

REGISTER NUMBER: 0500

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 27/04/2009

Case number: 2009-295

Institution: Council of the European Union

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

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

DGA 3 Language Units (see phonebook)
DGA 5 (IT Department) (see phonebook)

3/ Name of the processing

Pilot Project on Quality Process Monitoring of DGA III

4/ Purpose or purposes of the processing

General translation statistics are regularly used by the Heads of Language Units. The general statistics focus on the volume of the translations per unit. Similarly, general qualitative indicators will be available as of 2009. At present Heads of Language Units have no individual quality performance indicators at their disposal. However, such indicators are considered essential management tools contributing to a fairer assessment of staff, in particular during the reporting exercise. The proposed tool should enable: 1. individual members of staff to monitor their own performance. 2. the head of the data subject's unit to monitor the performance of any given member of their unit. 3. individual members of staff to compare their own performance with the unit's average.

4. better planning and monitoring (as recommended in the Court of Auditors Special Report N° 9/2006 concerning Translation expenditure incurred by the Commission, the Parliament and the Council , in particular §88, §109 thereof). On the basis of the evaluation of actual output for the different activities carried out in the unit (translation, revision, formatting), an objective picture of individual performance can be established.

5/ Description of the category or categories of data subjects

Officials of the GSC, Other servants, AD officials in translator or reviser function, AST officials in secretarial function

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

Document number - Document title (as the only indication of the nature of the document, which will help in assessing the difficulty) - Source language - Target language - Date & time when attributed to the person. - Date & time when finished. - Net pages (for the purpose of ensuring that a significant amount of work is assessed from each member of staff) - Translator(s), reviser(s) and assistant(s) who worked on the document - Detailed evaluation of the quality of the work carried out by the person concerned, as assessed by the unit's Quality Controller or other staff, under the authority of the Head of Unit.

This detailed evaluation will give a description of each error encountered in the sample, following a typology (type of error and seriousness) as set out in the "Intermediate Report from the Think Tank on Quality Monitoring" (May 2007).

7/ Information to be given to data subjects

Brussels, 8 April 2009 NOTE TO ALL STAFF OF THE DGA-III TRANSLATION DEPARTMENT Subject: Quality Monitoring Ref.: \\newton\...\91.03.01 Notifications DPO\Quality Monitoring [Moved to DirDGA3SL]\QualityMonitoringNoteUsers 20090408_EN-dpo.doc The purpose of this note is to inform DGA-III staff of the processing of personal data in the context of a Quality Monitoring Pilot Project. DGA-III is setting up a quality monitoring system in order to systematically evaluate, through sampling, the linguistic and technical quality of documents produced by the Translation Department.

The Think Tank set up to that purpose produced an intermediate report in March 2007 (available on Atrium) putting forward some proposals on how to go about this task. The first stage was known as "Results Monitoring", in which no personal data is processed, and which started as a pilot project in 2007 and is being rolled out to all language units in 2009. The second stage, which DGA-III now wishes to launch, is "Process monitoring", where the individual performance of staff will be evaluated. Unlike "Results Monitoring", "Process monitoring" will involve the processing of personal data.

To that end, work carried out by individual members of the language units will be sampled in a systematic way. The individual samples will be evaluated by the unit's Quality Controller or other members of the unit, under the authority of the Head of Unit. Results of the evaluation will be recorded on Excel sheets containing the person's name, and will be available to the Head of Unit and to the member of staff concerned.

Anonymised data, containing no personal information, and aggregated by unit, will be available to DGA-III management. The personal information that will be available to the Head of Unit is: - Document number - Document title (as the only indication of the nature of the document, which will help in assessing the difficulty) - Source language - Target language -

Date & time when attributed to the person. - Date & time when finished. - Net pages (for the purpose of ensuring that a significant amount of work is assessed from each member of staff) - Translator(s), reviser(s) and assistant(s) who worked on the document - Detailed evaluation of the quality of the work carried out by the person concerned, as assessed by the unit's Quality Controller or other staff, under the authority of the Head of Unit.

