evaluation of the performance of different business areas in the fulfilment of its tasks. Samples of recent customer satisfaction surveys are attached. Survey setup: The ECB has established a Survey Quality Group to coordinate all customer satisfaction surveys (see annex 1). The Survey Quality Group has established procedures (see annex 2) which are published on the ECB's intranet. How often: Currently, the only survey foreseen to be conducted on an annual basis is the ECB Internal Customer Satisfaction survey. The remaining surveys are ad-hoc. Who participates: See Annex 2 Who asks: See Annex 2 Who is involved, See Annex 2 How are answers given: In the survey invitation, the survey participant is informed how and when the results will be published (see Annex 3). Use of open questions and need for doing so: Open questions are used as they are considered to provide valuable additional information. To address the DP concerns that surround open questions, the following procedure has been put in place:

- a) Data protection statement in the invitation e-mail (see annex 3) advising participants on how to respond to open questions.
- b) The Survey Quality Group ensures that the "open questions" are always drafted in such a way that they are referring to a specific service ""Do you have any comments on how to improve xxxx service?"
- c) Survey organisers and survey controllers do not have access to the raw data.
- d) After closing the survey, one of the 3 data administrators who have access to this data, will review the responses for inappropriate comments prior to sending the data to the survey owner/organiser.
- e) They will also strip the data of the IP address prior to sending the anonymised data to the survey owner/organiser.
- f) The survey owner's attention is also drawn to the need to restrict the circulation of data relating to the open questions on a "need to know basis (see annex 4)

5/ Description of the category or categories of data subjects

The data subjects for each survey are different. 1) For the ECB internal customer satisfaction survey, the data subjects = ECB staff which included permanent, fixed-term and short-term but excluded agency staff and consultants. 2) For the remaining ad-hoc surveys, the data subjects are determined by the survey owner (Head of Division or above) 3) In future, surveys may be extended to ESCB participants.

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

1) Survey participants are not required to log on to complete a survey. 2) Most surveys do require participants to indicate their business area or division however this is up to the survey owner to decide if they wish to include a question of this nature.

7/ Information to be given to data subjects

<p>4 items of information are included in the invitation e-mail (see annex 3): a) purpose of the information b) how the data is stored c) when and where the results will be published d) Data protection statement.</p>
<p>8/ Procedures to grant rights of data subjects (<i>rights of access, to rectify, to block, to erase, to object</i>)</p> <p>Simple request in writing to respective data controller (name of the data controller is indicated in the invitation e-mail).</p>
<p>9/ Automated / Manual processing operation</p> <p>The ECB has purchased software from Vovici to conduct its surveys and the software is hosted in-house. If the system is opened up to ESCB participants, the data will be transmitted over the Core-Net (a secure network within the ESCB).</p>
<p>10/ Storage media of data</p> <p>See above</p>
<p>11/ Legal basis and lawfulness of the processing operation</p> <p>Article 11.6 of Statute of the ESCB</p>
<p>12/ The recipients or categories of recipient to whom the data might be disclosed</p> <p>Management of respective business area doing the survey</p>
<p>13/ retention policy of (categories of) personal data</p> <p>Data are fully anonymised once the results of the survey have been gathered (stripping off of logon identification from final data). Longest time frame for keeping the data in the business area is 6 months. Back-up of the data available in DG/IS in accordance with the DG/IS back-up policy.</p>
<p>13 a/ time limits for blocking and erasure of the different categories of data (on justified legitimate request from the data subject) <i>(Please, specify the time limits for every category, if applicable)</i></p> <p>No time limit applies.</p>
<p>14/ Historical, statistical or scientific purposes <i>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,</i></p> <p>n/a</p>

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

n/a

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

AS FORESEEN IN:

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,

Article 27.2.(c)

Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes,

Article 27.2.(d)

Processing operations for the purpose of excluding individuals from a right, benefit or contract,

Other (general concept in Article 27.1)

17/ Comments

PLACE AND DATE: Frankfurt am Main, 19 December 2008

DATA PROTECTION OFFICER: Martin BENISCH

INSTITUTION OR BODY: European Central Bank