

REGISTER NUMBER: 537

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 21/10/2009

Case number: 2009-682

Institution: 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: ZAFRAKOPOULOS Vasileios

3) Title: Head of Unit

4) Directorate, Unit or Service to which the Controller is attached: C.2

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

SAFETY INSPECTIONS AT THE JRC ISPRA SITE.

4/ Purpose or purposes of the processing

Maintaining and improving Safety standards at JRC - Ispra-site.

5/ Description of the category or categories of data subjects

14) Data Subject(s) concerned:

All persons entering the JRC Ispra Site.

16) Category(ies) of Data Subjects:

Internal and external staff and visitors.

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

Name and surname,
date of injury or accident,
description of injury or accident (including consequences..days of absence, part of body injured),
date of entry at JRC,
name and surname of hierarchy,
JRC contract managers,
contractors name.

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

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

Directors/Employers,
HoU/Managers,
HoS/Team Leaders,
Workers , external contractors, visitors.

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 the Privacy Statement.

This is published on the Intranet page of the Safety at Work Inspection Service.

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-safety-inspection@ec.europa.eu

The minutes will be sent as a draft to all the members that participate in the audits and they will have the possibility to correct the minutes if they wish.

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 Safety Inspector, of the Safety at Work Inspection Service, coordinates the Specialised Services (a team of experts in the following fields: safety at work; fire prevention and environment protection; security, hygiene and health and, where appropriate, radioprotection of workers and plants) in order to verify the correct application of health and safety standard through the JRC, according to the Italian Law. The Specialised Services carry out "Safety Audits" in all JRC Ispra buildings and, occasionally, in other JRC sites, and "Consultation Procedures", which address any works done on site that might entail any potentially hazardous situation. The Safety Inspector writes minutes of such meetings/audits wherein those present are listed. These are sent to line management and relevant safety figures.

8) Automated Processing operation(s):

Not applicable.

9) Manual Processing operation(s):

Writing minutes that include list of those present (safety audit and consultation procedure).

Insert data in injury excel file and chemical substances database.

List of newcomers, according to the "Safe start procedure".

10/ Storage media of data

Paper and electronic media.

11/ Legal basis and lawfulness of the processing operation

11) Legal basis of Processing:

- Directive 89/391/CEE (and complementary directives) on " la mise en oeuvre de mesures visant à promouvoir l'amélioration de la sécurité et de la santé des travailleurs au travail ".

- Italian Law D.Lgs. 81/08 addressing safety at work, which is applicable to the JRC, in agreement with the Law 906/1960, Art. 31: " La Commission applique, sous sa seule responsabilité, les dispositions italiennes en matière d'Hygiène et Sécurité du Travail".

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)"

Art. 5b : processing is necessary for compliance with a legal obligation to which the controller is subject.

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:

Directors, HoU, Safety Officers, Heads of Sector.
JRC contract manager.

21) Category(ies) of recipients:

Directors, HoU, Safety Officers, Heads of Sector.
JRC contract manager.

13/ retention policy of (categories of) personal data

Personal data is kept until the building of facility is demolished (case of Consultation Procedure or Safety Audit). In the case of Injuries, the data is kept for 10 years. In the case of the Safe Start Procedure and the database of chemical substances the data is kept for at least 10 years and until the person is in service (yearly checks).

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.

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

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)"

The Safety Inspector, of the Safety at Work Inspection Service, coordinates the Specialised Services (a team of experts in the following fields: safety at work; fire prevention and environment protection; security, hygiene and health and, where appropriate, radioprotection of workers and plants) in order to verify the correct application of health and safety standard through the JRC, according to the Italian Law. The Specialised Services carry out "Safety Audits" in all JRC Ispra buildings and, occasionally, in other JRC sites, and "Consultation Procedures", which address any works done on site that might entail any potentially hazardous situation. The Safety Inspector writes minutes of such meetings/audits wherein those present are listed. These are sent to line management and relevant safety figures.

The Safety Inspector also carries out machinery inspections, producing minutes that have a list of those who receive such minutes (hierarchy and maintenance service).

The Safety Inspector also carries out investigations following either injuries or near accidents. Where applicable, he writes a report that is sent to the hierarchy and safety line management of the Injured person. For statistical purposes, an excel file recording each accident is kept.

The Safety Inspector also manages a database of chemical substances that is used by all JRC staff that use chemical substances.

Finally, the Safety Inspector holds a meeting for all newcomers, according to "The Safe Start Procedure". A record of all newcomers is kept in an excel file to verify that the procedure is being applied.

This 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)"

Art. 5b : processing is necessary for compliance with a legal obligation to which the controller is subject.

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 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)

n/a

17/ Comments

1) Date of submission:

10) Comments if applicable:

NA

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 :

PLACE AND DATE:21/10/2009

DATA PROTECTION OFFICER: GEORGES Louis

INSTITUTION OR BODY:European Commission