

REGISTER NUMBER: 560

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 04/01/2010

Case number: 2010-003

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:BAKER David

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:SCIC

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:

SCIC.B.1

3/ Name of the processing

Provision of Quality Interpretation

4/ Purpose or purposes of the processing

The Directorate General for Interpretation (SCIC) is part of the European Commission and provides high-quality interpretation in Brussels and other places in the world for the European Commission, the Council of the European Union, the European Economic and Social Committee, The Committee of the Regions, the European Investment Bank and other bodies of the European Union.

Unit SCIC C2, Programming of Interpretation ensures the planning and programming for upwards of fifty meetings per day in Brussels and outside either with or without interpretation. The language regime of these meetings varies considerably. It ranges from the consecutive interpretation between two languages, requiring the presence of a single interpreter, to simultaneous interpretation of twenty-two languages requiring teams of 60 or more interpreters.

SCIC employs both staff interpreters under permanent or temporary contracts and accredited Auxiliary Conference Interpreters (hereinafter ACIs) hired on daily contracts in order to satisfy the needs of its client

5/ Description of the category or categories of data subjects

14) Data Subject(s) concerned:

Although the main database, SIGNALETIQUE, holds information on all staff (see DPO-280 & 281), the main data subjects concerned by this notification are the interpreters, permanent officials, interpreters with temporary contracts and officially accredited ACIs.

16) Category(ies) of Data Subjects:

Although the main database, SIGNALETIQUE, holds information on all staff (see DPO-280 & 281), the main data subjects concerned by this notification are the interpreters, both staff with permanent and temporary contracts and ACIs.

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

Personal data held on SCIC staff including officially accredited ACIs is notified under the SIGNALETIQUE Notifications DPO-280 and DPO-281. For your information, both special privacy statements for SIGNALETIQUE are attached.

INDISPONIBILITES holds the information relating to leave, absences and recuperation and therefore should the absence be of a personal or medical nature, it must be noted in the system (see the separate Notification DPO 3126)

Processing of this data is carried out according to paragraph 2e of Article 10.

At the end of every meeting with interpretation organised by SCIC, the Head of the Interpreting Team (HIT) is required to complete the Rapport de Seance (RDS) via SCICNet. The HIT is obliged to enter comments made by the chairman or a participant of the meeting which may include negative comments made about individual interpreters or SCIC staff in relation to the meeting (as clearly stated in the Meeting Manual, page

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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 Meetings' Manual which is available on SCICNet, DG SCIC's Intranet site, is a guide for interpreters, be they team members or Heads of Interpretation Teams (HIT). The guide explains how team members and the HIT are assigned to a meeting and lays out in detail their respective responsibilities before, during and after each meeting.

In case of problems or emergencies, in Section 2 of the Manual, email addresses and telephone numbers are given (including an out-of-hours number) of the relevant staff members or sections that should be contacted.

In section 3.2.11 of the Manual, the HIT must record comments made by a participant of the meeting on the quality of the interpretation, which will be followed up via the RdS process. Participants of the meeting are not expressly invited to make comments on the quality of interpretation, but can make comments to the chairman

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 on the actual assignment is updated by the HIT after each meeting and an automatic e-mail reminder is sent to them if they have failed to key in the actual meeting times.

There is a summary of all Interpreter assignments held in TdB where they are encouraged individually to report any queries.

With regard to the personal data held in SIGNALETIQUE, to correct information is outlined in the Notification DPO-280 and DPO-281 for all staff and for ACIs (attached).

The interpreters should contact the SCIC GECO (Gestionnaire des Congés) should there be an error in any leave, absence or recuperation entered into INDISPONIBILITES (under a separate Notification DPO-3126).

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 Directorate General for Interpretation (SCIC) is part of the European Commission and provides high-quality interpretation in Brussels and other places in the world for the European Commission, the Council of the European Union, the European Economic and Social Committee, The Committee of the Regions, the European Investment Bank and other bodies of the European Union.

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For each of the different applications, please see the attachment to Question 7 for the full explanations. The attachment covers: WEBDOR, CORAL, PEARL-WIN, ENGAGEMENT, CRISTAL, RAPPORT DE SEANCE (RdS), other Web-based tools such as My Programme, Tableau de Bord and Weekly Overview Programming (WOP), SIGNALETIQUE (which has already been notified - see DPO-280 and DPO-281) and INDISPONIBILITES (which is notified under DPO 3126). All of these applications are integrated into a system working on the central database CORALIN.

9) Manual Processing operation(s):

10/ Storage media of data

Database servers running in the operational IT environment of DG SCIC (see attachment for question 7)

11/ Legal basis and lawfulness of the processing operation

11) Legal basis of Processing:

Regulation 1 of 1958 determining the official languages of the EEC, plus subsequent amendments. Conditions of Employment of Other Servants (CEOS), Articles 84.4 and 87 by analogy.

The Communication by Vice President Kinnock on the reorganisation of SCIC (SCIC/CS D(2003)61, which was approved by the Commission on 8 October 2003, refers on page 6 to "management of interpreting staff, with particular emphasis on quality control (see attachment).

According to its mission statement, DG Interpretation (SCIC)'s role is to make possible multi-lingual communication, which is at the core of Community decision making:

by providing quality interpretation in meetings arranged by the Commission and the other Institutions served by DG Interpretation.

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)"

Processing is lawful pursuant to Article 5 paragraph b). Article 20 is not relevant.

Given the possible nature of the data processed by these tools, Article 27 paragraph 2b is relevant and hence, prior checking by the EDPS is required.

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

20) Recipient(s) of the Processing:

Individuals and categories of staff have access to different parts of the applications and different levels of the applications, according to needs:

- services within SCIC
- middle and senior management of SCIC
- client institutions

The name, languages, email address, photo and the professional domicile (only for ACIs) are visible on the CV on QUICKFINDER accessible via SCIC Intranet (SCICnet). These data are accessible to all staff and accredited ACI who can access the Intranet with a login and password.

The RAPPORT DES SEANCES (RdS) application is a system available through SCICNet (the SCIC Intranet) and the first part of which is completed by the Interpreter designated as the Head of the Interpretation Team (HIT) in order to record exact working times of the interpreters, as well as feedback on the general running of the meeting. This data is processed within SCIC and further dispatched within the service for action and/or information. In the report, the HIT is obliged to note any comments made by the chairman or a participant of

21) Category(ies) of recipients:

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13/ retention policy of (categories of) personal data

With regards to the personal data of SCIC personnel including ACIs, this is explained in the Notifications for SIGNALETIQUE (DPO 280 and 281), however, the main points were:

Unless the ACI specifically requests the removal of his/her data, paper and electronic files of ACIs are kept for 120 years.

Paper and electronic files of candidates who have not submitted their CV and copies of their diploma within 3 months from the date of their application for a test, will be erased.

In all other cases, unless the candidate specifically requests the removal of his/her data, they are stored in the database for 20 years.

Rapport de Seances are kept for 40 years.

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

On receiving the information from a data subject, it is in the interest of SCIC and the interpreter that the correct information, for example regarding availability for meetings, is updated in the systems as quickly as possible.

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:

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Given the possible nature of the data processed by these tools, Article 27 paragraph 2b is relevant and hence, prior checking by the EDPS is required.

Article 27.2.(a) Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,

n/a

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

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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:

Auxiliary Conference Interpreters are also known as ACIs or freelance interpreters

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:04/01/2010

DATA PROTECTION OFFICER: RENAUDIERE Philippe

INSTITUTION OR BODY:European Commission