This processing of personal data has been notified to the Data Protection Officer in accordance with Article 25 of Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. Data subjects are hereby provided with the following additional information in accordance with Articles 11 and 12 of the abovementioned Regulation: a) identity of the controller: Margarida Lacerda, Director of DGA III b) purposes of the processing operation:

To ensure that DGA-III has in place Quality Monitoring procedures in line with its Framework Note on Quality Policy. c) categories of data concerned: as described above. d) recipients: Head of Unit concerned (personal data), DGA-III Management (aggregated and anonymised data). e) each member of staff has a right of access to, and a right to rectify, the data concerning him or her f) further information: i) Legal basis: Article 207(2) of the EC Treaty and Article 23 of the Council's Rules of Procedure ii) time-limits for storing the data: until the end of reporting exercise. iii) members of staff have the right to have recourse at any time to the European Data Protection Supervisor.

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

Section 5 Council Decision 2004/644/EC of 13 September 2004 (OJ L n° 296, 21.9.2004, p.20) . The data subject is the permanent recipient of the data (in printed format)

9/ Automated / Manual processing operation

The Director of DGA-III wishes to set up a quality monitoring system in order to systematically evaluate, through sampling, the linguistic and technical quality of documents produced by the Translation Department. This quality monitoring system should be seen in the context of a number of performance indicators used as essential management tools in DGA-III, as recommended in the Court of Auditors Special Report N° 9/2006 concerning Translation expenditure incurred by the Commission, the Parliament and the Council, in particular §88 and §109 thereof. For a number of years, DGA-III has been compiling production statistics, which are published at regular intervals. Similarly, "Results Monitoring", which started as a pilot project in 2007 and is being rolled out to all language units in 2009, provides overall indicators of the quality of the translations delivered by DGA-III. These two elements cover global indicators at the level of the language unit or above, and involve no personal data.

The Pilot Project on Individual Production Monitoring (dossier 117N00) constitutes a third element, aimed at providing quantitative data on the individual production of members of staff in the language units. The Pilot Project on Quality Process Monitoring, covered by this notification, constitutes the fourth and final element. Its purpose is to provide, through a sampling process, individual qualitative data on the contributions made by each person (translator, reviser, assistant) working on the sampled documents. Unlike "Results Monitoring", "Process monitoring" will therefore involve the processing of personal data. The Intermediate Report from the Think Tank on Quality Monitoring (May 2007) put forward some proposals on how to go about this task. Under these proposals, work carried out by individual members of the language units will be sampled in a systematic way.

The individual samples will be evaluated by the unit's Quality Controller or other members of the unit, under the authority of the Head of Unit. Results of the evaluation will be recorded on Excel sheets containing the person's name, and will be available to the Head of Unit and to the person concerned (the data subject). Anonymised data, containing no personal information, and aggregated by unit, will be available to DGA-III management. Once the pilot phase is over and process monitoring moves into full implementation, the data produced in this way will be used by the the head of the data subject's unit and the individual members of staff as one element in the assessment of the quality of the work contributed by that person.

The use of these reports is limited to the head of the data subject's unit and the data subjects concerned. The expected duration of the pilot project is 9 months/ 1 year. Envisaged date for a full implementation of the final processing: Upon the successful completion of the pilot project (beginning of 2010).
Automated and manual procedures

10/ Storage media of data

The data is stored on a server disk.

11/ Legal basis and lawfulness of the processing operation

Article 207 of the EC Treaty and Article 23 of the Council's Rules of Procedure. Staff Regulations (Article 43).

The processing of the data in question is necessary for the performance of a task carried out in the public interest on the basis of the Treaties establishing the European Communities ... or in the legitimate exercise of official authority vested in the Community institution ..." (Article 5 (a)) One of the essential missions of the Council General Secretariat is the production and translation of the documents necessary for the proper functioning of the meetings of the Council and of its subsidiary bodies. The lawfulness of the proposed processing operation derives from an appraisal task set out in the Staff Regulations of Officials and Conditions of Employment of the European Communities.

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

Head of the data subject's unit - Data subject

13/ retention policy of (categories of) personal data

Once the processing is fully implemented (after the end of the pilot phase), data will normally be stored for a period not exceeding 2 years (until the end of each reporting exercise). Exceptionally in the event of appeals by individuals, it will be stored until the end of the appeals procedure. At the end of the retention period the data will be rendered anonymous.

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)

1 week

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,

None

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

None

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

The risks mentioned under Article 27.2 (b): "the processing operation is intended to evaluate personal aspects of the data subject, including his or her ability, efficiency and conduct" - DGA V (System administrators) will have access to personal data stored on servers.

17/ Comments

None

PLACE AND DATE: Brussels, 27 April 2009

DATA PROTECTION OFFICER: Pierre Vernhes

INSTITUTION OR BODY: Council of the european Union